

Ratified, October 14, 1985

Amended, February, 2001

Amended, February, 2003

BYLAWS
WEST CHESTER UNIVERSITY
ASSOCIATION OF PENNSYLVANIA STATE COLLEGE AND
UNIVERSITY FACULTIES

ARTICLE I: NAME

The name of this organization will be the West Chester University chapter of the Association of Pennsylvania State College and University Faculties, herein referred to as the WCU Chapter of APSCUF or Chapter.

ARTICLE II: PURPOSE

This organization represents the Faculty and Non-Faculty coaches of West Chester University in matters mandated by the Collective Bargaining Agreement of the State APSCUF organization and the State System's Coaches Agreement speaks for the Chapter membership in other matters consistent with the contract.

Neither the actions of the Chapter nor these by-laws can be in violation of the Collective Bargaining Agreement, nor the State APSCUF bylaws and the State System's Coaches Agreement.

ARTICLE III: MEMBERSHIP

Section A: Active Membership

All persons connected with West Chester University who are eligible for and are members of State APSCUF are hereby members of this Chapter.

Section B: Retired Members

Retired members of APSCUF may become members of the Association of Pennsylvania State College and University Retired Faculties, herein referred to as APSCURF, as provided in the State APSCUF bylaws.

ARTICLE IV: LOCAL DELEGATE ASSEMBLY

Section A: The Assembly and its Duties

1. The Chapter will have a Delegate Assembly to act in behalf of the membership.
2. The APSCUF members of each department or unit will elect one APSCUF member to the Delegate Assembly for each ten APSCUF members or fraction of ten equal to or greater than one-half. Units with five through fourteen APSCUF members will have one delegate; units with fifteen through twenty-four members will have two delegates, and so forth. Departments or units with fewer than five APSCUF members may combine, with the approval of the Executive Council, with another unit within the same school until they constitute a unit containing at least five members. Delegates to the Assembly will be elected by majority vote in accordance to the established election procedures of their electoral unit, with elections taking place in the Spring Semester of each year before April 30, and the Delegates taking office for a two-year term beginning September 1. Half of the total Delegates will be elected each year. Non-faculty coaches will elect one of their members to serve as Delegate to the Assembly.
3. The elected officers of the Chapter are voting members of the Delegate Assembly and are the officers of that body. Delegates to the State APSCUF Legislative Assembly who are not also members of the Chapter Delegate Assembly will, by virtue of their office, be voting members of the Chapter Delegate Assembly. APSCUF members who chair local standing and permanent committees and who are not also members of the Chapter Delegate Assembly will, by virtue of their office, be non-voting members of the Chapter Delegate Assembly.
4. The Chapter Delegate Assembly will meet at least once monthly during September, October, November, December, February, March, April, and May [and once monthly during December and May,] and once during summer sessions, unless there is no Chapter business to conduct, on a calendar set by the Executive Council and announced to the delegates and the campus. [set forth and approved by the Assembly the last meeting of the academic year for the next academic year.] Quorum for conducting business is a majority of delegates or their alternates.
5. Each unit electing delegates to the Delegate Assembly will also elect for each delegate official alternates to serve when the duly elected delegate is not able to attend.
6. If for [three] two consecutive Assemblies, neither the delegate nor an official alternate attends, the department or unit will be notified of a vacancy by the Chapter Corresponding Secretary and will elect new representatives to serve the unexpired terms.
7. Delegates and their alternates may be changed by a majority vote of their unit(s) providing that such election is certified in writing by the unit chairpersons to the Corresponding Secretary prior to the seating of the new delegate.

ARTICLE V: ELECTED OFFICERS AND THEIR DUTIES

Section A: Elected Officers

The officers of this organization will be a President, Vice-President, Recording Secretary, Corresponding Secretary, and Treasurer. These officers will be elected for a two-year term in accordance with the election procedures specified in these by-laws.

Section B: Duties of Officers

1. The President will be the principal executive office in carrying out the policies and mandates of the Delegate Assembly. As such, s/he is responsible for establishing the time and place of all meetings and for collecting information from and disseminating information to all members of this Chapter. As the principal spokesperson for the Chapter, s/he will have such powers as are appropriate to this office and as are specified in these bylaws.
2. The Vice-President will fulfill the duties of the Chapter President in her/his absence as well as to assist the President as needed, and will meet with the Administrative Officer designated by the University President to confer on the Meet and Discuss agenda.
3. The Recording Secretary will be responsible for keeping the records and minutes of all meetings of the Chapter, the Executive Council, Meet and Discuss, and will be responsible for the dissemination of the minutes and other information.
4. The Corresponding Secretary will be responsible for all Chapter mailings, the update of State leadership lists, the dissemination of Assembly agendas, the accuracy of the local list of delegates, and the notification to the appropriate unit of vacancies.
5. The Treasurer will be responsible for recommending the Chapter budget to the Assembly for its approval, as well as collecting, disbursing and accounting for all funds. S/He will confer with the Chair of the Audit Committee in the preparation of the Chapter Audit and will verify the accuracy
6. The Immediate Past President will serve as a source of information and advice for the first year following her/his leaving office. The Sitting President may request additional aid as needed.
7. An elected officer on sabbatical or educational leave may choose to continue during her/his elected term. When that officer chooses not to serve during that absence, an [election will be held according to provisions in these by-laws] appointment to fill the office for that absence period will be made by the President with the consent of Executive Council.. After the leave, the officer may resume the duties for which s/he was elected if that term of office has not expired.
8. The Chapter President, Grievance Chairperson and Meet and Discuss Spokesperson are, as a condition for holding their respective APSCUF offices, prohibited from serving on university Tenure, Promotion or Sabbatical Committees.

ARTICLE VI: EXECUTIVE COUNCIL

Section A: Council Membership

The Executive Council will consist of the elected officers, the immediate past President, who serves for one year following his/her leaving Presidential office, three members elected at large from the Delegate Assembly one of whom must be a State Delegate, and one non-faculty Coach selected by the Coaches. The Chairpersons of the Contract Implementation/ Grievance and Budget Committees will be non-voting members of the Council.

Section B: Duties of the Council

The Council will act for the Chapter between meetings of the local Delegate Assembly, consistent with the policies and subject to the ratification of that body, will supervise and serve as liaison to all standing and permanent Chapter committees, will review all committee reports and determine the appropriate disposition of them, and will assist the President in all things s/he requests and these bylaws provide. [and will establish the agenda for all meetings.] Authority for class action grievances will originate with the Council.

Section C: Meetings of the Council

The Council will meet weekly during the academic year unless there is no business to conduct. The Council will be chaired by the local President, and its quorum will consist of at least four members, one of whom must be a member-at-large. Additional meetings can be called by the President or by written request of any four Council members. During the summer and times that the university is not ordinarily in session, the Council will meet at least monthly unless there is no business to conduct. Minutes of Council meetings will be [distributed] available to all local delegates [at or before the next regularly scheduled Assembly meeting] or chapter members upon request.

ARTICLE, VII: MEET AND DISCUSS TEAM

Section A: Membership

The elected officers, a member-at-large, and the immediate past President of the local chapter will constitute the Meet and Discuss team.

Section B: Procedures

The [Executive Council] President will designate the [Spokesperson] Chairperson of the Meet and Discuss team. Other members of APSCUF may be invited by the [Spokesperson] Chairperson or the President to attend Meet and Discuss meetings on a regular or ad hoc basis. Deliberations of the team will be reported to the local Delegate Assembly for appropriate action and information wherever feasible. [Official minutes will be distributed to the local Delegates with all due speed.]

ARTICLE VIII: STATE LEGISLATIVE ASSEMBLY DELEGATES AND ALTERNATES

Section A: Delegate and Alternate Members

1. Delegates will be elected in the number and manner allowed by State APSCUF by-laws for a term of two years, with half of the number of delegates elected each year, for a term beginning September 1 and ending August 31. The Coaches' representative will be elected according to procedure determined in the State APSCUF bylaws.
2. The President of the Chapter will be, by virtue of office, a delegate to the APSCUF State Assembly and will act as Chairperson of the West Chester delegation.
3. There will be [an equal number of delegates and their] at least four alternates elected provided that no alternate will be elected by less than twenty-five percent of the total ballots

cast. Coaches' representatives will be determined by the process set in State APSCUF bylaws.

4. When sufficient number of delegates cannot attend the State Legislative Assembly, the opportunity to attend as alternate will be offered to the highest ranking alternate first and then to the second ranking alternate, and so on. In case no alternate is available to attend a particular Assembly, a voting member of the Executive Council, herein designated as alternate by virtue of office, may be sent as delegate.

5. If a delegate is elected to the State APSCUF Executive Council, s/he will resign as an elected delegate and be replaced by the highest-ranking alternate. If the Chapter President is elected to the State APSCUF Executive Council, the Chapter Vice-President will be, by virtue of office, a delegate and the Chairperson of the West Chester delegation. If the Vice-President is already a delegate, the highest ranking- alternate becomes a delegate so that the size of the delegation remains the same. Should the Vice President choose not to head the delegation, the Executive Council will appoint a designee to chair the West Chester delegation, that person selected from one of the elected West Chester delegates.

6. Delegates and alternates on leave for other than interim administrative offices may choose to continue to serve during their elected terms. When a delegate chooses not to serve while on leave or resigns at any time, the highest ranking alternate will serve until the delegate returns or until the next election of delegates, whichever is applicable. If at least one year remains in the unexpired term, an election will be held for a new delegate to complete the resigned delegate's term. [At this election, the delegate receiving the least number of votes will be deemed the replacement for the resigned delegate's one-year term.] If the alternate's election is held during a regular delegate election, the person with the least number of votes will be deemed the replacement for the resigned delegate's term.

7. If delegates or alternates assume an interim administrative position, they are disqualified from representative service as stipulated in Article XI. Their terms of office will be filled as provided by Article VIII, Section A-6.

8. Alternates may run in any year for delegate. Failing election as a delegate, they shall continue as an alternate until the completion of their original two-year term. If the election falls at the end of the two-year term, the individual may be re-elected as alternate.

Section B: Duties of the Delegate and Alternate Members

1. Delegates and alternates will attend the State Legislative Assembly to represent the interests, positions and concerns of the Chapter.

[2. Delegates will meet as a group prior to each State Legislative Assembly to consider topics of concern to State leadership, positions (if any) to be assumed on such concerns, and local matters to bring to the State Assembly. The delegate member of the Executive Council will secure information from State leadership for this meeting.]

2. At the local Assembly immediately following the State Delegate Assembly, a member of the delegation will report on matters discussed and settled at the State level.

ARTICLE IX: COMMITTEES

Section A: Contract Mandated Committees

1. Contract mandated committees will consist of committee on sabbaticals, tenure, promotions, educational leaves, and curriculum.
2. Members of contract mandated committees are elected from and by the bargaining unit.

Section B: Permanent Chapter Committees

1. Permanent committees include but are not limited to the Committee on Contract Implementation, [Professional Standards and Practices], Membership, [Evaluation], Legislative, Budget, Election, Health and Welfare, [Rules and By-laws], , Social Justice/Gender Issues Faculty Development, Audit, and the Coaches' Representative Committee. In addition, AAUP or other affiliation councils/committees may be constituted by the Delegate Assembly.
2. Membership in Election Committee and Coaches' Representative Committee is by election; other committees are by appointment of the Chapter President in consultation with the Executive Council. 3. Terms of office will be for one calendar year, commencing at the first local Delegate Assembly. The chapter President will designate chair- persons of the permanent committees. The Executive Council may rescind committee membership for due cause.

Section C: Special Committees

Special committees for the purposes of expediting temporary business may be authorized as specified in Article IX, B.2, or they may be created and members chosen by motion and vote of [members of] the local Delegate Assembly.

Section D: Structures and Procedures

1. The procedures of each permanent committee will be developed in writing by the committee members in accordance with the Collective Bargaining Agreement and State By-laws. These procedures must be available for member information.
2. Structures, practices and operations of contract mandated and permanent committees will be reported to the local Assembly for member advice in all matters feasible. Quorum for conducting business will be a majority of committee members.

ARTICLE X: ELECTIONS

Section A: Elections Committee

All APSCUF elections and contractually mandated elections will be conducted by an Elections Committee. The Committee will be responsible for preparing and distributing all pertinent election material, as well as conducting the election in accordance with procedures

in Article X.

Section B: Nominations

1. Nominations for Chapter officers will be solicited by mail, commencing at least [six] four calendar weeks from the date of the scheduled election. Names of nominated officers will be sent to the membership [one calendar month] three calendar weeks before the scheduled election. Nominations will be closed as of 5:00 p.m. [three] two calendar weeks before the scheduled election. Information regarding the candidates for any office is open to all APSCUF members.

[The local officer candidates will appear at a meeting open to all APSCUF members during the week following the close of nominations for the purpose of presenting statements regarding their viewpoints and answering questions from the membership. Such meeting will be chaired by a member of the Elections Committee. Notification of the meeting, although not the names of those who will be nominated, must be made at least two calendar weeks before the election.]

2. Each officer and delegate candidate will submit a written statement to the membership that accompanies the election ballot. Such statements should provide the candidate's philosophy, aims for office, and general aptitude for the position sought.

Section C: Election Procedures

1. The election of officers will be held every other year [between March 1 and April 31], before April 15 in accordance with the State APSCUF by-laws, and the two- year term will commence on September 1, following election. In order to insure an orderly transition, each officer-elect will observe the outgoing officer in performance of duties between the time of election and September 1. The election of delegates to the State Legislative Assembly will be held every year [between March 1 and April 1] by April 15.

2. Elections may be held either by mail ballots or in polling places. If polling places are used, polls for general-at-large elections will be open on two consecutive days for no less than [seven] five hours each day. If mail ballots are used, those voting will be required to sign an outside envelope to insure the correct identity of the person voting.

3. Candidates or their representatives have the right to be present when votes are counted, which will ordinarily be at the close of the second day of all elections. Candidates who inquire will be informed of the time and place of the vote counting. In all cases, there will be two or more election tellers to count ballots and certify their tally by signature.

4. Officers will be elected by a majority of votes cast. If no candidate receives a majority, there will be a run-off election between the two top candidates. A tie in the second election will be settled by lot.

5. State delegates will be elected by a plurality of votes cast, with no delegate being elected with less than twenty-five percent of ballots cast.

6. After each election for delegates and alternates, a ranking for each person elected

based on the number of votes received will be computed and a list of the ranking sent to all local members. After the next delegate election and ranking of successful candidates, the two lists must be re-computed and an order of candidates evolved based on the votes each person received during his/her election. Ties will be resolved by lot.

7. Should there be a vacancy in the required number of alternates, [a number equal to the number of delegates], namely the pool of four alternates an emergency election to fill the vacancy will be held with all due speed in accordance with provisions in these by-laws if the term has more than one year remaining. If less than one year remains, an alternate will be elected by the local delegate Assembly to fill the unexpired term. The delegate elected by the Assembly will be ranked lowest in the computations described in #6 above.

8. Nominations for the three members-at-large to the Executive Council positions will take place at the first September Delegate Assembly. Nominations will close and the election of the three members-at-large will take place at the second [September] Delegate Assembly.

Section D: Eligibility for Voting

In elections of officers, State or local delegates, alternates, and all other APSCUF elections and ratifications, only members of WCU APSCUF in good standing, with no dues in arrears ten class days prior to an election, may vote. In elections of members to contractually mandated committees, all personnel designated as Faculty, Non-Faculty Coaches, or Administrative Faculty in the CBA may vote. Regularly employed faculty, faculty on sabbatical leave, and non-faculty coaches have the right to vote by absentee ballot provided that such ballots are requested in writing at least one week before the scheduled election and are received by the time the polls close on the second day of voting.

ARTICLE XI: DISQUALIFICATION AND RECALL FROM OFFICE

Section A: Disqualification

Any officer, State or local delegate, or alternate who assumes an acting administrator's position will, by virtue of that position, be required to vacate the APSCUF office held and will be replaced for the unexpired term by a vote of the local Assembly in the case of officers, by the unit originally electing them in the case of the local delegates, and by the highest ranking alternate, in the case of State delegates.

Section B: Recall

1. All elected local officers and delegates to the State Assembly will be subject to recall for due cause. Recall is initiated by petition that specifies the charges to the Executive Council signed by twenty percent of the local membership. The Executive Council will determine the validity of the petition and schedule a recall [election] ratification.
2. The person challenged by recall has the right to publish rebuttal to any charges claimed as a basis for recall prior to the recall [election] ratification.

3. Recall [elections] ratifications will designate the approval or disapproval of the person so charged and will be held by written ballot. A majority of disapproval votes cast by those voting will constitute recall.

4. A special election to replace the recalled officer or delegate will be held according to the provisions in Article IX.

ARTICLE XII: AMENDMENTS

Section A: Proposal of Amendments

Amendments to these by-laws may be proposed either by initiation of the Executive Council with notification to the local Delegate Assembly, by a motion approved by a majority of the delegates present at a local delegate Assembly, assuming that notification to the delegates of the impending change has been sent at least seven calendar days prior to the meeting, or by petition signed by at least twenty-five percent of the general membership. The proposal of amendments is to be regarded as endorsement of sending the matter to the membership, not agreement with the proposed amendment.

Section B: Ratification of Amendment

Ratification of proposed amendments will require a majority of votes cast by those voting from the general membership in a general election, assuming that written notification of the proposed ratification has been sent at least one [two] week prior to such a general election.

ARTICLE XIII: PARLIAMENTARY AUTHORITY

Robert's RULES OF ORDER, newly revised, will be the authority on all questions [of procedures] not specifically provided for in these by-laws.