



# CONSTITUTION

SFSU Chapter of the California Faculty Association

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## ARTICLE I. NAME

The name of this organization shall be the San Francisco State University Chapter of the California Faculty Association (CFA).

## ARTICLE II. PURPOSES

The purposes of this chapter shall be to defend and promote academic freedom, tenure, due process, and shared governance; to promote and advance the standards, ideals, usefulness, and welfare of the profession; to support full access to quality higher education for the people of California; to promote the interests of the members of CFA; to communicate campus needs to the statewide CFA leadership; and to facilitate the purposes, objectives, and programs of the state-wide California Faculty Association at the local level.

This chapter shall also serve as the local academic professional chapter/subchapter within the California State University for the American Association of University Professors and the Service Employees International Union.

## ARTICLE III. MEMBERSHIP

**Section 1. Active Membership.** Any person who is employed by San Francisco State University for the purpose of instruction as defined by the policies of CFA (including, but not limited to, department chairpersons, librarians, counselors, coaches, and other instructionally-related groups that custom and practice associate with instructional faculty) shall be eligible for Active Membership in CFA. Active Members shall have all the customary rights of membership, including the right to vote, to hold office, to participate in the statewide organization and otherwise to exercise the privilege of membership. Persons participating in faculty early retirement programs shall be classified as Active Members for the purpose of governance.

**Section 2. Associate Membership.** CFA Active Members on full leave without pay, on temporary layoff, or on layoff for reasons of financial exigency shall be reclassified to Associate Members. Associate Members shall have the same membership rights as Active Members for governance purposes, but shall have no rights with respect to decisions affecting the CFA-CSU Memorandum of Understanding.

**Section 3. Retired Membership.** Any person who is retired (except a member in a faculty early retirement program) can qualify for CFA Retired Membership if he or she was eligible for Active Membership at the time of retirement. Retired Members may not vote or hold office at the chapter level except as the retired representative to the chapter Executive Board. Retired members may exercise all other rights of membership.

**Section 4. Exercising Rights of Membership.** Only Active Members of CFA may exercise the customary rights of CFA membership, including the right to vote in CFA elections and referenda and the right to hold office within CFA.

#### **ARTICLE IV. RELATIONSHIP WITH STATEWIDE CFA**

The Constitution and other policy documents of the chapter and any action taken by the chapter or its officers shall be in conformity with the By-laws, Articles of Incorporation and other policy documents of the state-wide CFA.

#### **ARTICLE V. EXECUTIVE BOARD**

The Executive Board shall consist of the following persons:

1. Elected officers
2. Committee chairs
3. Elected College, Instructionally-related Unit, and Retiree Representatives
4. Ex Officio members

**Section 1. Elected Officers.** The officers of this chapter shall be a president, lecturer vice-president, tenure track vice-president, secretary, treasurer, affirmative action representative and one at-large lecturer and one tenure-track representative.

**A. President.** The president shall carry out the policies of the chapter, exercise general supervision over the activities of the chapter, preside at meetings of the chapter and Executive Board, and serve as spokesperson for the chapter. She/he shall be a member of the statewide Council of Presidents.

**B. Vice-Presidents.** The duties of the vice-presidents shall include assuming the duties of the president at the request of, or in the absence of the president, and performing additional duties as assigned by the president. The vice-presidents shall automatically succeed to the office of president for the balance of the unexpired term when the position of president is vacated; succession shall be by tenure track vice-president in even-numbered years and lecturer vice-president in odd-numbered years. The lecturer vice-president shall be a member of the statewide Council of Lecturers.

**C. Secretary.** The secretary shall be responsible for maintaining a record of all proceedings and

correspondence of the chapter and Executive Board and sending such notices as may be required.

- D. *Treasurer.*** The treasurer shall be responsible for the receipt and disbursement of funds and shall expend organizational funds only upon the approval of the Executive Board. The treasurer shall also keep an accurate record of all monies received and of all disbursements, prepare and submit for approval an annual budget and present a statement of chapter finances at the first Executive Board meeting of each academic quarter, or on an alternate schedule set by the Executive Board. The treasurer shall fill out and submit Agency Fee forms concerning the chapter expenditures and provide any other financial reports required by CFA Statewide. The treasurer shall initiate the annual audit.
- E. *Affirmative Action Representative.*** The Affirmative Action Representative shall serve as an advocate for, and help build activism among, members of groups defined by California law as protected, including: racial, ethnic and religious minorities; persons who are gay, lesbian, bisexual, or transgender; women; and persons with disabilities. The Affirmative Action Representative shall serve as a member of the Executive Board and act as the chapter's representative on the statewide CFA Council for Racial and Social Justice.
- F. *At-Large Lecturer and Tenure-Track Representatives.*** The at-large lecturer and tenure-track representatives shall be the primary agents at the chapter level for information relating to collective bargaining strategy and shall assist the counterpart vice-presidents with other chapter activities. They shall poll the membership as needed, inform the membership of collective bargaining issues and results, and act as liaison between the chapter and the statewide Contract Development/Bargaining Strategy committee. During periods of active bargaining, they shall co-chair an ad hoc committee charged with implementing bargaining strategy at the chapter level.
- G. *Officer Terms of Office.*** Campus elections shall take place in the spring of odd-numbered years, prior to state-wide CFA elections. Each full term of office shall be for two years, beginning June 1 of the year of the election.
- H. *Duties of Officers.*** In addition to specific duties described below, officers shall attend CFA Delegate Assemblies as described in Article XI. Officers are also encouraged to serve as delegates to the San Francisco Labor Council, delegates to which are appointed by the Executive Board.

**Section 2. *Committee Chairs.*** The Faculty Rights Panel Chair, the Political Action Chair, Communications Chair, Membership Chair, and the Student Chair shall be voting members of the Executive Board.

**Section 3. *Elected College, Instructionally-related Unit, and Retiree Representatives.*** Each college, instructionally-related unit (librarians, coaches, counselors), and retirees shall have at least one elected representative. The Executive Board may designate elections for additional college representatives according to the following formula: if the number of faculty in a given college exceeds the total number of faculty in the chapter, divided by number of colleges, then multiplied by two, another representative election may be approved. Such elections should normally be conducted at the same time as elections of chapter officers, and should follow the chapter guidelines for elections. Evidence of proper election will be presented to the Elections Committee, which will certify properly conducted elections. When such a

position is vacant, and no election is imminent, the Executive Board may appoint a representative whose term of service will end in accordance with the normal cycle of election and appointment.

**Section 4. Ex Officio.** Liaisons from the campus Academic Senate (normally the vice-chair), the Labor Archives, and Labor Studies shall be non-voting ex officio members of the Executive Board.

**Section 5. Number of Positions on Board.** An Executive Board member cannot hold more than one position on the Board.

**Section 6. Duties.** The Executive Board shall be vested with the authority to conduct the business of the chapter, subject to the policies of the CFA and the instructions of the membership. In addition, the Executive Board shall:

- i. be responsible for planning and scheduling chapter activities on campus and for implementing CFA goals;
- ii. schedule and prepare the agenda for chapter meetings;
- iii. make temporary appointments to fill vacant offices until the next regular election and appoint alternate representatives to the CFA Assembly when elected representatives are unable to attend a meeting; and
- iv. make appointments to all committees, seeking to create a committee structure that reflects the demographics of the bargaining unit.

**Section 7. Membership Meeting Attendance.** Any CFA member may attend and participate in meetings of the Executive Board. However, voting shall be limited to members of the Executive Board.

## **ARTICLE VI. GOVERNANCE**

The actions of this chapter shall be informed and guided by general meetings of the membership. The Executive Board shall conduct chapter business between chapter meetings. Action of the membership in regular or special meetings shall take precedence over actions of the Executive Board. However, the president may take action on behalf of the chapter, subject to and guided by CFA policies and the instructions of the Executive Board and membership.

Regular chapter meetings shall be called at least twice each year, at times to be determined by the Executive Board. Special meetings may be called by the President. The President shall call a special meeting when petitioned by more than 10% of the members of the chapter. A meeting shall be held within three weeks of receiving such a petition. Written or electronic notice of each chapter meeting shall be sent to each member of the chapter not less than one week in advance of the date selected for the meeting. Notice shall include time, place, and purpose of the meeting.

## **ARTICLE VII. VOTING AND QUORUM**

**Section 1. Chapter Meetings.** All Active Members of the chapter have the right to vote on chapter-wide referenda. A quorum at chapter meetings shall consist of at least 5% of the total membership of the chapter, but not fewer than 10 members. The Executive Board is empowered to conduct a ballot of the membership, outside the framework of a chapter meeting, when it is deemed necessary. In such case, the Executive Board shall determine the form of balloting, which may include electronic or mail balloting.

***Section 2. Executive Board Meetings.*** A quorum for meetings of the Executive Board shall consist of a majority of voting members of the Executive Board. Action on time-sensitive and non-controversial issues may be taken between Executive Board meetings through electronic means. In such cases, the meeting chair shall entertain motions and then allow for at least 24 hours of discussion before calling for a vote. The time period for the vote shall be at least 24 hours.

## **ARTICLE VIII. COMMITTEES**

### ***Section 1. Faculty Rights Panel***

*A. Membership.* A Chair shall be elected by the members of the committee, and confirmed by the Executive Board. The committee shall be appointed by the Executive Board, consist of at least four members (including the chair) and each member shall serve a 2-year term.

*B. Duties.* The Faculty Rights Panel committee shall counsel faculty on grievance matters, receive notices of intent to grieve, and participate with grievants throughout the grievance process.

### ***Section 2. Political Action Chair and Committee***

*A. Membership.* A Chair may be appointed by the Executive Board and shall serve for a two-year term. The Executive Board may also create a Political Action Committee and shall determine the members to be appointed and the conditions of appointment.

*B. Duties.* The Political Action Chair shall oversee political action activities of the chapter, in consultation with the Executive Board and with the support of a committee, if constituted. The chair shall create grass-roots support for legislation and disseminate information on potential legislation or legislative bills to the membership.

### ***Section 3. Membership Chair and Committee.***

*A. Membership and Selection.* A Chair may be appointed by the Executive Board and shall serve for a two-year term. The Executive Board may also create a Membership Committee and shall determine the members to be appointed and the conditions of appointment.

*B. Duties.* The Membership Chair shall work in consultation with the Executive Board to help recruit new members with the support of a committee, if constituted.

### ***Section 4. Communications Chair and Committee.***

*A. Membership and Selection.* A Chair may be appointed by the Executive Board and shall serve for a two-year term. The Executive Board may also create a Communications Committee and shall determine the members to be appointed and the conditions of appointment.

*B. Duties.* The Communications Chair shall work in consultation with the Executive Board and with the support of a committee, if constituted. The chair shall keep the campus informed of state-wide and local CFA activities and issues through the publication of an electronic or printed chapter newsletter or bulletin.

### ***Section 5. Student Chair and Committee.***

*A. Membership.* A Chair may be appointed by the Executive Board and shall serve for a two-year term. The Executive Board may also create a Student Committee and shall determine the members to be appointed and the conditions of appointment.

*B. Duties.* The Student Chair will oversee student concerns as they are represented to this chapter; organize with and support the work of CFA student interns and other student groups, in consultation with the Executive Board and with the support of a committee, if constituted.

### ***Section 6. Elections Committee***

*A. Membership.* During the semester preceding a regular election, an Elections Committee of three members shall be appointed by the Executive Board. Vacancies on the committee shall be filled by appointment. Members of the Elections Committee may not be candidates for office.

*B. Duties.* The Elections Committee shall supervise the election of elected members of the Executive Board, department representatives, and supervise voting on constitutional amendments and other chapter referenda according to the elections guidelines of the chapter. The Elections Committee shall certify the results of elections conducted and the Executive Board will officially announce the results.

***Section 7. Other Committees.*** Additional standing and ad hoc committees shall be created as necessary to promote chapter programs and address specific needs. The chairs and other committee members shall be appointed by the Executive Board. Standing committees established under this section shall serve only for the duration of a specified action or activity.

***Section 8. Committee Chair Reports.*** Standing committee chairs shall submit an annual report to the Executive Board on committee activities at the end of the academic year. Ad hoc committees shall submit reports to the Executive Board when they complete their work. If the work of an ad hoc committee extends beyond the academic year in which it was formed, it shall submit a report on its activities at the end of each academic year.

## **ARTICLE IX. DEPARTMENT REPRESENTATIVES**

***Section 1. Membership.*** When available, each department shall elect both a tenure-track and a lecturer representative. Departments may elect additional representatives according to the following formula: if the number of faculty in a given department exceeds the total number of faculty in the college, divided by the number of departments, then multiplied by two, another tenure-track and lecturer representative may be elected. In order to choose its representative(s), each department must hold an election among CFA members of the unit. Such elections may take place whenever positions are vacant. When such positions are vacated, representatives shall be elected by the department. Department representatives shall serve two-year terms. The Elections Committee shall certify the results of elections conducted and the Executive Board will officially announce the successful candidates to the Department.

***Section 2. Duties.*** Department representatives shall assist with member recruitment and act as conduits of information between the chapter leadership and the members of their departments (or equivalent units).

## ARTICLE X. ELECTIONS

**Section 1. Timing.** Campus elections shall take place in the spring of odd-numbered years, prior to state-wide CFA elections. Each full term of office shall be for two years, beginning June 1 of the year of the election.

**Section 2. Call for Nominations.** The elections committee shall send a call for nominations to all members of the chapter. Any Active Member of CFA in good standing may nominate or be nominated. The call shall be sent 14 days before the deadline established by the Elections Committee for closing nominations. Nominees must state in writing a willingness to serve. No person shall be a candidate simultaneously for more than one elective office.

**Section 3. Balloting.** The Elections Committee shall prepare and distribute ballots, receive and count ballots, and announce results to the Executive Board. Ballots shall contain entries for all nominees meeting the requirements of Section 2 above and space for a write-in candidate for each office. Statements by the candidates may accompany the ballots. Each election shall be conducted by secret ballot. The Elections Committee shall determine the form of balloting, which may include electronic or mail balloting. Ballots shall be distributed at least 14 days before the ballot return deadline. A plurality of the votes cast for each office will be required to win.

**Section 4. Recall.** All members of the Executive Board are subject to recall.

A. A two-thirds vote by the members at a regularly scheduled meeting or a petition signed by 20% of the members of the chapter shall cause a recall election to be conducted within one month.

B. Upon a majority vote of the chapter members casting ballots, the person shall be recalled and shall vacate the position on the Executive Board.

## ARTICLE XI. REPRESENTATIVES TO THE CFA ASSEMBLY

The following shall be delegates to CFA Delegate Assemblies according to the following priority sequence, up to the number of delegate positions allotted to the chapter:

- (1) President
- (2) At-large lecturer representative
- (3) Affirmative Action Representative
- (4) At-large tenure-track representative
- (5) Lecturer Vice-President
- (6) Tenure-track Vice-President
- (7) Secretary
- (8) Treasurer

If the At-large Lecturer Representative is unable to attend, his/her slot shall be filled by the Lecturer Vice-President. If the designated representatives for the Lecturer and Affirmative Action Representative on the list above are unable to attend, alternates for these two categories must meet CFA Statewide

criteria. If more delegate positions are allotted to the chapter than the number of officers able to attend, the Executive Board shall appoint persons to fill additional delegate positions.

## **ARTICLE XII. AMENDMENT OF THIS CONSTITUTION**

**Section 1. Initiation.** Constitutional amendments can be initiated either by petition from 10% of the membership of the chapter or by recommendation of the Executive Board.

**Section 2. Approval.** Ballots setting forth each proposed amendment with reasons therefore shall be sent to each member at least 14 days prior to the deadline for return of the ballots. Approval of two thirds of the membership responding to the secret ballot shall constitute approval by the chapter. After approval by the chapter, amendments to the Constitution shall be submitted to the CFA Board of Directors for the purpose of determining their conformity with the Articles of Incorporation, Bylaws, and policies of the state-wide CFA.

## **ARTICLE XIII. PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the chapter in all cases to which they are applicable and in which they are not inconsistent with this Constitution or with any special rules of order adopted by the chapter.

## **ARTICLE XIV. RATIFICATION**

This Constitution shall be ratified by a majority of the campus CFA members responding to a secret ballot. All members shall be sent a ballot at least 14 days in advance of the ballot return deadline.

The election shall be conducted by the Elections Committee.

Amended

4/1984 by chapter

4/1985 amended by chapter

3/1988 amended by chapter

11/2000 amended by chapter

4/2007 amended by chapter

2/2013 amended by chapter

6/2019 amended to reflect organizational changes