

**History:**

**RATIFIED 11/19/07**

**update (Article VIII) Jan 2009**

**update Article 1, Section 1 of the Bylaws; Article IV, Section 1 of the Constitution (Fall 2010)**

## **Lakeland Faculty Association**

### **Constitution**

#### Article I

##### Name

The name of this organization shall be the Lakeland Faculty Association

#### Article II

##### Philosophy

##### Section 1

The purpose of the Lakeland Community College Faculty Association shall be to maintain and enrich the quality of education at LakelandCollege and to promote the professional interests of the faculty of Lakeland College through collective action and other appropriate means.

##### Section 2

All members shall abide by the Code of Ethics of the Educational Profession. (See Appendix.)

#### Article III

##### Membership

##### Section 1

Professional membership in the Lakeland Faculty Association shall be available to any full-time faculty member having faculty status as defined in the negotiations Agreement between the College District and the Lakeland Faculty Association.

##### Section 2

Members of the Lakeland Faculty Association shall also be members of the North Eastern Ohio Education Association, Ohio Education Association, and National Education Association.

##### Section 3

The membership year of the Association shall be September 1 to August 31.

#### Article IV

##### Executive Committee

### Section 1

Membership in the Executive Committee shall include four elected officers (President, Vice-President, Secretary, and Treasurer) and at least seven elected Committee members, all to be elected by the Association in a manner as described in the Bylaws, and all to serve terms of two years. The President, Treasurer, and half of the Committee will be elected in odd-numbered years, and the Vice-President, Secretary, and the second half of the Committee will be elected in even-numbered years. The immediate past president of the Association shall be an ex-officio member of the Executive Committee. (modified Fall 2010)

### Section 2

There shall be one Association representative for each division (Business, Engineering, Humanities, Science, Health, Social Sciences, and other faculty) for every twenty-five (25) members or fraction thereof.

### Section 3

Of the four elected officers, not more than two shall be from the same division.

### Section 4

The Executive Committee shall exercise the powers of the Association in the interim between its meetings. Every action taken on matters affecting the College shall be reported by the President at its next regular Association meeting.

### Section 5

The term of office of newly elected members to the Executive Committee shall commence by the end of Spring Semester, immediately following their election to that office and shall continue for two years until they are reelected or a successor is elected to take that office.

### Section 6

No person shall hold the same office for more than two consecutive two-year terms, and no person shall remain a member of the Executive Committee for more than three consecutive two-year terms.

### Section 7

It is the policy of this Association, and it shall take all legally permissible steps to achieve governance and delegate representation of ethnic minorities at least proportionate to the ethnic minority membership in the Association.

## Article V

### Meetings

#### Section 1

Meetings of the Association shall be held at least once a semester during the academic year. Other meetings may be initiated by the Executive Committee or by petition to the Executive Committee by one-fourth of the membership of the Association.

#### Section 2

A quorum (if called for) for the transaction of business shall consist of 40% of the voting membership.

### Section 3

Meetings of the Executive Committee shall be held at least once a month and a summary of those minutes will be distributed to the membership at large following each meeting.

## Article VI

### Committees

#### Section 1

The Lakeland Faculty Association shall have such standing committees as are necessary to carry out the responsibilities and program of the Association.

#### Section 2

Lakeland Faculty Association Committees shall include but not be limited to: Negotiations, Elections, Social, and Academic Rank.

#### Section 3

Ad hoc (temporary) committees may be formed as necessary to achieve the Association program.

#### Section 4

The members of the Executive Committee shall appoint members of all standing committees except the Elections Committee and the Academic Rank Committee. The Executive Committee shall also, appoint members to any All-College Committee, as well as representatives to NEOEA, OEA, NEA, and the Ohio Board of Regents.

## Article VII

### Representation

#### Section 1

All elected representatives, including delegates to all Ohio Education Association and National Education Association governance bodies, shall be elected by secret ballot.

#### Section 2

Any delegates to the OEA and/or NEA Representative Assemblies elected by the general membership will be the third delegate.

## Article VIII

### Amendments (Modified Jan 2009)

#### Section 1

With a petition signed by 20 percent of the LFA membership, any member can propose an amendment to the Constitution or Bylaws.

#### Section 2

Proposed amendments must be submitted to the LFA Executive Committee in writing.

### Section 3

The LFA Executive Committee will distribute the proposed amendment to the membership at least two weeks prior to the next General Meeting.

### Section 4

The proposed amendment will be placed on the agenda for discussion at the next General Meeting and will be placed on the next election ballot.

### Section 5

An amendment to the Constitution or Bylaws must be approved by three- fifths (3/5) of the entire membership to take effect.

## BYLAWS

### Article I

#### Duties of Officers

#### Section 1 - President

1. To preside at and prepare an agenda for all meetings of the Association and of the Executive Committee.
2. To appoint all Standing and Ad Hoc Committee members with Executive Committee approval, except where Committee membership was determined by other means listed elsewhere in this Constitution or By-Laws.
3. To act as official signatory with respect to Association and Executive Committee-approved documents requiring the signature of its principal officer.
4. To act as a spokesperson between the Association and the College Administration and the Board of Trustees.
5. To appoint a member of the Executive Committee to attend all regularly scheduled meetings of the Board of Trustees.
6. In the event that an Executive Committee position is vacated, the President, with Executive Committee approval, shall appoint a member of the Association to serve until the next annual election. At that time , an election will be held to fill the vacated position.
7. To appoint, with the approval of the Executive Committee, a member of the LFA to act as parliamentarian.
8. To serve as a delegate to the OEA and/or NEA Representative Assemblies by virtue of his/her office.
9. The immediate past president will have no voting rights and the term served as immediate past president will not be considered when determining term limits. Because the position of immediate past president has no voting rights, the role of immediate past president may be served concurrently with any other position on the Executive Committee. The individual serving as immediate past president will continue to serve as immediate past president until a new person is in the position of immediate past president (added Fall 2010)

#### Section 2 - Vice President

1. To assume the duties of the President in his/her absence.
2. To serve as an ex-officio member of all committees.

3. To assume the office of President for the unexpired term in the event the office is vacated.
4. To assist the President in administration of the Executive Committee and Association and serve as his/her representative upon request.
5. To issue advance notification of agenda of meetings of the Association.
6. To notify the membership at large of all Association meetings at least 24 hours in advance.
7. To serve as a delegate to the OEA and/or NEA Representative Assemblies by virtue of his/her office.

### Section 3 - Secretary

1. To record and maintain official copies of approved minutes of Association and Executive Committee meetings.
2. To submit within one week a copy of reported minutes of Association meetings to each member of the Executive Committee.
3. To submit at or before each meeting of the Executive Committee minutes of the prior Executive Committee meeting to each Committee member .
4. To submit regular reports of Executive Committee transaction to each Association member.
5. To be responsible for executing, receiving, and filing all organizational correspondence.

### Section 4 - Treasurer

1. To receive all Association fluids and to pay out same only upon order approval of the Executive Committee of order approval of the Association.
2. To have an audit made of all Association funds at the conclusion of his/ her term. The Audit Committee shall consist of the President, the Treasurer, and the Treasurer-elect, and any non-member of the Executive Committee.
3. To submit a financial statement at each regular Association meeting.
4. To submit financial reports at each regular Executive Committee Meeting.
5. To make recommendations for deposition of Association funds.
6. To serve as ex-officio member of the Social Committee.
7. Checks are to be signed by both the President and the Treasurer.

### Section 5 - Executive Committee Members

1. To report recommended policies and other actions of the Executive Committee to members of his/her division or unit of representation.
2. To act as a liaison between the Executive Committee and members of his/ her division of unit of representation.
3. To attend regular meetings of the Executive Committee. Three consecutive absences are to be considered tantamount to a resignation .
4. To serve as Executive Committee advisors to Standing and Ad Hoc Committees and designated by the President.

## Article II

### Recall

Any officer or member of the Executive Committee may be recalled by two-thirds vote of the total membership provided that written notice of the proposed action had been given at least two weeks prior to the meeting.

## Article III

### Standing Committees

### Section 1

The President, with the approval of Executive Committee members, shall appoint members of the Faculty Association to the Association, All-College, Ad Hoc, NEOEA, OEA, NEA and state (Ohio Board of Regents) Committees.

### Section 2

Faculty representatives on all committees shall take the responsibility for working with the President and the members of the Executive Committee.

### Section 3

Faculty representatives on all committees shall be subject to recall by a two-thirds vote of the total membership of the Executive Committee provided that written notice of the proposed action had been given at least two weeks prior to the meeting.

## Article IV

### Elections Committee

#### Section 1

The Elections Committee shall conduct elections in accordance with the OEA Elections Manual and shall resolve all challenges or protests to an election. No nominee for office shall serve concurrently on the Elections Committee.

#### Section 2

The Elections Committee shall consist of five (5) members, all of whom shall be elected by the membership. The chairperson of the Elections Committee shall be designated by the President, with the concurrence of the Executive Committee.

#### Section 3

No more than two members of the Elections Committee may also be members of the Executive Committee.

#### Section 4

No more than two members of the Election Committee shall be from the same division of the College.

#### Section 5

The Election Committee shall prepare and distribute to all members, at least 30 days prior to the election, a slate of nominees consisting preferably of at least one more candidate than the number to be elected to each office. The Elections Committee shall conduct the elections to fill all offices and committee vacancies over two consecutive days and no later than the second Thursday in April.

#### Section 6

The consent of the nominee shall be obtained before placing his/her name in nomination.

#### Section 7

The Elections Committee shall be the receiving body for declaration of candidacy forms for LFA officers, Executive Committee, and delegates to OEA and NEA Representative Assemblies. It shall also provide candidates for the succeeding Elections Committee and the Academic Rank Committee.

## Article V

### Election Procedures

The following shall be the function of the Elections Committee with regard to the election procedures.

#### Section 1

Voting shall be by a secret printed ballot.

#### Section 2

Voting shall be by an every-member ballot (meaning everyone receives a ballot which they mark and return [a meeting at which everyone cannot be present is insufficient]). Each member shall have one vote.

#### Section 3

The results of the vote must be published by the Elections Committee for the benefit of Association members.

#### Section 4

All ballots, marked, unmarked and voided, and all other records pertaining to the election of officers of this Association and OEA and NEA delegates and alternates, shall be preserved for one year from the date of the election was held and such ballots and other records shall be made available to OEA officers and/or designee(s) for inspection and examination.

#### Section 5

For election of officers of the Association, a person must receive a simple majority of those voting (50%+1). For election to the Executive Committee as a division representative, a person must receive a plurality of the votes cast.

#### Section 6

A runoff election must be provided in those cases where an individual does not receive a simple majority vote of the Association.

## Article VI

### Voting Procedures

#### Section 1

All elections and ratifications of collective bargaining agreements will be conducted in accordance with the guidelines set forth in the OEA Elections Manual.

#### Section 2

When issues are voted upon in Association meeting, they shall be passed by a simple plurality of those present.

Section 3

Ballot by proxy shall not be permitted.

Section 4

Secret ballots shall be used for Constitutional amendments.

Section 5

Robert's Rules of Order shall govern all matters not covered by this Constitution and By-Laws.

Article VII

Liability of Members

Section 1

No officer or member shall be personally liable for any bills or obligations of the Association, past or present, except for the payments of his/her own dues.

Section 2

No person shall use the name, mailing lists, or official insignia of the Association for other than strictly Association purposes without authorization of the Executive Committee. This authorization is to be confirmed in writing by the President or Secretary of the Association.

Article VIII

Dues

Section 1

Professional membership dues shall include those established by the North Eastern Ohio Education Association, the Ohio Education Association, and the National Education Association and sufficient Lakeland Faculty Association dues to ensure participation in UniServ and maintain an effective local program.

Section 2

No professional dues shall be used to support the candidacy of any elected officer or representatives, including delegates, of the LFA for any office at the local, state, or national level, or for subsidy of social events. Social dues shall be optional.

Article IX

Powers

Section 1

This Association shall be empowered to negotiate as a group through the collective bargaining process on behalf of all members of the Association. Said collective bargaining shall include, but not be limited to, conditions of employment, job protection, overall working conditions, salaries, fringe benefits, and such other matters as may from time to time be deemed necessary.



## Section 2

This organization shall be an affiliate of the North Eastern Ohio Education Association, the Ohio Education Association, and the National Education Association and draw upon the professional and legal services of these affiliates.

## Article X

### Dissolution

#### Section 1

A petition for dissolution of the Association may be presented in writing to a meeting of the general membership by any member in good standing and must contain the signature of three-fourths (3/4) of the total membership of the Association.

#### Section 2

Upon receipt of the petition for dissolution by the total membership, the Association shall act upon the petition at the next general membership meeting.

#### Section 3

The Association shall be considered dissolved if three-fourths (3/4) of the total membership vote by secret ballot in favor of dissolution.

#### Section 4

The effective date of dissolution shall be thirty (30) days from the date of the vote, thus allowing for the disposal of assets and liabilities.

#### Section 5

In the event of dissolution of the Association, all assets of this organization remaining after payment of all obligations shall be distributed to the Lakeland Foundation provided that it is an entity recognized as exempt from Federal Taxation.

## Article XI

### Enabling Provision

#### Section 1

This Constitution and these Bylaws shall become effective January 1, 2008, following their adoption, and shall remain in effect until amended according to regulations herein provided.