

KVCCFA Bylaws 04-19-19.docx

Article I: Name

This organization is known as the Kalamazoo Valley Community College Faculty Association (FA).

Article II: Purpose

The purpose of the FA is to promote the general welfare of the college's faculty, staff, and students; maintain high standards of professionalism; facilitate mutually respectful relations with the college administration and Board of Trustees; and to bargain collectively regarding all matters relating to compensation and working conditions.

To achieve those ends, we agree to

- 1) Support student goal achievement through the promotion of innovative and effective teaching techniques.
- 2) Promote excellence in teaching by participating in and collaborating with appropriate college councils, committees and professional development activities.
- 3) Promote the highest standards and ethical practices of the teaching profession.
- 4) Seek the expansion of shared governance with the college administration and Board of Trustees.
- 5) Support the maintenance and enhancement of the college's reputation in the community.
- 6) As appropriate, participate with other organizations to promote the interests of the college and of higher education.

Article III: Members

SECTION 1: ELIGIBILITY

All full-time KVCC employees specified in the Collective Bargaining Agreement between the FA and KVCC are eligible for membership in the FA.

- 1) Members of the FA are current due paying members.

SECTION 2: DUES

- 1) Dues of the FA will be determined at the FA April Council Meeting for the following membership year.
- 2) The membership year is from September 1 through August 31.
- 3) Members on leave or sabbatical must continue to pay full dues in order to maintain the privileges of membership.
- 4) A member who has elected not to pay dues will have their membership rescinded.

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SECTION 3: RIGHTS AND RESPONSIBILITIES

Members of the FA have the right to

- 1) Be represented by the FA for the purposes of collective bargaining with the KVCC Board of Trustees.
- 2) Be represented by the FA in the event of disputes relating to compensation or working conditions.
- 3) Vote in elections for officers of the FA and Council Representatives of their Specialized Group as defined in Article VI, Section 7 or any other issue that comes before the FA.
- 4) Participate in all meetings of the FA except those of the Executive Committee.
- 5) Be nominated for elected office or FA Council Representative within the association.
- 6) Vote to ratify or reject any contract agreement proposed by the KVCC Board of Trustees.

Members of the FA have the responsibility to

- 1) Uphold the ethical standards of their profession, the college, the FA, and the FA's national affiliated organization.
- 2) Support the association's efforts as defined in these bylaws and according to their individual consciences.
- 3) Fulfill the duties of office within the association, if elected.
- 4) Participate in FA committees, if appointed.
- 5) Uphold the terms of the FA contract with KVCC.

SECTION 4: BARGAINING

The FA will serve as the bargaining agent in contract negotiations with the college for employees eligible for membership in the FA.

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Article IV: Officers

SECTION 1: OFFICERS

The officers of the FA are the President, Vice President, Secretary, Treasurer and Grievance Officer.

SECTION 2: BONDING AND INSURANCE

- 1) The President and Treasurer will be bonded.
- 2) All officers, council representative, and other representatives will be covered by Professional Liability Insurance.

SECTION 3: ELIGIBILITY

Only members of the FA are eligible for election as an Officer in the FA Council.

SECTION 4: TERMS

- 1) Officers serve a two-year term commencing on May 1 and terminating on April 30.
- 2) Officers are limited to four (4) complete consecutive two-year terms for any one elected position.
- 3) The election for President and Grievance Officer will be scheduled to close on the date of the April council meeting in odd number years.
- 4) The election for Vice President, Secretary, and Treasurer will be scheduled to close on the date of the April council meeting in even number years.
- 5) All Officers will be elected on an at-large basis.

SECTION 5: VACANCY

- 1) In the event that the office of President becomes vacant, the Vice President will assume that office and complete the term of the President. The FA Council will appoint an interim Vice President as provided in Article IV Section 5 Sub-section 2.
- 2) In the event that any other office becomes vacant, the FA Council will appoint a member from the FA to fill the vacancy and complete the term of that office. Such an appointment will be by a majority of the votes cast by the FA Council Representatives present. A special meeting of the FA Council may be called for the purpose of filling such a vacancy.

SECTION 6: RESIGNATION

- 1) An officer may resign by submitting a letter of resignation to the Executive Committee. Such resignation will be effective when submitted to the Executive Committee.
- 2) A vacancy in any office will be filled as provided in Article IV, Section 5.

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SECTION 7: REMOVAL

Any officer of the FA may be removed from office in the following manner:

- 1) A petition containing the signatures of at least one-third (1/3) of the FA members is submitted to the FA Council in which the grounds for removal are stated.
- 2) The FA Council will notify the officer named in the petition and will provide that officer with a copy of the petition stating the grounds for removal.
- 3) The FA Council will appoint a committee of no less than three (3) members to investigate the validity of the grounds for the petition. This investigation will be completed within ten (10) business days after notification.
- 4) Based on their findings, the committee will make one (1) of the following recommendations
 - a. Proceed to a full Removal-from-Office hearing.
 - i. Should a Removal-from-Office hearing be recommended, the FA Council will designate one (1) of its members as its presiding officer.
 - ii. This officer will call for a hearing which will be convened within ten business days of the recommendation from the FA committee.
 - iii. At this hearing, the petition will be presented to the FA membership and the officer identified in the petition will have the opportunity to respond to the grounds for removal stated in the petition.
 - iv. The petitioners will also have the opportunity to provide evidence in support of the petition.
 - v. A special recall ballot vote will be held within ten (10) business days after the hearing is completed.
 - vi. A two-thirds (2/3) majority votes cast in a special recall election ballot is necessary for an officer to be removed from office in accordance with the voting procedures established by the FA Council.
 - vii. The decision of the membership is final.
 - b. Call for a mediation hearing between the officer and the petitioners.
 - i. Within ten (10) business days, a mediator will be agreed upon between the committee and the officer named in the petition.
 - ii. Within ten (10) business days after a mediator is agreed upon, all findings will be determined and concluded.
 - iii. Findings from the mediation are final.
 - iv. If the mediation process is not agreed to by both parties the process reverts to Section 7.4) a.
 - c. Take no further action.
 - i. If no further action is recommended, the petitioners and the officer identified will be notified by the committee along with the rationale for this recommendation.

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SECTION 8: DUTIES AND POWERS

A. President

The President will

- 1) Serve as the official public voice of the FA, and maintain relationships with organizations that represent the FA membership.
- 2) Preside at all FA meetings, including FA Council meetings, and FA Executive Committee meetings.
- 3) Provide an agenda for all FA Council meetings at least five (5) business days prior to the meetings.
- 4) Serve as a non-voting, ex-officio member of all committees except the Nominating Committee, on which the President will not serve.
- 5) Serve as an advisor during contract negotiations, but not as a negotiator.
- 6) Appoint members to ad hoc committees as needed.
- 7) Attend KVCC Board of Trustees meetings or appoint a representative from the FA membership to attend.
- 8) Be a co-signer for all FA financial accounts.
- 9) Arrange for regular meetings with the College President to discuss all issues of concern to either organization. Such meetings should, when possible, include another FA member who will assist in record keeping. Results of the meetings will be reported to the Executive Committee, as appropriate.
- 10) May serve as Immediate Past President for one (1) uncompensated year at the conclusion of the term as President.

B. Immediate Past President

The Immediate Past President will

- 1) Advise the President and Executive Committee as requested.
- 2) Not be a voting member of the Executive Committee or the FA Council.

C. Vice President

The Vice President will

- 1) Preside at meetings of the FA and the FA Council in the absence of the President, and perform the duties that ordinarily pertain to their office.
- 2) Assume the Presidency if the President resigns, leaves office, is removed, or is otherwise unable to complete their term.
- 3) Assist the President in coordinating the activities of the FA.
- 4) Serve as the liaison between the FA and the affiliating organization (e.g. AAUP) for the purpose of communication.
- 5) Serve as the parliamentarian of the meetings or assign an appropriate member to perform this function.
- 6) Serve as Chair of the Bylaws Committee and Ethics Committee.

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D. Secretary

The Secretary will

- 1) Provide the membership with the agenda created by the President for all scheduled meetings of the FA at least five (5) business days prior to the meeting.
- 2) Keep the minutes of all Council and other official meetings.
- 3) Distribute copies of the minutes of Council and official meetings to FA members within five (5) days prior to the next meeting.
- 4) Maintain FA correspondence.
- 5) Maintain and distribute lists of the officers, Council, committee members, and the general membership.
- 6) Maintain the website, official files, and archives of the FA.
- 7) Maintain the official copies of the FA bylaws and distribute them to the membership.
- 8) Preside at FA meetings in the absence of the President and Vice President.
- 9) Serve as chair of the Communications Committee.

E. Treasurer

The Treasurer will

- 1) Maintain custody of all FA funds and those funds disbursed upon authorization by the FA Council.
- 2) Be responsible for accounting records and financial communications of the FA, including all reporting required by any government agency.
- 3) Provide a written report on the FA's assets, liabilities, and current year's income and expenditures at each Council meeting.
- 4) Be responsible for preparing a budget for approval by the membership at the April Council Meeting.
- 5) Manage financial transactions of the FA, including payments to members who serve on the Council and in other paid positions.
- 6) Maintain confidential membership records of the FA, including those relating to membership in state and national associations.
- 7) Facilitate dues payments.
- 8) Submit the financial records of the organization for a minimum biannually audit.
- 9) Arrange bonding and insurance for the FA.
- 10) Serve as Chair of the Finance Committee.

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F. Grievance Officer

The Grievance Officer will

- 1) Organize and preside over the Collective Bargaining Committee.
- 2) Interpret the Collective Bargaining Agreement with the College for the FA.
- 3) Serve as liaison with the College administration for interpretation of the Agreement.
- 4) Monitor and make recommendations regarding all policies, procedures, and actions taken by the College administration that relate to terms of the Agreement.
- 5) Serve as the primary contact regarding potential grievances.
- 6) Consult with the FA attorney prior to filing a grievance as necessary and in consultation with the executive committee.
- 7) Follow established contractual procedures when a grievance is filed.
- 8) Communicate with the Executive Committee and Council regarding all filed grievances and actions taken, and potential grievances as needed.
- 9) Maintain records of all contacts regarding potential and filed grievances.
- 10) Serve as chair of the Grievance Committee.

Article V: FA Council

The FA Council will

- 1) Have the authority to make decisions for the FA except ratification of an Agreement with the Board of Trustees, changes in bylaws, and election of officers.
- 2) Make recommendations to the FA.
- 3) Perform such other duties as are specified in these bylaws.
- 4) Determine compensation levels for service to the FA.
- 5) Make final determinations relating to FA business, between April Council meetings.

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Article VI: Council Representatives

SECTION 1: ELIGIBILITY

Only members of the FA are eligible to serve on the Council.

SECTION 2: TERMS OF OFFICE

Council Representatives will serve a two-year term commencing May 1 and terminating on April 30. The election for the representatives will be scheduled to close on the date of the April council meeting.

SECTION 3: RESIGNATION

A Council Representative may resign by submitting a letter of resignation to the Executive Committee. Such resignation will be effective when submitted to the Executive Committee.

SECTION 4: VACANCY

Decisions regarding a vacancy on the Council will be made by a quorum of the remaining representatives of the Council after consultation with effected Representative Group. A representative so elected will be a Council Representative for the remaining term of office.

SECTION 5: DUTIES & POWERS

FA Council Representatives will

- 1) Attend monthly FA Council meetings and represent the interests of their constituents.
- 2) Report on FA Council actions to their constituents.
- 3) Serve on at least one FA committee.
- 4) Designate a proxy when unable to attend a council meeting.

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SECTION 6: REMOVAL

A Council Representative of the FA may be removed from office in the following manner:

- 1) A petition containing the signatures of at least one-half (1/2) of Representative Group constituency or one-fourth (1/4) of the FA membership submitted to the FA Council in which the grounds for removal are stated.
- 2) The President, Vice President, or other appropriate officer will notify the Council Representative named in the petition and will provide the Council Representative with a copy of the grounds for removal as stated in the petition.
- 3) The FA Council will designate one (1) of its representatives as its Presiding Officer, who will call a Removal-from-Office Hearing. The hearing will be called within ten (10) business days of the receipt of the petition. At the hearing, the petition will be presented to the membership and the Council Representative will have a full opportunity to respond to the grounds for removal stated in the petition.
- 4) The Council Representative will be removed from office by two-thirds (2/3) majority of the votes cast by the Representative Group constituency in a special recall election, held within ten (10) business days after the hearing is completed, in accordance with the voting procedures established by the FA Council.

SECTION 7: REPRESENTATION & REPRESENTATIVE GROUPS

- 1) Representation will be at a ratio of one (1) to fifteen (15) within each Representative Group.
- 2) The Council Representative of a Representative Group will be a member of that Representative Group.
 - a. If the members of a given Representative Group cannot find a Council Representative candidate within their Representative Group any FA member can run.
 - b. Only members of a given Representative Group can vote for their Council Representative.
- 3) If there is no Council Representative candidate, or all Council Representative Candidates receive zero (0) votes, the office will remain empty until the next general election cycle.
- 4) Representative Groups are defined the chart below.

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Representative Group	KVCC Organizational Designations included within Representative Group
Business	Accounting, Business
Communication & Foreign Language	Communication, Foreign Language, American Sign Language
Educational Professionals	Educational Professionals
English	English, Transitional Studies
Allied Health, Brewing, Culinary, & Wellness	Brewing, Culinary, Dental Hygiene, Emergency Medical Technology, Health Careers, Medical Assistant Technology, Nursing, Nutrition, Respiratory Care Practitioner, Wellness & Physical Education
Humanities	Art & New Media, Art, Humanities, Music, Philosophy
Industrial Technology	Automotive, Computer Information Systems, Construction, Electrical Technology, Fire Science, HVAC, Welding, Engineering Design Manufacturing Technology
Math	Mathematics
Non-Classroom Faculty	Counselors, Librarians, Museum Curators
Physical Science	Biology, Chemistry, Geology & Geography, Physics
Social Science	History, Law Enforcement, Political Science, Psychology, Sociology, Economics

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Article VII: Meetings

SECTION 1: MEETING FREQUENCY

- 1) FA Council will meet monthly September through June with summer meetings added if needed.
- 2) The Executive Committee will meet as needed between meetings of the FA Council.

SECTION 2: SPECIAL MEETINGS

Special meetings of the FA may be called by:

- 1) The President of the FA.
- 2) By action of the FA Council.
- 3) By a petition by one-fourth (1/4) of the active members of the FA.
- 4) The President will provide an agenda five (5) business days in advance of any special meeting.

SECTION 3: QUORUM

A quorum of the FA Council is at least 51% of the total number of officers and Council Representatives.

Article VIII: Elections

SECTION 1: OFFICERS AND ELECTION

- 1) The FA shall elect a President, Vice President, Secretary, Treasurer, and Grievance Officer. These officers will comprise the Executive Committee of the FA.
- 2) The Nominating Committee will see that a slate of candidates for all vacant positions is presented to the FA ten (10) business days prior to the April Council Meeting.
- 3) Write-in candidates are permitted.
- 4) All elections will be by secret ballot.
- 5) Officers will be elected by a majority of votes cast by the FA members.
- 6) If no officer candidate receives a majority, the two (2) officer candidates with the most votes will be paired in a run-off election.
- 7) The secretary will conduct the vote; the executive committee will certify the results.
- 8) Each nominee may prepare a biography and/or platform statement to be distributed to the membership by the Nominating Committee ten (10) business days prior to the election of officers.
- 9) The Secretary will retain access to electronic ballots at least one year after elections.
- 10) Candidates may request a recount of the ballots within a ten (10) business days following the election.

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SECTION 2: COUNCIL REPRESENTATIVES AND ELECTION

- 1) The FA will elect a Council.
- 2) The Nominating Committee will see that a slate of candidates for all vacant positions is presented to the FA ten (10) business days prior to the April council meeting.
- 3) Write-in candidates are permitted.
- 4) All elections will be by secret ballot.
- 5) Council Representatives will be elected by a majority vote of the members within a given Representative Group.
- 6) If no Council Representative candidate receives a majority, the two (2) Council Representative candidates with the most votes will be paired in a run-off election.
- 7) The secretary will conduct the vote; the executive committee will certify the results.
- 8) Each nominee may prepare a biography and/or platform statement to be distributed to the membership by the Nominating Committee ten (10) business days prior to the election of officers.
- 9) The Secretary will retain access to electronic ballots at least one year after elections.
- 10) Candidates may request a recount of the ballots within ten (10) business days, following the election.
- 11) In the event a vacancy should occur, the Representative Group area will hold an election to fill the vacancy.
- 12) Only members of a given Representative Group may vote within their Representative Group.
- 13) The election of Council Representative will be approximately one-half (1/2) of the Council Representative in odd numbered years and the balance in even numbered years.
- 14) If a Representative Group has more than one representative, those Council Representatives will be elected in alternating years.

Article IX: Voting

SECTION 1: VOTING PROCEDURE

The voting procedure for all general and special meetings of the FA, Executive Committee and Council meetings will be as determined by the presiding officer unless a motion is made and adopted to change the procedure.

SECTION 2: ELECTRONIC VOTING

When determined to be appropriate by the Council, voting of the entire membership may be by electronic transmission.

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SECTION 3: PROXY VOTING

In the event a Council representative is unable to attend a regularly-scheduled Council meeting, that representative will designate another FA member as proxy for that meeting. The member serving as proxy will have full voting rights on the Council for that meeting only. The representative designating a proxy must do so in writing or email, specifying the proxy's name and the date of the meeting. The proxy statement must be presented to the Secretary prior to the Council meeting.

Proxy voting is not allowed in elections or other votes involving the entire FA membership.

Article X: Committees

SECTION 1: DEFINITIONS

There will be two types of committees: Standing and Ad Hoc. The Council will form and direct ad hoc committees. The committees shall meet when called upon by the council.

Membership on a standing committee is by FA Council appointment. Members of standing committees shall be approved by the FA Council at the September Council Meeting for a term of two (2) years. Except the Collective Bargaining Committee.

SECTION 2: ACADEMIC AFFAIRS COMMITTEE

The Academic Affairs Committee will

- 1) Examine all operations of the College that relate to teaching and learning, especially as they affect FA members, including, but not limited to
 - a. Professional standards
 - b. College accreditation
 - c. Curriculum
 - d. Safety and security
 - e. Adjunct faculty
 - f. Human resources policies
- 2) Report on these matters to the FA Council and other committees of the FA and recommend action to the Council.

SECTION 3: BYLAWS COMMITTEE

The Bylaws Committee will

- 1) Be chaired by the Vice President
- 2) Be responsible for reviewing the FA bylaws.
- 3) Meet at least once per year.
- 4) Suggest amendments to the bylaws for approval by the FA membership.

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SECTION 4: COLLECTIVE BARGAINING COMMITTEE

The Collective Bargaining Committee (CBC) will

- 1) Be elected by the FA Council according to procedures in Article IX: Voting.
- 2) Consult with the most recent CBC team.
- 3) Consult with the Academic Affairs Committee.
- 4) Conduct negotiations on behalf of the FA.
- 5) Determine the negotiation team.
- 6) Recommend to the FA Council compensation for the negotiators.
- 7) Report regularly in written or verbal form to the FA Council during negotiations and attend FA Council meetings.
- 8) Review the Tentative Agreement with the Executive Committee before presenting it to the FA membership.
- 9) Make recommendations to the succeeding CBC by
 - a. Supplying the FA Council with a written report containing an analysis of the concluded negotiations.
 - b. Making suggestions and proposals for the next negotiations.

SECTION 5: COMMUNICATIONS COMMITTEE

The Communications Committee will

- 1) Be chaired by the Secretary.
- 2) Assist the Secretary in identifying and implementing effective ways to communicate with the membership, foster dialog on significant FA issues, and enhance the image of the FA.
- 3) Coordinate the collection of news items and articles for dissemination.
- 4) Assist in maintaining records and archives.
- 5) Organize and coordinate public information.

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SECTION 6: ETHICS COMMITTEE

The Ethics Committee will

- 1) Be chaired by the Vice President
- 2) Be composed of FA members not on the FA Council.
- 3) Promote high ethical standards and professional growth of the faculty.
- 4) Recommend, review, interpret, and promote adherence to professional standards for the FA.

SECTION 7: EXECUTIVE COMMITTEE

The Executive Committee will

- 1) Consist of the President, Vice President, Grievance Officer, Secretary and Treasurer.
- 2) Develop short and long term goals and objectives to present to the FA Council.
- 3) Assist the President in setting the agenda for FA Council meetings.
- 4) Review all Tentative Contract Agreements with the Collective Bargaining Committee before presentation to the membership.
- 5) Report to the FA Council on any recommendations arising from the Executive Committee meetings.
- 6) Recommend to the FA Council hiring such professional, paid staff as they believe are necessary to ensure the effective and efficient operation of the KVCC FA. If the Executive Committee and Council agrees to create such a staff position or positions, all costs for the position will be incorporated into the FA Annual Budget. If the Executive Committee and Council create staff positions, they will similarly establish employment policies.

SECTION 8: FINANCE COMMITTEE

The Finance Committee will

- 1) Be chaired by the Treasurer
- 2) Assist in preparing the annual budget to the Council and the FA.
- 3) Ensure that all financial transactions, expenditures, assessments, and investments are properly budgeted and are legal and valid according to these bylaws.
- 4) Review expenditures of unbudgeted items.
- 5) Review any audits

SECTION 9: GRIEVANCE COMMITTEE

The Grievance Committee will

- 1) Assist the Grievance Officer in resolving potential or filed grievances as needed.
- 2) Consider the merits of cases that have not been resolved through the preliminary steps described in the Agreement.
- 3) Make a recommendation to the Council regarding formal grievance filings.
- 4) Attend meetings as needed.

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SECTION 10: NOMINATING COMMITTEE

The Nominating Committee will

- 1) Present a complete slate of qualified nominees to the FA for the upcoming election no later than ten (10) business days prior to the April Council Meeting of the FA.
- 2) Consist of two (2) to five (5) Council Representatives or members, none of whom are running for election.
- 3) Be appointed by the FA Council during the February or March FA Council meeting.

SECTION 11: SCHOLARSHIP COMMITTEE

The Scholarship Committee members will

- 1) Chaired by the Treasurer
- 2) Work to meet the annual deadline for application submittals.
- 3) Review the criteria for selection of recipients and report recommended changes to the FA Council.
- 4) Develop and review application forms annually.
- 5) Create scholarship announcement promotional materials.
- 6) Review submitted applications.
- 7) Submit selection recommendations to the FA Council and to the College Financial Aid office.
- 8) Evaluate possible new scholarships for students.
- 9) Coordinate fundraising strategies with the FA Treasurer for any scholarships to be given.

SECTION 12: AD HOC COMMITTEES

Ad hoc committees will be appointed as needed and will function only until their charge is completed.

Article XI: Remuneration for officers, council members, and others

- 1) Officers and Council Members of the Association will be compensated in overload instructional units (IU) as defined in the contract between the KVCCFA and KVCC.
- 2) The rate is as listed below:

Annual Payment per Office in Overload Instructional Units per Year	
<i>Office</i>	<i>Instructional Units</i>
President	6
Vice President	4
Secretary	4
Treasurer	4
Grievance Officer	5
Council Member Delegate	0.5

The Council will have the authority to determine remuneration for any additional services.

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Article XII: Association State and National Representatives

The FA Council will determine, through a vote at any FA Council Meeting, whether to send representatives to state or national AAUP meetings, conferences or other events. When required by the AAUP, delegate representatives will be voted upon by a general FA membership election.

Article XIII: Amendment of Bylaws

The following steps will take place in order to amend the KVCCFA bylaws:

- 1) The Bylaws Committee will come to agreement and propose amendments to the FA Council.
- 2) The FA Council will vote to approve the proposed amendment(s) to be considered in a general membership vote.
- 3) The proposed amendments will be voted upon by the general membership with at least one week given for voting through the e-voting system.
- 4) Amendments will be approved by a majority of votes cast by the FA members.

Article XIV: Parliamentary Authority

The rules contained in the most current edition of Robert's Rules of Order will govern the FA in all cases to which they are applicable, unless they are inconsistent with the bylaws and any special rules of order the FA may adopt.

Article XV: Transition to Revised Bylaws

Bylaw revision is effective upon adoption by the membership.

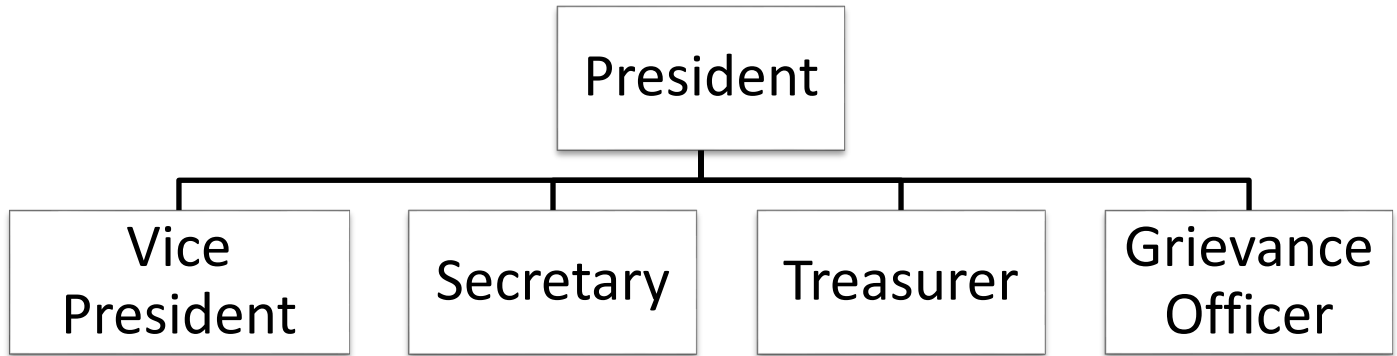
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Appendix A – Executive Council Organizational Chart



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Appendix B – Council Member Organizational Chart

