

Ratified, October 14, 1985

Amended, February 2001

Amended, February 2003

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Amended, April 2023

Amended \_\_\_\_\_

BYLAWS  
WEST CHESTER UNIVERSITY  
ASSOCIATION OF PENNSYLVANIA STATE COLLEGE AND  
UNIVERSITY FACULTIES

ARTICLE I: NAME

The name of this organization will be the West Chester University chapter of the Association of Pennsylvania State College and University Faculties, herein referred to as the WCU Chapter of APSCUF, WCU APSCUF, or Chapter.

ARTICLE II: PURPOSE

This organization represents the Faculty and Non-Faculty coaches of West Chester University in matters mandated by the Collective Bargaining Agreements between APSCUF and the Pennsylvania State System of Higher Education. This organization speaks for the Chapter membership in all matters consistent with the contract.

Neither the actions of the Chapter nor these by-laws can be in violation of the Faculty or Coaches Collective Bargaining Agreements, nor the State APSCUF bylaws.

ARTICLE III: MEMBERSHIP

Section A: Active Membership

1. All persons connected with West Chester University who are eligible for and are members of State APSCUF are hereby members of this Chapter.

Section B: Retired Members

1. Retired members of APSCUF may become members of the Association of Pennsylvania State College and University Retired Faculties, herein referred to as APSCURF, as provided in the State APSCUF bylaws.

ARTICLE IV: Representative Council

Section A: Duties of the Representative Council

1. The Chapter will have a Representative Council to act on behalf of the membership.
2. The Chapter Representative Council will meet at least twice each academic semester.

These meeting dates will be announced by the Chapter President no later than the end of the first week of the semester. Additional meetings, including summer meetings, may be called by the President with 1 week notice.

3. Quorum for conducting business is 25% of the representatives or their alternates.

#### Section B: Membership of the Representative Council

1. The APSCUF members of each department or unit will elect one APSCUF member to the Representative Council for each ten APSCUF members or fraction of ten equal to or greater than one-half. Units with five through fourteen APSCUF members will have one representative; units with fifteen through twenty-four members will have two representatives, and so forth. Departments or units with fewer than five APSCUF members may combine, with the approval of the Executive Committee, with another unit within the same school until they constitute a unit containing at least five members. Representatives to the Council will be elected by majority vote in accordance with the established election procedures of their department or unit, except that only APSCUF members in good standing may vote in the election for representatives and the election must be organized and run by APSCUF members in good standing. Elections should take place in the Spring Semester of each year before April 30, and the Representatives take office for a two-year term beginning September 1. The Coach President or designee shall serve as Representative to the Council.

2. The elected officers of the Chapter are voting members of the Representative Council and are the officers of that body. Chairs of permanent chapter committees are also voting members of the Executive Committee and voting members of the Representative Council. Delegates to the State APSCUF Legislative Assembly who are not also members of the Chapter Representative Council will, by virtue of their office, be voting members of the Chapter Representative Council. APSCUF members who chair non-permanent chapter committees and who are not also members of the Chapter Representative Council will, by virtue of their office, be non-voting members of the Chapter Representative Council.

3. Each unit electing representative to the Representative Council will also elect for each representative official alternates to serve when the duly elected representative is not able to attend.

4. If for two consecutive Councils, neither the representative nor an official alternate attends, the department or unit will be notified of a vacancy by the Chapter Recording Secretary and will elect new representatives to serve the unexpired terms.

5. Representatives and their alternates may be changed by a majority vote of their unit(s). Such election shall be held in accordance with the election procedures in Article IV.B.1. The new representative will be seated upon written notification to the Recording Secretary of the result of the election.

### ARTICLE V: ELECTED OFFICERS AND THEIR DUTIES

#### Section A: Elected Officers

1. The officers of this organization will be a President, Vice-President, Recording Secretary, Corresponding Secretary, and Treasurer. These officers will be elected for a two-year term in accordance with the election procedures specified in these by-laws.

## Section B: Duties of Officers

1. The President will be the principal executive office in carrying out the policies and mandates of the Representative Council. As such, they are responsible for establishing the time and place of all meetings and for collecting information from and disseminating information to all members of this Chapter. As the principal spokesperson for the Chapter, they will have such powers as are appropriate to this office and as are specified in these bylaws. The President will also serve as the WCU APSCUF's representative on the State Negotiations Committee.
2. The Vice-President will fulfill the duties of the Chapter President in their absence as well as to assist the President as needed.
3. The Recording Secretary will be responsible for keeping the records and minutes of all meetings of the Chapter, the Representative Council, the Executive Committee, Meet and Discuss, and will be responsible for the dissemination of the minutes and other information.
4. The Corresponding Secretary will be responsible for all Chapter mailings, the update of State leadership lists, the dissemination of Representative Council agenda, the accuracy of the local list of representatives, and the notification to the appropriate unit of vacancies.
5. The Treasurer will be responsible for recommending the Chapter budget to the Council for its approval, as well as collecting, disbursing and accounting for all funds. They will confer with the Chair of the Audit Committee in the preparation of the Chapter Audit and will verify the accuracy
6. The Immediate Past President will serve as a source of information and advice for the first year following her/his leaving office. The Sitting President may request additional aid as needed.
7. An elected officer on sabbatical or educational leave may choose to continue during her/his elected term. When that officer chooses not to serve during that absence, an] appointment to fill the office for that absence period will be made by the President with the consent of the Executive Committee. After the leave, the officer may resume the duties for which they were elected if that term of office has not expired.
8. The Chapter President and Grievance Chair are, as a condition for holding their respective APSCUF offices, prohibited from serving on university Tenure, Promotion or Sabbatical Committees.

## ARTICLE VI: EXECUTIVE COMMITTEE

### Section A: Executive Committee Membership

The Executive Committee will consist of

1. The elected officers of the Chapter
2. The immediate past President, who serves for one year following their leaving presidential office,
3. Two members elected at large from the Representative Council,
4. One member elected at large from the list of elected State Delegates,
5. The Chairs of the Permanent Chapter Committees, and
6. The Coach President.

### Section B: Duties of the Executive Committee

1. The Executive Committee will act for the Chapter between meetings of the local Representative Council, consistent with the policies and subject to the ratification of that body, will supervise and serve as liaison to all standing and permanent Chapter committees, will review all committee reports and determine the appropriate disposition of them, and will assist the President in all things they request and these bylaws provide. Authority for policy grievances will originate with the Executive Committee.

### Section C: Meetings of the Executive Committee

1. The Executive Committee will meet as needed during the academic year but no fewer than four times each semester. The Executive Committee will be chaired by the local President, and its quorum will consist of at least five members, one of whom must be a member-at-large. Additional meetings can be called by the President or by written request of any four Executive Committee members. Between meetings and during the summer months, the Executive Committee may conduct business via email. Minutes of Executive Committee meetings will be available to all local representatives or chapter members upon request. All meetings of the Executive Committee are open to any member of the Representative Council unless closed by a vote of the committee. A motion to close a meeting of the Executive Committee can only be made by a voting member of the committee (including the Chapter President) and is not subject to debate or amendment.

## ARTICLE, VII: MEET AND DISCUSS TEAM

### Section A: Membership

1. The elected officers, a member-at-large, and the immediate past President of the local chapter will constitute the Meet and Discuss team.

### Section B: Procedures

1. The President will designate an elected officer as the Chair of the Meet and Discuss team. The Meet and Discuss Chair shall facilitate all Meet and Discuss meetings and will meet with the Administrative Officer designated by the University President to confer on the Meet and Discuss agenda. Other members of APSCUF may be invited by the Chair or the President to attend Meet and Discuss meetings on a regular or ad hoc basis. Deliberations of the team will be reported to the local Representative Council for appropriate action and information wherever feasible. The Recording Secretary or, in their absence, a Meet and Discuss Team member designated by the President will be responsible for taking notes during the meeting and writing official minutes as agreed to by the local chapter and management.

### Section C: Coaches' Meet and Discuss Team

The Coaches' Meet and Discuss Team comprises Coach President, Coach Vice President, Coach Grievance Chair, and other individuals who may be invited by the Coach President to attend either on a regular basis or ad hoc basis.

## ARTICLE VIII: STATE LEGISLATIVE ASSEMBLY DELEGATES AND ALTERNATES

### Section A: Delegate and Alternate Members

1. Delegates will be elected in the number and manner allowed by State APSCUF by-laws for a term of two years, with half of the number of delegates elected each year, for a term beginning September 1 and ending August 31. The Coaches' delegate is President Coach. The Vice-President Coach or Coach Alternate may serve as an alternate delegate to the Legislative Assembly if the President Coach cannot attend.
2. The President of the Chapter will be, by virtue of office, a delegate to the APSCUF State Assembly and will act as Chair of the West Chester delegation.
3. There will be at least four alternates elected provided that no alternate will be elected by less than twenty-five percent of the total ballots cast. Coaches' representatives will be determined by the process set in State APSCUF bylaws.
4. When sufficient number of delegates cannot attend the State Legislative Assembly, the opportunity to attend as alternate will be offered to the highest ranking alternate first and then to the second ranking alternate, and so on. In case no alternate is available to attend a particular Assembly, a voting member of the Executive Committee, herein designated as alternate by virtue of office, may be sent as delegate.
5. If a delegate is elected to the State APSCUF Executive Committee, they will resign as an elected delegate and be replaced by the highest-ranking alternate. If the Chapter President is elected to the State APSCUF Executive Committee, the Chapter Vice-President will be, by virtue of office, a delegate and the Chair of the West Chester delegation. If the Vice-President is already a delegate, the highest ranking- alternate becomes a delegate so that the size of the delegation remains the same. Should the Vice President choose not to head the delegation, the Executive Committee will appoint a designee to chair the West Chester delegation, that person selected from one of the elected West Chester delegates.
6. Delegates and alternates on leave for other than interim administrative offices may choose to continue to serve during their elected terms. When a delegate chooses not to serve while on leave or resigns at any time, the highest ranking alternate will serve until the delegate returns or until the next election of delegates, whichever is applicable. If at least one year remains in the unexpired term, an election will be held for a new delegate to complete the resigned delegate's term.
7. If delegates or alternates assume an interim administrative position, they are disqualified from representative service as stipulated in Article XI. Their terms of office will be filled as provided by Article VIII, Section A-6.
8. Alternates may run in any year for delegate. Failing election as a delegate, they shall continue as an alternate until the completion of their original two-year term. If the election falls at the end of the two-year term, the individual may be re-elected as alternate.

#### Section B: Duties of the Delegate and Alternate Members

1. Delegates and alternates will attend the State Legislative Assembly to represent the interests, positions and concerns of the Chapter.
2. At the local Assembly immediately following the State Delegate Assembly, a member of the delegation will report on matters discussed and settled at the State level.

#### ARTICLE IX: COMMITTEES (EXCLUDING EXECUTIVE COMMITTEE)

### Section A: Contract Mandated Committees

1. Contract mandated committees are: sabbaticals, tenure, promotions, educational leaves, and curriculum.
2. Members of contract mandated committees are elected from and by the bargaining unit in accordance with the established election policies for each committee as approved by the Local Representative Council.

### Section B: Permanent Chapter Committees

1. Permanent committees include but are not limited to the Member Support and Contract Enforcement Committee, Committee for Action through Politics (CAP), Membership, Legislative, Budget, Elections and Nominations, Audit, Social Justice, Mobilization, Public Relations, Adjunct, and the Coaches' Committee. In addition, AAUP or other affiliation councils/committees may be constituted by the Representative Council.

#### 2. Membership in Permanent Committees

a. The members of the Budget Committee shall be the Chapter President, the Chapter Treasurer, and one member elected at large from the Representative Council at the first Representative Council meeting of the academic year. The Treasurer shall chair the Budget Committee.

b. The members of the Election and Nominations Committee shall be the Chapter Corresponding Secretary and two members elected at large from the Representative Council at the last meeting of the academic year. The Corresponding Secretary shall chair the Elections and Nominations Committee.

c. All Past Chapter Presidents and past Grievance Chairs shall be members of the Member Support and Contract Enforcement Committee, unless otherwise disqualified in accordance with Section XI.A or by virtue of leaving the bargaining unit. The Member Support and Contract Enforcement Committee will be co-chaired by 1) the Grievance Chair and 2) the Member Support Chair. The Grievance Chair shall be the Chapter's representative on the Statewide Grievance Committee and shall have responsibilities for grievances set forth by the Statewide Grievance Committee in their handbook. In addition to past Chapter Presidents and past Grievance Chairs, additional members of the Committee must be appointed by the Committee co-chairs. Appointees must have approved training in contract enforcement and are considered union representatives. All union representatives who represent complainants must also be trained by the Social Justice Committee.

d. The members of the Audit Committee will consist of one at-large member of the Executive Committee, who will also serve as chair of the Audit Committee, and two members that have experience in completing an audit and who are not officers of the Chapter. Nominations for the Audit Committee will be open for at least 1 week prior to the election. Membership of the Audit Committee shall be decided by secret ballot at the first Executive Committee meeting following the election of at-large Executive Committee members by Representative Council.

e. All other members and chairs shall be appointed by the Chapter President in

consultation with the Executive Committee. All chairs appointed by the Chapter President are subject to approval of the local Representative Council at the first Representative Council meeting in the fall semester of each academic year.

3. Terms of office will be for one calendar year, commencing at the first local Representative Council. The Executive Committee may rescind committee membership for due cause.

#### Section C: Special Committees

1. Special or ad-hoc committees for the purposes of expediting temporary business may be authorized as specified in Article IX, B.2, or they may be created and members chosen by motion and vote of the Local Representative Council.

#### Section D: Structures and Procedures

1. The procedures of each permanent committee will be developed in writing by the committee members in accordance with the Collective Bargaining Agreement and State By-laws. These procedures must be available for member information.
2. Structures, practices and operations of contract mandated and permanent committees will be reported to the local Representatives Council for member advice in all matters feasible. Quorum for conducting business will be a majority of committee members.

#### Section E: State Representatives and Appointees

1. By virtue of their positions, the Grievance Chair of the Member Support and Contract Enforcement Committee, and the chairs of the Membership, Social Justice, Adjunct, Legislative, CAP, Mobilization, Public Relations, Coaches Grievance Committee, and the President Coach, as Chair of the Non-Faculty Coaches Committee will serve as the local representative to the state-wide committee counterpart.
2. The Chapter President shall appoint a member in good standing to serve as the local chapter representative for the Statewide Health & Welfare Committee and the Student Faculty Liaison Committee. These appointments are subject to approval by the Representative Council.
3. As needs arise, the Chapter President shall appoint a member in good standing to serve as the chapter representative on any University committee that they deem of sufficient interest to the local chapter. These appointments are subject to review by the Executive Committee.

### ARTICLE X: ELECTIONS

#### Section A: Elections and Nominations Committee

1. All APSCUF elections and contractually mandated elections will be conducted by the Elections and Nominations Committee. The Committee will be responsible for preparing and distributing all pertinent election material, as well as conducting the election in accordance with procedures in Article X.

#### Section B: Nominations

1. Nominations for Chapter officers will be solicited by mail or electronically by email, commencing at least four calendar weeks from the date of the scheduled election. Names of nominated officers will be sent to the membership three calendar weeks before the scheduled

election. Nominations will be closed as of 5:00 p.m. two calendar weeks before the scheduled election. Information regarding the candidates for any office is open to all APSCUF members.

2. Each officer and delegate candidate will submit a written statement to the membership that accompanies the election ballot. Such statements should provide the candidate's philosophy, aims for office, and general aptitude for the position sought.

#### Section C: Election Procedures

1. The election of officers will be held every other year, before April 15 in accordance with the State APSCUF by-laws, and the two- year term will commence on August 15, following election. In order to ensure an orderly transition, each officer-elect will observe the outgoing officer in performance of duties between the time of election and August 15. The election of delegates to the State Legislative Assembly will be held every year by April 15.

2. Elections may be held either by mail ballots, electronic ballots, or in polling places. If polling places are used, polls for general-at-large elections will be open on two consecutive days for no less than five hours each day. If mail ballots are used, those voting will be required to sign an outside envelope to insure the correct identity of the person voting. If electronic balloting is used, the Executive Committee must approve the electron process and certify that it is reasonably secure and accurate.

3. Candidates or their representatives have the right to be present when votes are counted, which will ordinarily be at the close of the second day of all elections. Candidates who inquire will be informed of the time and place of the vote counting. In all cases, there will be two or more election tellers to count ballots and certify their tally by signature.

4. Officers will be elected by a majority of votes cast. If no candidate receives a majority, there will be a run-off election between the two top candidates. A tie in the second election will be settled by lot.

5. State delegates will be elected by a plurality of votes cast, with no delegate being elected with less than twenty-five percent of ballots cast.

6. After each election for delegates and alternates, a ranking for each person elected based on the number of votes received will be computed and a list of the ranking sent to all local members. Ties will be resolved by lot.

7. Should there be a vacancy in the required number of alternates, namely the pool of four alternates, an emergency election to fill the vacancy will be held with all due speed in accordance with provisions in these by-laws if the term has more than one year remaining. If less than one year remains, an alternate will be elected by the local Representative Council to fill the unexpired term. The delegate elected by the Assembly will be ranked lowest in the computations described in #6 above.

8. Nominations for the three members-at-large to the Executive Committee positions will take place at or before the first September Representative Council. Nominations will close and the election of the three members-at-large will take place at the regularly scheduled September Representative Council.

#### Section D: Eligibility for Voting



1. In elections of officers, State or local representatives, alternates, and all other APSCUF elections and ratifications, only members of WCU APSCUF in good standing, with no dues in arrears ten class days prior to an election, may vote. In elections of members to contractually mandated committees, all personnel designated as Faculty or Non-Faculty Coaches in the CBA may vote in accordance with the established election policies for each committee as approved by the Local Representative Council and enforced by the Chapter Elections and Nominations Committee. Regularly employed faculty, faculty on sabbatical leave, and non-faculty coaches have the right to vote by absentee ballot provided that such ballots are requested in writing at least one week before the scheduled election and are received by the time the polls close on the second day of voting.

## ARTICLE XI: DISQUALIFICATION AND RECALL FROM OFFICE

### Section A: Disqualification

1. Any officer, State delegate or alternate or local representative, or alternate who assumes an acting administrator's position will, by virtue of that position, be required to vacate the APSCUF office held and will be replaced for the unexpired term by a vote of the local Representative Council in the case of officers, by the unit originally electing them in the case of the local representatives, and by the highest ranking alternate, in the case of State delegates.

### Section B: Recall

1. All elected local officers and delegates to the State Assembly will be subject to recall for due cause. Recall is initiated by petition that specifies the charges to the Executive Committee signed by twenty percent of the local membership. The Executive Committee will determine the validity of the petition and schedule a recall ratification.
2. The person challenged by recall has the right to publish rebuttal to any charges claimed as a basis for recall prior to the recall ratification.
3. Recall ratifications will designate the approval or disapproval of the person so charged and will be held by written ballot. A majority of disapproval votes cast by those voting will constitute recall.
4. A special election to replace the recalled officer or delegate will be held according to the provisions in Article IX.

## ARTICLE XII: AMENDMENTS

### Section A: Proposal of Amendments

1. Amendments to these by-laws may be proposed either by initiation of the Executive Committee with notification to the local Representative Council, by a motion approved by a majority of the delegates present at a local Representative Council, assuming that notification to the representatives of the impending change has been sent at least seven calendar days prior to the meeting, or by petition signed by at least twenty-five percent of the general membership. The proposal of amendments is to be regarded as endorsement of sending the matter to the membership, not agreement with the proposed amendment.

### Section B: Ratification of Amendment

1. Ratification of proposed amendments will require a majority of votes cast by those voting

from the general membership in a general election, assuming that written notification of the proposed ratification has been sent at least one week prior to such a general election.

ARTICLE XIII: PARLIAMENTARY AUTHORITY

1. Robert's RULES OF ORDER, newly revised, will be the authority on all questions not specifically provided for in these by-laws.

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Margaret Ervin

Date

WCU APSCUF Chapter President