

**PLEASE NOTE THAT THIS A SCANNED VERSION OF THE BCCFA CONSTITUTION. IT MAY CONTAIN SCANNING AND FORMATTING ERRORS. IF YOU NOTICE ANY SUCH ERRORS, PLEASE NOTIFY THE BCCFA SECRETARY, [DR. GEORGE CRONK](#).**

**CONSTITUTION OF THE  
BERGEN COMMUNITY COLLEGE  
FACULTY ASSOCIATION**

**Adopted September 1978**

**Amended as of July 1, 2003**

Barbara Passikoff, Chairperson  
Gerald Meisel  
Lou Piccininno  
Walter Rothaug  
Heloise Ruskin  
Tirzah Schutzengel  
Joan Szabo  
Robert Wiater

Health & Physical Education  
Business  
English  
Physical Science & Mathematics  
English  
Behavioral Science  
Health & Physical Education  
Behavioral Science

## **Article I - Name and Incorporation**

- Section 1: The name of this organization shall be Bergen Community College Faculty Association, hereafter referred to as the Association.
- Section 2: The Association is incorporated as a non-profit corporation under Title 15, Sections 1-12 of Revised Statutes of the State of New Jersey.

## **Article II - Affiliation**

Where required for affiliation, the Association shall be an affiliate of the Bergen County Education Association, the New Jersey Education Association and the National Education Association.

## **Article III - Purposes**

- Section 1: To work for the welfare of students, the advancement of education, and the improvement of instructional opportunities for all.
- Section 2: To develop and promote the adoption of such personnel policies and standards of preparation and participation as mark a profession.
- Section 3: To advance professional rights, status and responsibilities of its members as educators.
- Section 4: To represent its members and other employees in negotiations and grievances with the Bergen Community College Board of Trustees and College Administration on all terms and conditions of employment.
- Section 5: To form a representative body to speak with authority for the members.
- Section 6: To establish cooperation between the educator and the community.

## **Article IV - Membership**

- Section 1: Active Members
- a. All persons who are full time (15 hours or equivalent per semester) members of the faculty of Bergen Community College with the exception of the President, Deans and Administrative and Supportive Staff shall be eligible for membership.
  - b. Library Associates and Technical and Professional Assistants who are full-time shall be eligible for membership.

- c. Active members of the Association, where required, shall also be members of the Bergen County Education Association, the New Jersey Education Association and the National Education Association.
- d. The President and Deans may attend General Membership Meetings, without voting privileges, at the invitation of a majority of the Executive Committee.

Section 2: Retired Members

Active members upon retirement may continue to enjoy all rights and services of active members, except the right to vote and the right to be elected to office, by payment of the annual retired dues as set by the NJEA, NEA and BCCFA.

Section 3: Rights of Membership [Paragraph b.(ii), (iii), and (iv) amended as of July 1, 2003]

- a. Every active member shall have equal rights and privileges within the organization to nominate candidates for office: to vote in elections or on referenda of the Association; to attend membership meetings; to participate in the deliberation and voting upon the business of such meetings except that in voting on contract ratification only members in the appropriate unit of representation shall have the right to vote.
- b.
  - (i) Every active member, as defined in Section I of this Article IV, shall be entitled to the rights set forth in this Section 3 upon payment of all dues and assessments levied by the Association.
  - (ii) Dues shall be assessed against each member on a school year basis, September 1 through June 30, and shall be payable by payroll deduction and withholding.
  - (iii) Payment of dues each school year. (September 1 - June 30), shall constitute membership in good standing. Any member who shall fail to pay dues as prescribed in the foregoing sub-paragraph (ii) shall be notified in writing by the Treasurer of the Association that failure to arrange for payment of said dues on or before November 15 will, as of the latter date, result in suspension of voting privileges and loss of membership rights in the Association until such time as the member shall arrange for payment of all arrearages and dues via payroll deduction and withholding.
  - (iv) Any person may regain membership in the Association by payment of all arrearages for dues and assessments for past and current school years.
  - (v) The Treasurer of the Association shall keep all records of payments of dues and assessments. Any person may appeal the accuracy of the Treasurer's records or bills. Such appeal shall be made by written application to be filed with the Executive Committee. The Executive

Committee shall, within ten (10) days from its receipt of the application, send written notice to the applicant of the date of a hearing. The Executive Committee shall permit the applicant to be heard at the hearing and render a written decision within ten (10) days from the date of the hearing. This decision shall be binding upon the applicant and the Association.

- Section 4: No discrimination shall be shown toward individual members or applicants for membership because of race, religious faith, political activities, age, sex, or national origin.
- Section 5: The right of any member in good standing to vote upon any question at any meeting shall not be delegated to another person by proxy or in any other manner. No vote may be cast in absentia or by proxy and each vote can only be cast at the time the general vote on the question is taken.

### **Article V - Officers**

- Section 1: The officers of the Association shall consist of a President, Vice-President, Secretary, and Treasurer.
- Section 2: The officers shall be elected at the Spring general meeting. The officers shall serve a one-year term which shall commence upon adjournment of the Spring general meeting.
- Section 3: Officers of the Association shall serve their terms so long as they satisfactorily perform the duties of their office. An officer may be removed from office for good cause shown after due notice and hearing pursuant to the rules and procedures set forth in subparagraphs (a) through (m) of this Section 3 and then only by a two thirds (2/3) vote of the members of the Association at a specifically convened meeting after due notice to the membership; there must be at least 50% of the membership present for the purposes of a quorum at that meeting.
- a. Recommendation for recall of an officer(s) shall be made by submission of a written petition to the Executive Committee. This written petition must specify the facts of each charge of misconduct or impropriety and contain the signatures of one half of the membership of the Representative Assembly or signatures of at least 50% of the general membership.
  - b. The accused officer(s) shall be disqualified from serving upon the Executive Committee recall proceedings from the time the recall petition is filed.
  - c. The Executive Committee shall, within five (5) school days (as said term is defined in the Bylaws) after its receipt of the written petition, forward a copy of said petition to any officer(s) who has been recommended for recall.

- d. Any officer(s) who is named in the recall petition may but is not required to, submit a written statement in response to the petition as well as written letters, affidavits or documents of any nature to refute the allegations contained in the petition. This procedure shall be completed within ten school days from the officer's receipt of a copy of the recall petition.
- e. Within ten school days from his or her receipt of a copy of the recall petition, the accused officer may, but is not required to, file a written notice of appeal to the Executive Committee.
- f. The Executive Committee shall schedule a hearing for each case in which a written petition for recall and an appeal therefrom has been filed. The accused officer(s) and each signatory to the recall petition shall receive written notice of the hearing at least five (5) school days prior to the date of the hearing. The notice shall contain the date, time and place of the hearing. The notice to the petition signatories shall have appended thereto a copy of each document filed by the accused officer pursuant to subparagraph (d) of this Section 3, supra.
- g. The Executive Committee shall hold the recall hearing. It shall afford full opportunity for the accused officer(s), the signatories to the petition, and any other interested person to appear and give oral testimony. It may consider and permit any relevant testimony. Any person may appear personally or by a spokesman or counsel. It shall close the hearing at the conclusion of all testimony and within five (5) school days thereafter submit a written report to the membership which shall summarize the allegations set forth in the petition and the responses thereto. The Executive Committee Report shall not contain any recommendation as to approval or disapproval by the membership of the Petition for Recall.
- h. A general membership meeting shall be called within ten (10) school days after issuance of the Executive Committee Report.
- i. A decision to recall shall be determined by a two thirds (2/3) affirmative vote of the membership present at the meeting.
- j. Any officer(s) who is the subject of a recall petition shall be permitted to continue in office with full authority to exercise his normal duties until a decision is reached pursuant to subsection (i) of this Section 3 but he or she shall not directly or indirectly participate in the recall procedures conducted by the Executive Committee.
- k. Any officer(s) who is the subject of a recall petition shall be permitted to resign his or her office at any stage of the recall proceedings, in which event the recall proceeding shall be deemed terminated and without prejudice to the accused officer of any other person.

- l. In the event that more than two members of the Executive Committee shall be the subject of a Petition for Recommendation for Recall, the Executive Committee shall be disqualified from conducting the recall procedures set forth in this Section 3 and the Representative Assembly shall do so pursuant to the procedures set forth in this Section 3.
- m. If the petition for recall was originated by the Representative Assembly and an appeal subsequently filed, the General Membership, at a specially convened meeting, shall elect a Committee of five (5) of its members to conduct the recall procedures as provided in subparagraphs (a) through (1) of this section.

### **Article VI - Executive Committee**

The Executive Committee shall consist of the officers of the Association and Chairperson of the Representative Assembly.

### **Article VII - Representative Assembly**

- Section 1:
- a. The Representative Assembly shall consist of at least one member elected by each academic department or one delegate for each fifteen (15) of its members or each 8/15 thereof. Group A (Technical, Professional, and Library Associate) shall elect representatives in the same manner.
  - b. The elected representative shall serve for a term of one year or until a successor is elected. The representative shall be elected at the first departmental meeting of the Fall Semester.
- Section 2: The Representative Assembly shall meet a minimum of two (2) times per semester.
- Section 3: The Representative Assembly shall elect from among its members a Chairperson at the first meeting of the Fall Semester at which the new members are seated. The Chairperson of the Representative Assembly shall preside over all meetings of the Representative Assembly and shall be a member of the Executive Committee.
- Section 4:
- a. The Representative Assembly shall prepare the concepts to be contained in the contract proposal for use by the negotiating team which will implement the report to the best of its ability.
  - b. The Representative Assembly shall act as a liaison for communication between the members of the Faculty Association and the Executive Committee in matters concerning the Association membership.
  - c. The Departmental Representatives shall report back to members of their respective Departments as to all matters concerning the business of the Faculty Association.

## Article VIII

Amendments to this Constitution must be made pursuant to the following procedure:

- a. A proposed Constitutional Amendment shall be submitted by a written petition to the Secretary of the Association. This Petition must be signed by at least twenty percent (20%) of the membership. Each signatory to the Petition shall be a member in good standing on **[the]** date the Petition is signed. In the event of challenge, the Treasurer's records shall be the sole basis to determine (i) membership status of a signatory to the Petition; (ii) total membership.
- b. The Secretary of the Association shall, within seven (7) school days from receipt of the Petition, distribute a copy of the Petition for Constitutional Amendment to each member in good standing; together with a notice stating the date for a regular or special meeting of the Association for the purposes of considering and voting upon **[the]** proposed Constitutional Amendment. The Secretary must schedule this meeting of the Association not later than two (2) calendar weeks from the date the Secretary distributes a copy of the Petition to the membership.
- c. The proposed Constitutional Amendment shall be approved by a vote of two thirds (2/3) of the active members of the Association in attendance and voting at a regular or special meeting convened pursuant to the procedures set forth in (a) and (b) of this Article VIII.

**BYLAWS**  
**of the**  
**BERGEN COMMUNITY COLLEGE FACULTY ASSOCIATION**

**Article I - Meetings**

Section 1: Executive Committee

The Executive Committee shall meet once a month, except during the months of July and August, at the call of the President, or at the request of any three members of the Committee.

Section 2: Representative Assembly

Special meetings of the Representative Assembly may be called by written notice from its Chairperson or upon the written request to the Representative Assembly of 25% or four (4) members, whichever is greater. Business to come before special meetings shall be limited to items stated in the written notice or request for call of the special meeting.

Section 3: General Membership

- a. The Executive Committee shall arrange at least one meeting of the General Membership in each of the Spring and Fall semesters.
- b. Special meetings of the membership may be called for a specific purpose by the President, or upon the written request of 15% of the membership or 40 members whichever is less. No business other than that for which the meeting is called may be transacted.
- c. At least three (3) school days (days on which classes are scheduled pursuant to official school calendar) prior to each general membership meeting, the Secretary shall notify all members of the time, place and agenda of the meeting.

Section 4: The order of business at any Representative Assembly or regular General Membership meeting shall be as follows:

- a. Call to Order
- b. Approval of Minutes
- c. Correspondence
- d. Report of Treasurer
- e. Reports of Standing Committees
- f. Reports of Special Committees
- g. Old Business
- h. New Business
- i. Public Comments and Good and Welfare
- j. Adjournment

## **Article II - Quorum**

- Section 1: A majority of the Executive Committee members shall constitute a quorum for the Executive meetings.
- Section 2: A majority of the Representative Assembly members shall constitute a quorum for the Representative Assembly meetings.
- Section 3: Twenty-five percent (25%) of the General Membership shall constitute a quorum for the General Membership meetings.

## **Article III - Powers and Duties of the Officers**

- Section 1: President - The President shall:
- a. preside over all meetings of the Executive Committee.
  - b. appoint the Chairperson and members of all standing committees and special committees.
  - c. be an ex-officio member of all committees.
  - d. with the Treasurer, sign all orders drawn upon the Treasury for which a voucher has been submitted.
  - e. represent the Association before the public either personally or through a designated representative.
  - f. perform all functions usually attributed to the office
- Section 2: Vice-President - The Vice-President shall:
- a. assume all duties of the President in his or her absence and work closely with one or more standing committees as the President may suggest.
  - b. become President whenever the presidency becomes vacant, as provided for in the Constitution.
  - c. be a member of the Grievance Committee.
- Section 3: Secretary - The Secretary shall:
- a. be responsible for handling all correspondence for the Association.
  - b. perform the affairs of the Association as directed by the President and Executive Committee.

- c. notify the appropriate members as to the time and place of the Executive Committee and General Membership meetings at least three (3) school days prior to the meetings.
- d. maintain the official files.
- e. prepare and post minutes and make minutes available for distribution upon request to any members within ten (10) days following the Executive Committee and General Membership meetings.
- f. prepare and distribute copies of all proposed amendments to the Constitution.

Section 4: Treasurer - The Treasurer shall:

- a. be responsible for collection of all dues.
- b. deposit all monies in a bank, in the name of the Association.
- c. notify NJEA of name of bank in which Association dues are deposited.
- d. hold the funds of the Association and disburse them accordingly upon submission of vouchers approved by the President.
- e. sign all checks along with the President.
- f. report annually to the Executive Committee, Representative Assembly, and General Membership.
- g. prepare an annual financial statement to be distributed to all members.
- h. file the appropriate Federal and State forms.
- i. transmit appropriate NJEA-NEA dues money to NJEA no later than ten (10) days after its receipt by the Association.
- j. be bonded for such amount as may be determined by the Executive Committee from time to time; but in no event shall the Treasurer be bonded for an amount which is less than twenty-five percent (25%) of the amount of all revenues collected by the Association in the immediately preceding fiscal year. The bond shall be posted by the Treasurer within ten (10) days of his or her election and shall be in such form and in such adequacy of surety as the Association shall approve.
- k. prepare an annual budget for approval by the Representative Assembly.

## **Article IV - Powers and Duties of the Executive Committee**

Section 1: The Executive Committee shall:

- a. be responsible for the management of the Association.
- b. negotiate the contract of employment with the Administration.
- c. authorize all expenditures within the limits of the budget.
- d. by a majority vote authorize the spending of money for non-budgeted items when the amount does not exceed \$150.00 for any one item. Disbursements in excess of \$150.00 for any one non-budgeted item must have the approval of the Representative Assembly as voted at a regularly or specially convened meeting.
- e. cause its transactions to be reported to the members.
- f. establish such special committees as may be necessary.
- g. set the agenda for all General Membership meetings.

Section 2: In the event of vacancy in the office of the President, the Vice-President shall become President and serve until the next annual election.

Section 3: Whenever the offices of both the President and Vice-President shall become vacant between elections except as provided in the Constitution, the remaining members of the Executive Committee shall choose one of its members to serve as President pro tempore until the Representative Assembly can fill the vacancies. In the event of such vacancies, the Representative Assembly shall meet within seven (7) school days of the date of the vacancies for the purpose of filling them. Each vacancy shall be filled by the affirmative vote of a majority of members present and voting.

## **Article V - Powers and Duties of the Representative Assembly**

Section 1: The Representative Assembly shall adopt rules consistent with this Constitution and Bylaws for governing the conduct of its meetings.

Section 2: Powers not delegated to the Executive Committee, the officers or other groups in the Association or the Representative Assembly shall be vested in the General Membership.

## Article VI - Committees

### Section 1: Committee Title and Duties

- a. The Grievance Committee shall explore and prepare programs for securing satisfactory policies and procedures for the redress of grievances. It shall process all grievances filed in accordance with the Agreement and policies adopted by the Association. It shall advise the Executive Committee and Representative Assembly in situations involving the defense of individual rights.
- b. The Instruction Committee shall serve the Association as monitor and initiator of the classroom instructors' input to positive programs of instruction for the schools [sic]. It shall serve as a representative of its members to the College's instructional council where such a vehicle exists by contract. The Instruction Committee shall investigate recommended changes in instructional programs for effects such programs may have on the professional educator. It should report its findings or curriculum developments directly to the Executive Committee and the Representative Assembly.

### Section 2: Special Committees

Each year the President shall appoint any special committees as may be necessary, and shall disband them upon completion of their duties. These committees shall operate according to rules approved by the Executive Committee.

## Article VII - Fiscal Year

The fiscal year of the Association shall begin September 1 and end August 30.

## Article VIII - Authority

The most recent edition of *Robert's Rules of Order* shall be the parliamentary authority for the Association on all questions not covered by the Constitution and Bylaws.

## Article IX - Amendments

Amendments to the Bylaws may be made by a two-thirds majority of the active members of the Association voting in a regular or special election call for this purpose.