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## **SJSU ERFA Constitution and Bylaws**

San Jose State University, Emeritus and Retired Faculty Association

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# SAN JOSE STATE UNIVERSITY

## EMERITUS AND RETIRED FACULTY ASSOCIATION

### CONSTITUTION

#### ARTICLE I. NAME AND STATUS

The name of the organization shall be the SAN JOSE STATE UNIVERSITY EMERITUS AND RETIRED FACULTY ASSOCIATION. The Association shall function as a nonprofit organization.

#### ARTICLE II. PURPOSES

The purposes of this organization shall be to:

1. Help emeritus and retired faculty members maintain a continuing and fruitful association with the University.
2. Keep emeritus and retired faculty informed of University affairs and to develop means to facilitate their participation in the life of the University.
3. Secure and enhance the status, rights, and privileges of the emeritus and retired faculty of San Jose State University.
4. Encourage and facilitate the emeritus and retired faculty to continue their scholarly and professional activities (teaching, research, writing, consultation) as contributing members of the academic community of the University.
5. Provide social, recreational, and educational programs for emeritus and retired faculty.
6. Contribute to achievement of the University mission by such means as may be determined by Association members.

#### ARTICLE III. MEMBERSHIP

*Section 1.* Membership is defined by the Bylaws (Article I, Section 1.)

*Section 2.* Regular members in good standing shall be entitled to participate fully in the activities of the organization and to vote on all ballots and resolutions.

*Section 3.* Regular membership shall be automatic, subject to Section 1 above and payment of appropriate dues.

*Section 4.* Associate membership is defined by the Bylaws (Article 1, Section 2). Associate members shall be subject to the same dues as regular members, shall have voting rights, and may serve as a committee chair or member.

#### ARTICLE IV. OFFICERS

*Section 1.* The Officers of the organization shall be: (a) President, (b) Vice President (c) Secretary, (d) Treasurer, (e) Academic Senator, and (f) Past President.

*Section 2.* The President, Vice President, Past President, and Academic Senator shall serve one-year terms, and the Vice President shall be the President Elect. The Secretary and Treasurer shall serve staggered two-year terms.

*Section 3.* The Officers and the Executive Board Members-at-Large shall be elected by the membership at the annual meeting.

#### ARTICLE V. EXECUTIVE BOARD

*Section 1.* The Executive Board shall consist of: (a) the Officers; (b) three Members-at-Large, selected by the membership to serve staggered two-year terms; (c) the newsletter Editor; (d) the Webmaster; (e) the Committee Chairs; (f) the CSU-ERFA Delegates; (g) the Archivist; (h) Members of Committees, as requested by the President; and (i) *Ex Officio* Members, as appointed by the President.

*Section 2.* Except for the President's and Vice President's positions, vacancies occurring among the elected members of the Executive Board shall be filled by a majority vote of the Executive Board, and those thus selected shall serve until the annual business meeting at which regular election and balloting procedures will be followed to fill vacancies. A vacancy in the office of Vice President shall be filled by election at the next business meeting, and a vacancy in the office of Past President shall not be filled.

*Section 3.* A quorum of the Executive Board shall consist of a majority of its members.

*Section 4.* The CSU-ERFA delegates shall be appointed by the President, with the advice of the Executive Board. Any member of the Association who is serving as an officer of CSU-ERFA, or who is a Member-at-Large on its Executive Committee or its State Council, shall be an *ex officio* member of the Executive Board.

*Section 5.* Except for the election of officers and amending the Constitution or Bylaws, the Executive Board is authorized to act on behalf of the Association during interim periods between Annual Meetings of the Association.

#### ARTICLE VI. MEETINGS

*Section 1.* One meeting each year shall be designated as the annual business meeting of the Association; this meeting shall be called to receive reports of officers and committees, to act on items recommended by the Executive Board, and to conduct elections. Written notice of this meeting shall be given to the members at least two weeks in advance. When an in-person meeting of the Association is not possible, voting of the members on recommendations of the Executive Board and on Association officers may be facilitated by regular mail or by an electronic form of communication. When electronic technologies are used to facilitate voting

by the members hard copy ballots must be provided for those who are not able to use electronic forms of communication.

*Section 2.* The Association shall call business meetings as designated by the Executive Board or upon petition of at least 10% of the membership.

*Section 3.* During times when in-person meetings are not possible, electronic communication technologies that provide opportunities for simultaneous aural and visual interactions between and among the members may be used to conduct meetings.

#### ARTICLE VII. NOMINATIONS

In a timely manner and with the advice of the Executive Board, the President shall appoint an *ad hoc* Nominating Committee. A call for nominations shall be sent to the membership via the Newsletter. After the deadline for submitting nominations has passed, the Nominating Committee shall then prepare a list of candidates that includes at least one nominee for the office of Vice President and for each of the other expected openings among the officer positions. It shall also provide nominations for any Member-at-Large openings on the Executive Board.

#### ARTICLE VIII. AMENDMENTS

*Section 1.* Proposed amendments to this Constitution or the Bylaws may be presented to the Association either upon a majority vote of the Executive Board or by a petition addressed to the Secretary for presentation to Association members. Such petition shall be signed by not fewer than 10% of the members.

*Section 2.* Any proposed amendment to this Constitution or its Bylaws shall be sent to each member by the Secretary not less than two weeks before the annual business meeting.

*Section 3.* Any such proposed amendment shall be considered adopted if it receives a majority vote of the members present at the annual business meeting, provided those voting represent at least 20% of the total membership. If that should not be the case, the amendment shall be submitted to members by mailed ballot. The amendment shall then be considered adopted if it receives a favorable vote by a majority of those responding, provided their number equals at least 20% of the total membership.

### BYLAWS

#### ARTICLE I. MEMBERSHIP

*Section 1.* All retired faculty, librarians, counselors, and academic administrators who are CalPERS annuitants are eligible for membership. These individuals shall become regular members of the Association upon application and payment of appropriate dues.

*Section 2.* Associate membership may be granted to faculty, librarians, counselors, and academic administrators with retired status in other accredited institutions of higher learning; San Jose State University pre-retirees (reduced time base); spouses of deceased members of the San Jose State University Emeritus and Retired Faculty Association. Associate members shall be subject to the same dues as regular members.

## ARTICLE II. DUES AND ASSESSMENTS

*Section 1.* The yearly dues and assessment of the Association shall be recommended by the Executive Board and approved by the membership.

*Section 2.* The Association shall operate on a fiscal year, July 1 through June 30 of the following year.

## ARTICLE III. DUTIES OF OFFICERS

*Section 1.* The President shall preside at Association meetings and meetings of the Executive Board. The President shall also exercise general supervision over affairs of the organization and serve as an *ex officio* member of all standing committees.

*Section 2.* The Vice President shall assume the duties of the President in the absence of the latter.

*Section 3.* The Secretary shall supply to members minutes of business meetings, committee reports, and important communications as directed by the Executive Board. She/he also shall prepare necessary communications for the Association.

*Section 4.* The Treasurer shall be responsible for the collection of dues and assessments, the payment of approved Association bills, the filing of tax forms, and the custody of the Association's funds. He/she shall be responsible for preparing and presenting to the Executive Board an annual financial report including a proposed budget.

*Section 5.* The Academic Senator shall represent the Association on the San Jose State University Academic Senate, shall serve on committees as appointed by the Senate, and shall report to the Executive Board.

*Section 6.* The Past President shall attend Executive Board meetings and offer advice when appropriate.

## ARTICLE IV. NEWSLETTER EDITOR

The newsletter Editor shall be appointed by the President, with the advice of the Executive Board, for a two-year term, and is responsible for the publication and distribution of the Association's newsletter.

#### ARTICLE V. WEBMASTER

The Webmaster shall be appointed by the President, with the advice of the Executive Board, for a two-year term, and is responsible for maintaining the email distribution lists and the website of the Association.

#### ARTICLE VI. ARCHIVIST

The Archivist shall be appointed by the President, with the advice of the Executive Board, for a two-year term, and shall be responsible for preserving important documents and records of the Association.

#### ARTICLE VII. COMMITTEES

*Section 1.* Chairs and members of committees shall be appointed by the President with the advice of the Executive Board. Such appointments cease with the expiration of the President's term except they shall continue until replaced.

*Section 2.* Standing Committees shall be formed to conduct assigned work on a continuing basis and may include such subjects as: activities, programs, faculty awards, and membership.

*Section 3.* The Association's *Ad Hoc* Committees shall be formed to address specific tasks of limited duration and may include such work as: nominating, auditing, and special projects.

*Section 4.* Chairs of standing and *ad hoc* committees may be requested to report at meetings of the Executive Board and/or the Association.

#### ARTICLE VIII. QUORUM

A quorum shall consist of the members present at regularly called meetings except as specified in the Constitution, Article V, Section 3 and Article VIII, Section 3.

#### ARTICLE IX. PARLIAMENTARY AUTHORITY

The latest edition of *Robert's Rules of Order, Newly Revised*, shall be the parliamentary authority for this Association.

#### ARTICLE X. DISSOLUTION

Should the SJSU Emeritus and Retired Faculty Association cease to exist, all of its remaining funds shall be given to the Tower Foundation, on the understanding that the funds are to be used only for student scholarships.

#### ARTICLE XI. NO PECUNIARY GAIN OR PROFIT

This organization does not contemplate pecuniary gain or profit to the members thereof and is

organized for nonprofit purposes.

## ARTICLE XII. ACTIVITIES FURTHER PURPOSES OF ASSOCIATION

Notwithstanding any of the above statements of purposes and power, this association shall not, except to an instrumental degree, engage in any activities or exercise any powers that are not in furtherance of the specific purposes of the association.

Changes to the SJSU ERFA Constitution were:

*Approved by membership May 7, 2010*

*Approved by membership May 6, 2011*

*Approved by membership May 11, 2012*

*Approved by membership May 19, 2017*

*Approved by membership May 10, 2019.*

*Approved by membership May 14, 2021.*