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AAUP at NYIT, Inc. Manhattan Chapter Constitution

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Article I: Name and Purpose

- 4 A. The name of this organization shall be the New York Institute of Technology Manhattan
5 Chapter of the American Association of University Professors.
- 6 B. The purpose of the local chapter shall be to advance the standards, ideals, and welfare of
7 higher education, founded upon the principles of academic freedom and academic
8 responsibility.
- 9 C. The Manhattan Chapter, and the affiliated Old Westbury/Central Islip Chapter, together
10 form the COUNCIL OF MANHATTAN AND OLD WESTBURY CHAPTERS (a/k/a JOINT
11 COUNCIL). The Council has been recognized by the National Labor Relations Board
12 (NLRB) as the authorized representative of the NYIT Faculty, Professional Specialists,
13 Professional Staff and Librarians. The Joint Council is responsible for conducting all
14 contractual negotiations and resolving all labor-related issues with the Administration of the
15 college.
- 16 D. The Joint Council shall operate under its own By-Laws as ratified by the membership of all
17 chapters, and as appended to this constitution.

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Article II: Membership

19 There shall be three classes of members: Active, Associate and Emeritus. Only Active
20 members may hold office or vote upon issues which may be brought before the membership of
21 the chapter. Membership in the National Association is a pre-requisite to voting membership in
22 the chapter.

- 23 A. **Active Members:** Any full-time member or regular part-time member of the NYIT
24 Manhattan campus faculties, librarians, professional specialists or professional staff who
25 holds a teaching, research, or professional position with rank (or equivalent rank) of
26 instructor or higher shall be eligible for membership as soon as that individual has been
27 employed by the college and signs a dues check-off card. Voting rights shall start as soon
28 as the first payroll deduction has been taken.
- 29 1. A full-time faculty or professional specialist member is one who is contractually
30 required to teach at least eighteen (18) equivalent lecture hours per academic year,
31 exclusive of overloads, and who teaches (or performs duties equivalent to) at least
32 50% of his/her regular load in addition to any administrative duties.
- 33 2. A regular part-time faculty or professional specialist member is an adjunct instructor
34 who teaches at least twelve (12) equivalent lecture hours per academic year, and
35 has done so continuously for at least three complete years prior to applying for
36 membership.
- 37 3. Librarians, counsellors and other professional staff shall be considered full time
38 when they are contractually required to work over twenty hours per week; otherwise,
39 they shall be considered part-time members.
- 40 4. Active members shall belong to the National AAUP and shall pay dues to the Joint
41 Council and to National through payroll deductions.

- 1 7. Attempt to remedy complaints by member(s) about Administration policies and
2 decisions and resolve disputes among colleagues.

- 3 8. Convene meetings of the Executive Committee at least once per semester during
4 the academic year.

- 5 **G. The Vice-President** shall preside at meetings of the chapter and of the Executive
6 Committee in the President's absence. The Vice-President shall:
 - 7 1. Chair the Coordinating Committee.

 - 8 2. Be a member ex-officio (non-voting) of all standing and ad hoc committees except
9 the Nominations and Elections Committee.

 - 10 3. Respond to members' questions about grievance procedures and presides over the
11 Executive Committee when it considers a potential grievance.

 - 12 4. Fulfill all those duties appropriate to the office.

- 13 **H. The Secretary** shall record and maintain minutes of meetings of the chapter and of the
14 Executive Committee. The Secretary shall:
 - 15 1. Conduct the correspondence of the chapter with the General Secretary of the
16 Association.

 - 17 2. Transmit minutes of the chapter meetings, by mail, to chapter members within 3
18 weeks following each meeting.

 - 19 3. Transmit meeting announcements to all members at least 2 weeks prior to a
20 scheduled general meeting (except under circumstances involving emergency
21 meetings) which shall show agenda, date, time and location.

 - 22 4. Include in all minutes the results of ballot voting.

 - 23 5. Solicit and file the minutes of meetings of all Joint Council and committees.

 - 24 6. Serve as the repository of all past and present chapter records and correspondence.

 - 25 7. Fulfill all those duties appropriate to the office.

- 26 **I. The Treasurer** shall receive and administer the funds allocated by the Joint Council for
27 the activities and needs of the chapter. The Treasurer shall:
 - 28 1. Present a financial statement to the chapter membership at the end of each
29 academic year.

 - 30 2. Prepare an annual budget for chapter expenditures and after approval by the
31 Executive Committee submit it to the Joint Council's Finance Committee for
32 approval.

 - 33 3. Maintain a local savings account and a local checking account into which funds
34 allocated by the Joint Council are deposited. Withdrawals from both accounts shall
35 require the signature of the Treasurer or the chapter President.

- 1 4. Fulfill all those duties appropriate to the office.
- 2 J. **The At-Large elected officers** shall act as a membership recruitment committee at the
- 3 time of the annual Convocation.
- 4 K. Any elected officer may be recalled by a 2/3 majority vote of the active members present
- 5 and voting at a general or special meeting whose agenda specifying a recall vote has been
- 6 sent to the membership at least two (2) weeks prior to the meeting. A petition for recall of
- 7 an officer which carries the signatures of at least 15% of the active members of the
- 8 chapter shall require the President or the Executive Committee to convene a special
- 9 meeting for that purpose.
- 10 L. The newly elected officers shall assume their duties on June 1st.

11 **Article IV: Standing Committees**

12 All standing committees shall serve for one year and their members shall be appointed as noted

13 below within two (2) weeks after new officers are installed.

14 A. **The Executive Committee** shall consist of the President, Vice-President, Secretary,

15 Treasurer, At-Large members, and the immediate Past President¹. The Executive

16 Committee shall:

- 17 1. Set the agenda, date, time and place for all except special chapter meetings.
- 18 2. Constitute the chapter's delegation to the Joint Council.
- 19 3. Act as a preliminary hearing committee for potential grievances. The chapter
- 20 Vice-President shall act as chair during this procedure.
- 21 4. Review the Treasurer's budget proposal prior to presentation to the membership.
- 22 5. Act on behalf of the membership between chapter meetings and during periods
- 23 when the college is not in session.

24 B. **The Coordinating Committee**, chaired by the Vice-President, shall consist of one

25 elected representative from each major discipline stipulated in the bargaining-unit

26 agreement, plus one librarian, one admissions advisor, and one counselor. The

27 Coordinating Committee shall:

- 28 1. Serve as recipients of bargaining issues to be negotiated between the Joint Council
- 29 and the Administration.
- 30 2. Collate, prioritize and report to the Executive Committee those bargaining issues of
- 31 greatest concern to the members of the bargaining unit.
- 32 3. When appropriate, call and chair separate departmental meetings on important

¹ - The immediate Past President shall be a member of the Executive Committee for a period of only one year after the expiration date of his or her office as President.

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- C. **The Nominations and Elections Committee** shall consist of a Chairperson appointed by the Executive Committee before October 15 of each academic year; the chairperson shall select, with widest possible distribution from the general membership, four (4) additional members subject to approval by the Executive Committee. All members shall serve for twelve months.

The Nominations and Elections Committee shall:

1. Circularize the active membership of the chapter to solicit interest in running for office.
2. Select the best qualified available candidates to fill vacancies as they occur.
3. Supervise and conduct elections at general membership meetings, and special elections to fill vacancies.
4. Verify candidate credentials and organize the balloting process, including the creation of a paper ballot in appropriate circumstances.
5. Conduct and verify the results of all ballots.
6. Certify that proxy ballots are cast and counted in accordance with established rules in Article VI.
7. Certify vacancies upon the resignation, or removal from office, of any officer of the chapter.

- D. **The Legal Representation Committee** shall consist of the President and Vice-President serving ex-officio without vote, and three members appointed by the Executive Committee, from a panel submitted by the Nominations and Elections Committee. The committee shall elect its own chair.

The Legal Representation Committee shall:

1. Advise the Joint Council as to the effectiveness of the legal counsel.
2. Aid in the search for and evaluation of new legal counsel when the position is vacant.

Article V: Meetings

- A. General meetings of the chapter shall be held at least twice during each semester.
- B. A special meeting shall be called upon written petition of 10 percent of the active members. A written notice to all members shall be transmitted by the Secretary notifying them of the time, place and purpose of the meeting.
- C. Meetings shall be governed by Robert's Rules of Order except as otherwise specified herein.
- D. The President shall appoint a Parliamentarian to rule on matters of order.

- 1 E. 25% of the active membership shall constitute a quorum. Proxies, when allowed, shall not
2 count toward the quorum.

3 **Article VI: Procedures for Voting**

- 4 A. The Nominations and Elections Committee shall certify to the President that a quorum
5 exists and shall also designate those present who may not vote.

- 6 B. A motion shall pass by a simple majority of all votes cast.

- 7 C. At any meeting at which officers are to be elected, the Nominations and Elections
8 Committee shall present a slate consisting of as many nominees as are available for each
9 vacant office. Additional nominations from the floor shall be allowed.

- 10 D. Election and recall of officers shall be conducted by secret ballot. Other votes may be
11 cast by secret ballot upon the request of any active member present.

- 12 E. Secret ballots shall be prepared, collected, tabulated and announced by the Nominations
13 and Elections Committee.

- 14 F. If a candidate for office does not receive a simple majority, a run-off election shall be held
15 between the two candidates who received the most votes.

- 16 G. A proxy vote shall be permitted only for a member who has a regularly scheduled class
17 which conflicts with the time of the meeting. In determining the conflict, travel time shall be
18 taken into account. A request for a proxy ballot shall be accepted if it explains the conflict
19 in writing, is submitted to the President before the meeting starts, is verified by the
20 Secretary, and shall note who has the right to cast the proxy vote. Proxy holders must be
21 active members and may hold only one proxy each.

- 22 H. If the office of the President shall become vacant, the Vice-President shall serve as
23 President Pro-Tem for no more than two (2) months during the academic year
24 (September through May), during which time an election shall be held for replacement of
25 that officer. If the office shall become vacant during the summer period, the election shall
26 be set for no later than one month after the start of the new semester. The Nominations
27 and Elections Committee shall search for and recommend a replacement.

- 28 I. If any other office becomes vacant, the President shall, with the approval of the Executive
29 Committee, appoint a pro-tem replacement who shall serve until the next regular or
30 special meeting. The Nominations and Elections Committee shall submit a slate for any
31 required replacement.

32 **Article VII: Ratification of this Constitution**

- 33 A. A copy of this proposed constitution shall be distributed to each member.

- 34 B. The current President shall convene a meeting within two (2) weeks following the
35 distribution to discuss this proposed constitution, and the appended Joint Council
36 By-Laws.

- 37 C. Following the discussion meeting, a final version shall be mailed by the current Secretary

1 to each active member's home address of record.

2 D. Active members shall have two weeks after the date of mailing to review and respond to
3 the mailing. An official ballot enclosed with the Final Draft shall be marked for acceptance
4 or rejection and returned, within the two-week period after the original mailing, to the
5 current Secretary for tabulation. The returned ballots must be postmarked within the
6 two-week period in order to be counted. This constitution shall be considered ratified if at
7 least two-thirds (2/3) of the respondents vote affirmatively.

8 E. The constitution shall take effect immediately upon ratification.

9 F. All previously elected officers shall serve out their terms and shall function under this
10 constitution.

11 **Article VIII: Dissolution of the Chapter**

12 A. No part of the earnings of the chapter shall inure to the benefit of any member, trustee,
13 director, or officer of the chapter or any private individual (except that reasonable
14 compensation may be paid for services rendered to or for the chapter) and no member,
15 trustee, director, or officer of the chapter or any private individual shall be entitled to share
16 in the distribution of any of the assets of the chapter on dissolution of the chapter.

17 B. In the event of dissolution of the chapter, all of the remaining assets and property of the
18 chapter shall, after necessary expenses thereof, be distributed to another organization
19 exempt under section 501(c)(3) or (5) of the Internal Revenue Code of 1954 as amended
20 or the corresponding provisions of any subsequent federal tax laws, or the federal
21 government or state or local government for a public purpose.

22 **Article IX: Amendments**

23 A. This constitution may be amended as follows:

24 1. A member may submit, in writing, a "motion to amend" at any meeting.

25 2. Upon passage of the "motion to amend", the Secretary shall mail copies of the
26 proposed amendment to all members at least fifteen school days prior to a
27 subsequent meeting at which the proposed amendment shall be on the agenda.

28 3. Adoption of the amendment shall require a two-thirds (2/3) affirmative vote by the
29 members present and voting.

30 B. Copies of all proposed amendments shall be forwarded immediately to all other chapters.

31 C. The chapter may amend those provisions of its constitution relating primarily to local
32 business, provided that such amendments do not significantly impact on Joint Council
33 responsibilities.

34 D. Each amendment shall contain an effectivity date.

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Rev. 1/28/04