



PORTLAND STATE UNIVERSITY

American Association of University Professors

Promoting Quality Higher Education – An Investment in Oregon’s Future

Constitution

As Amended December 8, 2020

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Article I - Name and Objectives

1. The name of this organization shall be the Portland State University Chapter of the American Association of University Professors (PSU-AAUP). This Chapter is a local affiliate of the National AAUP.
2. Among its objectives shall be:
 - a. to represent the professional interests of the faculty and to advance the standards and ideals of the profession;
 - b. to improve the terms and conditions of employment of the faculty through the process of collective bargaining; and
 - c. to further higher education and research in the university in concert with students, administration, the Portland State University Board of Trustees and other stakeholders in higher education in Oregon.
3. This AAUP chapter will be operated to qualify as a labor organization under section 501 (c) (5) of the Internal Revenue Code for the above stated purposes.

Article II - Membership and Association

There shall be three categories of membership: Active, Associate, and Emeritus. Membership is contingent upon payment of appropriate national, state, and local dues and fees. All members of

the chapter shall be members of the National AAUP. If an affiliation agreement is in place with the Oregon Conference of the AAUP (AAUP-Oregon) all members of the chapter shall be members of AAUP-Oregon as well. Eligibility requirements for each of these categories and the extent of membership rights are as follows:

- a. Active Members. Any member of the Portland State University Faculty who is included within the collective bargaining unit as determined by the Employment Relations Board certification or as agreed by the parties in negotiation. Active members shall have full voting rights upon initiation of membership and may run for office upon initiation of membership. Except within Article II and wherever the context of provisions of this Article clearly imply otherwise, the terms "member" and "membership" as used in this Constitution and its Bylaws shall refer only to Active Members.
- b. Associate Members. Any member of the Portland State University Faculty and staff who is not included within the collective bargaining unit and who is eligible for Active Membership in the national AAUP is eligible for Associate Membership. Associate members are not eligible to vote in any chapter matter, or to hold office. They are eligible to serve as members of appointed committees. As members of national AAUP, Associate Members have the right to vote for officers of national AAUP.
- c. Emeritus Members. Any member retiring for age or disability may be transferred at his or her own request, to Emeritus Membership with the approval of the Executive Council. Emeritus Members shall have no voting rights, shall not hold office, and shall pay no Chapter dues. Emeritus members shall pay their dues directly to the national AAUP.

Article III - Officers

1. Officers. The Officers of the Portland State University Chapter shall be a President, a Vice President for Collective Bargaining, a Vice President for Academic Freedom and Grievance, a Vice President for Membership and Organizing, a Vice President for Communications and Public Relations, a Vice President for Legislative and Political Action, a Secretary, and a Treasurer. The Executive Council shall consist of these ~~six~~ eight officers, the Immediate Past President, and ~~six~~ other councilors. The Executive Committee of the Council shall consist of the eight officers and the Immediate Past President. The Immediate Past President shall be defined as the person who has served as President most recently within the previous two years.
2. Term of office. The terms of office of the members of the Executive Council shall be two years. The terms of office of the President, the Vice President of Collective Bargaining, the Vice President for Membership and Organizing, the Vice President for Communications and Public Relations, the Immediate Past President, and ~~four~~ three Councilors will begin in even numbered years, and the Vice President for Academic Freedom and Grievance, the Vice President for Legislative and Political Action, the Secretary, the Treasurer, and three Councilors shall begin in odd numbered years. Except

for the Immediate Past President, members of the Executive Council shall be elected by secret ballot as provided in the Bylaws.

3. Vacancy in office of President. In case of a vacancy in the office of President, the Vice President of Collective Bargaining shall succeed to that office until an election can be held. The election will follow the guidelines outlined in Sec. 4 for the replacement of vacancies in other offices.
4. Vacancy in other offices. In case of a vacancy in any other Executive Council office except that of Immediate Past President, the Council shall elect a member to serve until the next regular election. At least one week's notice to the Council shall precede such elections. The Council shall initially consider as replacements unsuccessful candidates from the previous two elections, voting on each in the order of votes received. If the term of the office extends one academic calendar year or more, then a member shall be elected by the membership to serve the duration of the unexpired term. A vacancy will automatically occur, unless overruled by the Council, when any member misses three consecutive meetings or more than one third of the meetings per term without good reason. A temporary vacancy may be declared either by the Council or by the member involved, in the case of a legitimate inability to attend regular meetings over an extended period of more than five weeks. The member involved may suggest to the Council a replacement who will be considered along with unsuccessful candidates from the previous two elections. Replacements will have full Council privileges. The original incumbent must inform the Council in writing before resuming office.
5. Incumbents are eligible for reelection.
6. Recall of officers and councilors. A majority of the Executive Council or a Petition of 40% of the membership may require a recall election of any officer or councilor. The membership will vote on recall with a majority of those voting deciding.
7. Responsibility of officers.
 - a. The President shall call meetings of the Executive Council and the Chapter and preside at those meetings. The President shall be responsible for implementing and administering decisions of the Chapter and the Executive Council and shall have such other duties as may be assigned by the Executive Council. The President and his or her designated alternate shall serve as spokesperson for the Chapter. He or she or an alternate designated by the Executive Council shall represent the Chapter at national and regional AAUP meetings. The President may delegate the Chair of the Unit Representative Committee to another Council member if the position of Vice President of Membership and Organizing is vacant.
 - b. The Vice President for Collective Bargaining shall be responsible for the coordination of activities of the Chapter for collective bargaining. He or she shall serve, ex-officio,

- on the Unit Representative Committee and on standing or ad-hoc committees on salaries, workloads, and other matters subject to contract negotiation. In the absence of the President, he or she shall preside at meetings of the Executive Council or chapter.
- c. The Vice President for Academic Freedom and Grievances shall be primarily responsible for academic freedom and grievance matters.
 - d. The Vice President for Membership and Organizing shall primarily be responsible for building and maintaining the membership of the chapter through internal organizing. He or she shall serve ex-officio as Chair of the Unit Representative Committee.
 - e. The Vice President for Communications and Public Relations (VP-COM) shall be responsible for the promotion of the chapter's missions and objectives through communications for the Chapter, to include regular communications to the chapter membership, communications during negotiations, external communications and public relations, and is the designated media contact for the chapter, with the President. The Vice President for Communications and Public Relations shall ensure that all Association communications are consistent with the Association's governing documents and strategic objectives. The Vice President for Communications shall recommend the appointment of the Strategic Communications Committee to the Executive Council and shall preside over the activities of the committee.
 - f. Vice President for Legislative and Political Action (VP-LEG) shall be responsible for the promotion of the chapter's mission and objectives through legislative and political action. The Vice President shall recommend the appointment of the Legislative and Political Action Committee to the Executive Council and shall preside over the activities of the committee. The Vice President shall represent the chapter on legislative and political action with our affiliates and ensure our agreements with affiliates about legislative and political action are upheld. The Vice President shall make recommendations to the Executive Council on Association policies and strategies for legislative and political action, candidate endorsement, and government policy regarding higher education and faculty. The Vice President shall make recommendations to the Executive Council on positions for legislation and initiatives, endorsements on legislation, initiatives, and candidates, and shall ensure that the Executive Councils adopted positions and endorsements are communicated, as necessary. The Vice President shall organize lobbying efforts for chapter membership in concert with coalition partners and other organizations to support legislation and initiatives and candidates. The Vice President shall negotiate with government leaders about pending legislation as necessary based on Association positions and endorsements. The Vice President shall testify at public hearings and be available as a key resource to government bodies regarding higher education and faculty issues.

- g. The Secretary shall be responsible for the minutes of the meetings of the Executive Council and the Chapter and shall maintain a file of all official records and correspondence.
- h. The Treasurer shall develop the yearly budget for approval by the Executive Council, advise the office staff on day-to-day bookkeeping matters, and arrange for a yearly audit.

Article IV - The Executive Council

1. The Executive Council shall be responsible for determining the policies of the Chapter in accordance with Article I. It shall have the authority to create committees, to expend funds, to employ persons including legal counsel, to receive contributions in the name of the chapter, and to obtain and hold property. It may delegate the exercise of any of these authorities to the President.
2. The Executive Council shall have the authority to recommend the level of local dues for the various categories of membership subject to approval of those levels by a majority of the members voting.
3. A majority of the Council shall constitute a quorum.
4. The Executive Council shall have the authority to give final approval to the negotiated contract, subject to ratification by the membership as provided in Article VII, 8.
5. Any action taken by the Executive Council may be overruled by a two-thirds vote of the members voting. A vote to overrule must be taken within two academic calendar months of the action, and notice of intention to call such a vote must be given the Council within one academic calendar month of the action. If a regular meeting is not scheduled within the two-month period, a special meeting may be called as provided for in Article VI.
6. The Executive Council may suspend the bylaws for the duration of a meeting by a 3/4 vote of a quorum attending that meeting.
7. Meetings of the Executive Council shall be open to members of the PSU-AAUP except when the Executive Council votes to go into closed session for purposes of confidentiality.
8. Collegial consensus will, in general, be sought in the conduct and decision making of the chapter and its bodies. However, when more formality becomes appropriate to expedite a democratic decision, meetings will be conducted according to Robert's Rules of Order.

Article V - The Executive Committee

4. Meetings of the Executive Committee will be called by the President as needed to make decisions upon the specific means of implementing Council policies. Decisions made by the Executive Committee are subject to review by the council.

Article VI - Chapter Meetings

1. Meetings of the Chapter will be called by the President or the Executive Council.
2. The President or Executive Council shall call at least one general membership meeting per academic year.
3. A Chapter meeting must be called within one academic calendar month of the receipt by the President of a petition requesting such a meeting and signed by at least 20 members of the Chapter.
4. The quorum for meeting of the Chapter shall be ten percent of the membership.

Article VII - Rights of Portland State University Faculty

1. Every faculty member at Portland State University shall retain the right to pursue grievances with the administration of Portland State University as provided under ORS Chapter 243.
2. PSU-AAUP shall do nothing which infringes upon the academic freedom of any individual Portland State University faculty member as defined by AAUP standards.
3. PSU-AAUP will not discriminate against any faculty member in violation of federal or state law or on the basis of sexual orientation.
4. No strike as defined under ORS 243 or other concerted job action will be authorized or undertaken without an affirmative vote of the active membership.
5. A majority of the active members voting by secret ballot shall be necessary to ratify contracts agreed to during negotiations.

Article VIII - Association Funds

1. Private Inurement. No part of the net earnings of this organization shall inure to the benefit of or be distributed to any director, employee or other individual, partnership or entity having a personal interest in the chapter. Compensation for service rendered and reimbursement for expenses actually incurred in attending to the affairs of the chapter shall be limited to reasonable amounts.

2. Chapter Dissolution. Upon dissolution of the chapter, its assets shall be disposed of exclusively by transfer to the PSU unrestricted student scholarship fund or to its successor.

Article IX - Amendments

Amendments to the Constitution may be proposed by the Executive Council or by a petition to the Executive Council signed by fifty members. A proposed text shall be circulated by the Executive Council, with its recommendation, to the membership, for information and response 15 days prior to submission to the membership of the final text for voting. Recommendations for revisions may be submitted to the Executive Council during this 15-day period. The Executive Council shall have the right of final decision on revisions for purposes of presentation and vote. Voting upon the amendment(s) shall take place after 30 days' notice to the total eligible membership. A two-thirds vote, either by those voting by mail or e-mail ballot circulated to the total eligible membership, shall be necessary for approval.

History of Amendments Adopted:

- December 8, 2020: *Article II (b) removed reference to AAUP Collective Bargaining Congress; Article III, Sections 1, 2 7(e) and 7(f)- addition of Vice President for Communication and Public Relations (VP-COM), Vice President for Legislative and Political Action (VP-LEG) and removal of one councilor at large position*
- November 13, 2018: *Article II reduce categories of membership to three: removal of Graduate Students as category of membership; modification of voting rights for Associate members; Article VII remove references to fair share fee payers as result of Janus vs AFSCME Supreme Court decision; removal of religious objection for fair share fee payers*
- March 15, 2016: *Article III, Sections 1, 2, 7(d): addition of Vice President for Membership and Organizing; III 7(a): control of Unit Rep committee if VP-MO is vacant; III 7(b): removal of control over unit representative committee; Article IV Section 7 provision for closed session meetings of the Executive Council for confidentiality*
- November 5, 2015: *Article I, Section 1(c) changes for Portland State University becoming a public university; Article II changes for commencement of the AAUP-Oregon and the use of affiliation agreements; II (a) changes to eliminate classes of members; II (b) removal of provision for department chairs; VII (2) removal of references to political activities; VII (3) ensconced ORS 243.666 for religious objection; IX removal of requirement for special meeting for Constitution changes and permission to use electronic ballots*
- April 16, 2001
- March 08, 1978 *Establishment*