

Constitution and Bylaws of the Southeast Community College Faculty Association

ARTICLE I. NAME

The name of this organization shall be the Southeast Community College Faculty Association.

ARTICLE II. PURPOSE

The purpose of this organization shall be:

Section 1. To unify and strengthen the teaching profession at Southeast Community College.

Section 2. To promote the adoption of ethical practices, personnel policies, and standards of preparation and participation for faculty members.

Section 3. To promote equity and diversity both within the Association and within the College.

Section 4. To negotiate with the Board of Governors of Southeast Community College or their designee for salaries, retirement, tenure, professional and sick leave, and other terms and conditions of employment for full-time faculty members.

Section 5. To enable faculty members to speak with a common voice on matters pertaining to their profession and to present their individual and common interests before such other bodies as may influence the teaching profession.

Section 6. To facilitate communication and dissemination of information to College faculty.

Section 7. To promote cooperation and goodwill among faculty on all campuses.

Section 8. To hold property and funds, to employ staff as needed, and to otherwise do any and all things necessary and proper for the accomplishment of the purpose set forth herein.

ARTICLE III. MEMBERSHIP

Section 1. Membership is open to any person employed by Southeast Community College in the employee classification of full-time faculty, including program chairs.

Section 2. Membership is effective upon receipt of a membership form by a campus officer and shall be continuous until the member leaves the College, provides to their campus president a written notice of termination from the Association, or fails to pay membership dues.

Section 3. Membership in the Association is voluntary. No discrimination, interference, harassment, or coercion shall be used in the recruitment of members.

Section 4. Faculty Association Executive Team will have authority to vote annually to increase membership dues incrementally. The percentage of such increase will be limited by the negotiated percentage increase in total compensation in the same year. The Membership will be provided notice of, and an opportunity to attend and provide input at any Executive Team meeting where a dues increase is proposed. Faculty Association Executive Team will have authority to vote to reduce the amount of dues at any time it deems appropriate.

Section 5. A member shall begin paying dues immediately upon joining the Association. Two options are available for paying dues. Dues may be paid by monthly payroll deduction following submission of the appropriate forms to the Business Office of the College. Members not wishing to use payroll deduction may opt to pay their dues on a semiannual basis with payments due September 1 and March 1 of the Association year to the Executive Team treasurer.

Section 6. A member shall be afforded all rights and benefits of membership immediately upon enrollment, except that a new member shall not be eligible for legal assistance provided by the Association for any matter relating to the member's employment with the College which originated prior to the date of application for membership, unless a specific exemption is requested by the member and granted by the Executive Team.

ARTICLE IV. CAMPUS OFFICERS

Section 1. Officer Positions. The Association membership of each campus of the College will elect a campus president, vice president, secretary, and treasurer to serve two-year terms. The officers of each campus shall be members of the Association. The term of any office will begin immediately upon being elected.

Section 2. Nominations/Elections. The president and treasurer will be elected in even-numbered years, and the secretary and vice president will be elected in odd-numbered years. Each campus president shall appoint a Nominations/Elections Team no later than August 1 of each year. Each Team is responsible for designing the ballot and organizing and overseeing the election for its campus. The Team shall timely notify all members of upcoming elections and seek nominations for vacant offices. If there are more than two members running for an office, a preliminary election shall be held to determine the two members with the most votes to run in the final election. All members will be notified of the nominees and the time, place and method(s) available for voting.

The Nominations/Elections Team for each campus shall determine acceptable method(s) for voting, which may include in-person voting at a campus meeting, submitting votes by electronic mail, or any other method determined by the Team to be reasonably calculated to ensure each member is granted a reasonable opportunity to vote. The event of a tie will be decided by coin toss. Campus elections shall be complete before the first Executive Team meeting of the Association year.

Section 3. Officer Duties. Campus officers shall be responsible for the following:

Campus President:

- Serve as presiding officer of campus association meetings.
- Appoint committees as necessary.
- Maintain all appropriate records for the office and transfer those records to the next campus president.
- Appoint the campus Nomination/Election Team.
- Serve on designated College teams.

Campus Vice President:

- Perform all duties of the campus president in the president's absence.
- Complete the term of office if the president is unable to do so.
- Notify membership of elections and process for voting; prepare and provide mail-in ballots when requested.

Campus Secretary:

- Take minutes at all campus membership or campus officer meetings; print and distribute minutes to all campus members.
- Maintain all appropriate records for the office and transfer those records to the next campus secretary.
- Arrange for the site of meetings and refreshments; notify members of the meeting; distribute the agenda for any such meeting.
- Maintain a list of the membership on the campus; distribute approved Faculty Association materials.
- Prepare campus correspondence.

Campus Treasurer:

- Serve on the Executive Committee's Budget Team.
- Arrange for the payment of bills and the disbursement of monies for campus activities.
- Maintain all appropriate records for the office and transfer those records to the next campus treasurer.

Section 4. Officer Removal. Refer to Article V. Section 6.

Section 5. Officer Vacancies. If a vacancy occurs, the remaining officers of that campus, by majority vote, will appoint a replacement for the remainder of the term of office.

Section 6. Regular Meetings. The campus president is responsible for notifying campus members of all important issues. The campus president shall call at least one meeting of the campus membership each semester.

ARTICLE V. EXECUTIVE TEAM

Section 1. Representation. The Association Executive Team shall consist of the officers from each campus. The immediate past president of the Executive Team may, and is encouraged to, attend Executive Team meetings and serve on Executive Team committees for a period of one (1) year after leaving office. However, such past president may vote on Executive Team matters only if he or she remains on the Executive Team as a campus officer. The Executive Team shall be responsible for the affairs and direction of the Association as a whole and shall at all times act in the best interest of the Association. The Executive Team, by majority vote, may take any action necessary to accomplish the purpose of the Association as set forth in Article II above, subject to the restrictions set forth in these Bylaws and the laws of the State of Nebraska. Each Association Executive Team member shall have one vote.

Section 2. Officers. The Association Executive Team shall select from their own ranks a president, vice president, secretary, and treasurer. The selection of these officers shall be done annually during the first meeting of the Association year. Nominations, including self nominations, shall be taken from the floor. Members not present may send written notification of their intention to run for office; such notification shall be considered a self nomination. If only one nomination for an officer position, the person nominated shall be deemed elected to that position. If an election is necessary, elections shall be by secret ballot. If more than two Executive Team members are nominated for any office, a preliminary vote shall be taken to determine the two members with the most votes for the final election. In the case of a tie vote after three (3) ballots, the election shall be determined by coin toss.

Section 3. Officer Duties. Executive Team officers shall be responsible for the following:

President of the Executive Team:

- Serve as the presiding officer of the Association.
- Act as the representative of the Association to the public.
- Call special Executive Team meetings when necessary.
- Appoint committees as necessary.
- May serve on all sub-teams of the Executive Team.
- Convene the Negotiations Team.
- Maintain all appropriate records for the office and transfer those records to the next president.

- Attend SCC Board of Governors meetings or designate an alternate.

Vice President of the Executive Team:

- Perform all the duties of the president in the president's absence.
- Monitor the constitution and report to the Executive Team any errors or omissions of duties required by the constitution.
- Prepare and delegate tasks to campus officers, as needed, for area-wide elections and Faculty Representative to the Board of Governors election.

Secretary of the Executive Team:

- Perform all the duties of the president in the president's and vice president's absence.
- Take minutes at the Executive Team meetings; once approved by the Executive Team, distribute minutes to all Association members within 10 days of approval.
- Arrange for the site of meetings and notify team members of the meeting including the agenda.
- Maintain a list of the membership and publish a directory of the members and officers and provide mailing lists as needed.
- Prepare correspondence.

Treasurer of the Executive Team:

- Collect membership dues and hold all funds of the Association in Association account(s).
- Disburse funds based on the approved budget or upon authorization of the Executive Team.
- Prepare and present monthly written accounts of all receipts and expenditures.
- Arrange for annual internal and external audits of the Faculty Association.
- Chair the Budget Team.

Section 4. Bonded Treasurer. The treasurer shall be bonded for a sum at least equal to the current balance of the Association general fund.

Section 5. Vacancies. Should any officer position of the Executive Team become vacant, it shall be filled by the Executive Team following the same format established for the annual election of officers in Article V. Section 2.

Section 6. Officer Removal. Any officer may be removed for dereliction of duties including failure to support the purpose of the Association, misrepresentation of personal views as Association views, or any other infraction of these Bylaws. Removal may be by Petition or Motion.

Petition. Removal of a campus officer may be initiated by submitting to the Executive Team President a petition signed by twenty-five percent (25%) of the members of the campus served by the officer subject to removal. Upon

receipt of such petition, the Executive Team President, through coordination with the campus officers who are not currently the subject of the removal proceeding, shall hold a campus general election to determine whether the officer shall be removed. The general election shall be conducted in a manner reasonably similar to the procedure used for the election of campus officers. Removal of a campus officer by petition requires a two-thirds vote of the campus membership participating in the general election called for that purpose.

Motion. A campus officer may be removed by a motion by any Executive Team member at any Executive Team meeting, and the affirmative vote of eight (8) Executive Team members in favor of removal. Prior to a vote on any such motion, the member subject to removal shall be provided written notification of and grounds for the motion, and a reasonable opportunity to respond to stated grounds for the motion.

Section 7. Communications. Any communications to the general membership must be shared with the Executive Team at least 24 hours before it is communicated to the general membership. Executive Team members will have 24 hours to evaluate the communication. During this period, Executive Team members may offer comment, suggest modifications, or assert an objection to the dissemination of the communication. If the communication is modified during the evaluation period, the modified version must be shared with the Executive Team; this will restart the 24-hour evaluation period. Only an objection will prevent the dissemination of the communication. An objection may be overruled by a two-thirds vote of the Executive Team. If there is no objection, the communication shall be disseminated to the membership at the expiration of 24 hours. Except for communications to the membership otherwise specifically addressed by these Bylaws, all communication to members from the Association shall be distributed by the Executive Team Secretary. If the Executive Team Secretary is unavailable, the duty will fall to the Executive Team President. If the Executive Team President is unavailable, the responsibility will fall to the Executive Team Vice President, and then to the Executive Team Treasurer. Under exigent circumstances, the Executive Team President may circumvent the aforementioned approval process by obtaining a review and approval of the communication by at least one other Executive Team officer.

ARTICLE VI. EXECUTIVE TEAM MEETINGS

Section 1. Open Meetings/Furnished Meals. All meetings of the Executive Team are open to any Association member unless an executive session is called. If the meeting includes a meal, meals are furnished only for Executive Team members, the Association's attorney, and invited guests.

Section 2. Regular Meetings. As a general rule, the Executive Team will meet monthly. The Executive Team shall, however, meet at least on a quarterly basis. The meetings may be held in person or virtually.

Section 3. Special Meetings. Special meetings of the Executive Team may be called by the Executive Team President or by the president of any Association campus division upon written notice to the Executive Team President at least three (3) days in advance of such scheduled special meeting setting forth the nature of the issues on the agenda. The Executive Team President shall then notify the Association membership of the time, date, and nature of the special meeting. In case of emergency, information on a particular issue may be disseminated by electronic mail and voting on that issue may be accomplished by electronic mail with at least a quorum responding.

Section 4. Annual Meeting. There shall be at least one annual membership meeting that will count as an official monthly meeting.

Section 5. Required Attendance. Attendance at Executive Team meetings is required unless a member is engaged in College duties. Any member missing more than three (3) meetings per year may be removed as an officer by eight (8) voting members of the Executive Team, following the third absence.

Section 6. Agenda. The date and agenda of regular Executive Team meetings shall be established by the Executive Team President. At least three (3) days in advance of any regular meeting, the agenda for the upcoming meeting and minutes of the previous meeting shall be distributed to all Executive Team members. The agenda will be distributed to all members at least two (2) days before the meeting.

Section 7. Order of Business.

1. Election of officers, if that is an item of business.
2. Corrections and additions to the agenda.
3. Approval of the minutes of the previous meeting.
4. Treasurer's report.
5. Reports from officers, legal counsel, and committees.
6. Consideration of unfinished business.
7. Consideration of new and miscellaneous business.

Section 8. Rules of Order. Roberts Rules of Order (revised) shall be used to conduct all Executive Team business unless modified by a majority vote of the Executive Team. With the exceptions of the approval of the minutes, the agenda, the treasurer's report, and adjournment, all votes shall be by roll call and shall be recorded by the secretary.

Section 9. Quorum. Eight (8) voting members of the Executive Team must be present to constitute a quorum for the purpose of conducting Association business. Unless proscribed differently elsewhere in these Bylaws, a simple majority vote shall be used to conduct all Association business.

ARTICLE VII. AREA-WIDE VOTING

The following voting process shall apply to all area-wide elections, including but not limited to, election of the Faculty Representative to the Board of Governors and approval of the Faculty Agreement.

1. For area-wide elections, it shall be the responsibility of the Executive Team to design the ballot and to oversee the election.
2. All full-time, regular faculty are eligible to vote in the election of the Faculty Representative to the Board of Governors. For all other area-wide voting, only current Association members are eligible to vote.
3. It is the responsibility of each campus vice president to ensure that the FA Attorney has a list of all faculty members eligible to vote in a particular election. The membership list should be validated as current within 72 hours prior to any area-wide election.
4. Electronic ballots will be e-mailed to each eligible faculty member by 8:00 a.m. the day of the election.
5. Eligible voters shall be given the option to vote by either of the methods set forth below:

Option One: Voters may elect to mail their completed ballot directly to the FA Attorney's office. Voters choosing this method shall request from his or her campus vice president or other designated individual a blank mail-in ballot and stamped envelope. Mail-in ballots must be received in the FA Attorney's office by 5:00 p.m. on the day of the election. Mail-in ballots received after 5:00 p.m. on election day will not be counted. Voters must include his or her name and campus on the ballot or envelope. Any ballot not submitted in full compliance with these procedures will not be counted.

Option Two: Members may choose to return the ballot to the FA Attorney's office at a specified e-mail address. Electronic ballots must be submitted from the faculty member's official SCC Internet e-mail address. Electronic ballots must be received by the FA Attorney no later than 8:00 p.m. on Election Day. Electronic ballots received after the deadline, or in a manner other than that set forth herein, will not be counted.

6. The FA Attorney's office will cross check each ballot with the eligible voter list provided by each campus vice president to confirm each ballot is cast by an individual authorized to vote in the election, and that no person casts more than one vote. Unauthorized or duplicate ballots will be null and void.
7. Immediately following this verification, the FA Attorney will tabulate all authorized ballots. The FA Attorney will keep, for a period of not less than 60 days following the election, a copy of every ballot, with attached mail envelope or transmittal e-mail which accompanied the ballot attached thereto, if any, and the list of eligible voters for each campus annotated pursuant to the directions specified above.

8. The FA Attorney shall certify the election results to the Executive Team President and each campus president via e-mail by 8:00 p.m. on the day after the election. Within 24 hours of receipt of the election results from the FA Attorney, each campus president, after consulting with the other campus officers, will notify the Executive Team President of either their acceptance of, or challenge to, the election. Upon unanimous acceptance by all three campus presidents, the Executive Team President shall immediately communicate the election results via e-mail to all Association members.
9. If there is a challenge to the voting process or election results asserted by a member of the Executive Team, the Executive Team President shall call a special meeting to address the issue and shall provide notice of such special meeting to all eligible voters via electronic mail. Upon request, the FA Attorney shall present to the Executive Team for review copies of all ballots for each campus along with any attachments thereto, the list of eligible voting members for each campus as annotated in accordance with this section, and any other information available to the FA Attorney as it relates to the election. Prior to the special meeting, each Executive Team member shall be given a reasonable time to review the records provided. All challenges must be presented and discussed at the special meeting. Upon completion of discussion on the matter, the Executive Team President will call for a vote of the Executive Team to determine appropriate measures to resolve the issue. If the election was complete, the results will stand absent a majority vote in favor of voiding the results. If the results are voided, a new election will be scheduled for no later than ten (10) business days from the date of the special meeting.

ARTICLE VIII. TEAMS

Section 1. Negotiating Team.

A. Composition and Selection. The Negotiating Team will be composed of one officer from each campus chosen by the officers from each campus, with input from campus membership. From this Team, the Executive Team shall elect a Chief Negotiator.

B. Conflict of Interest. A member of the Team who is, or anticipates becoming engaged in the application process for an administration position shall immediately notify the remaining Team members of a potential conflict of interest and may either voluntarily resign or notify the remaining members of his or her refusal to resign on the basis that no sufficient conflict of interest exists. If the Team member refuses to resign or fails to notify the Team that he or she is engaged in such application process, a conflict of interest with regard to such member may be declared by any two members of the Negotiating Team. Upon such declaration, the Team shall meet as soon as practicable and afford the member against whom a conflict has been declared an opportunity to refute the declaration. Team members, not including the member engaged in the application process for an administrative position, shall then vote to determine whether

the member may remain on the Team; three (3) votes in favor of removal is sufficient to remove the member from the Team.

C. **Negotiation Process.** The Negotiating Team shall design and distribute to all Association members a survey for the purpose of identifying negotiation priorities. The general results of the survey shall be reported to all Association members. The Negotiating Team will establish a set of negotiation priorities and develop a negotiation strategy based upon the results of the survey, input from the Executive Team, and the principle of equal and fair treatment of all faculty members. The Negotiating Team shall be directly responsible to the Executive Team and receive its authority from the Executive Team. The Negotiating Team will provide to the Executive Team periodic updates and reports on the status of negotiations. Regular reports shall be given to the Association members unless doing so will harm the process or will violate the negotiations agreement.

D. **Ratification.** After negotiations are complete, the Negotiating Team shall present the proposed Faculty Agreement to the Executive Team for approval. If approved by the Executive Team by majority vote, the proposed Agreement shall be presented to the Association membership for review. An area-wide election must take place within a reasonable period of time following such presentment. A majority vote of the membership voting in the election shall be sufficient to ratify the Agreement. Upon ratification, the Agreement shall be executed by the Executive Team President.

E. In the event of disruption or impasse in the negotiation process at any level, the Executive Team shall have the authority to determine the appropriate course of action.

Section 2. Nominations/Elections Team. Each campus president shall appoint a Nominations/Elections Team by August 1 for the purpose of handling elections of campus division officers. See also Article IV Section 2.

Section 3. Grievance and Ethics Team. The Grievance and Ethics Team shall be composed of up to nine (9) Association Grievance Representatives. The Executive Team may appoint as Association Grievance Representatives up to two (2) Association members from the Beatrice campus, three (3) Association members from the Milford campus and four (4) Association members from the Lincoln campus. The term of office shall be for one year, beginning September 1 and ending August 31, or until his or her successor may be appointed. The Grievance and Ethics Team shall monitor grievance procedure activity and shall assist those faculty members who have concerns or questions regarding the grievance procedure. If two or more members are involved in a related grievance resulting in a conflict of interest, outside counsel may be provided for each grievant, within parameters approved by the Executive Team. The Grievance and Ethics Team may from time to time make recommendations to the Executive Team regarding changes in the grievance procedure.

From the Grievance and Ethics Team, a Grievance Coordinator shall be appointed by the Executive Team. The term of the Grievance Coordinator shall be for two years

from the date appointed. Duties of the Grievance Coordinator will be to develop and coordinate annual grievance trainings, provide assistance and guidance to Association Grievance Representatives, disseminate grievance information to Executive Team and Association members, and forward grievances to the FA Attorney as necessary. The Grievance Coordinator may attend monthly Executive Team meetings, when appropriate and permissible, for the purpose of updating the Executive Team on grievance activity.

Section 4. Budget Team. A Budget Team comprised of all three campus treasurers and chaired by the Executive Team Treasurer shall prepare an annual budget for the Association and present it for adoption by the Executive Team. The budget shall be adopted by October 31 of each year.

Section 5. Ad Hoc Teams. The Executive Team may appoint ad hoc teams from time to time whenever the need may arise. Such teams shall be disbanded by the Executive Team when their work is complete. Any such team shall be directly responsible to the Executive Team.

ARTICLE IX. AMENDMENTS TO THE BYLAWS

Section 1. These articles may be amended in whole or in part by a two-thirds vote through any duly organized election of the Association.

Section 2. An amendment of these Bylaws may be proposed by the Executive Team or by petition containing the signatures of at least 20 percent of the recorded membership. Any such amendment shall be submitted to a vote of the general membership within 90 days after receipt of the proposal by the Executive Team Secretary. The Executive Team Secretary shall then see that a copy of the proposed amendment is given to each active member of the Association at least seven (7) days prior to any vote on said proposed amendment.

ARTICLE X. DISTRIBUTION OF PROPERTY UPON DISSOLUTION

In the event of dissolution of this Association, its property shall be liquidated with all cash to be placed in an account or fund for the purpose of distribution for the benefit of the Association, charity, the College, or a successor organization as may be determined by the last meeting of the Executive Team and approved by a majority of the Association membership.

ARTICLE XI. ASSOCIATION YEAR

The Association year shall begin September 1 each year and end on August 31 of the following year.

ARTICLE XII. CODE OF ETHICS

All members of the Faculty Association should aspire to:

- Be accountable and show respect for others.
- Be honest and demonstrate integrity.
- Pursue excellence in fulfilling responsibilities and job duties.
- Be kind and compassionate.
- Adhere to the principles of diversity.

ARTICLE XIII. DATE OF ADOPTION

Passed by two-thirds vote through a duly organized election on April 9, 2024.