

Palau Community College
FACULTY SENATE ASSOCIATION BY-LAWS

ARTICLE I - NAME, PURPOSE AND LOCATION

Section 1. The name of this organization shall be Palau Community College Faculty Senate Association.

Section 2. The purpose of the Faculty Senate Association shall be:

- a. To represent the official interests and needs of the association and its individual members in good standing.
- b. To protect the rights and privileges of the association and its members.
- c. To assist each member on any matter conducive to his/her being an employee of the college.
- d. To work mutually with the Administration.

Section 3. The Principal office of this organization shall be located at Palau Community College in Koror, Republic of Palau.

ARTICLE II - MEMBERSHIP

Section 1. The members shall be:

- a. Composed of fulltime non-administrative faculty, counselors and librarians, including part-time faculty.
- b. Members in good standing shall be defined as one who pays fees, dues, attends meetings and is not more than one quarter in arrears.

Section 2. Fees and Dues

- a. Initiation fee shall be \$5.00
- b. Bi-weekly dues are \$2.00 which are deducted by allotment through the PCC Business Department or cash payments to treasurer.
- c. Fees and dues are non-refundable.

ARTICLE III - GOVERNMENT

Section 1. Officers

This organization shall be governed by officers composed of the President, the VicePresident, the Secretary, and the Treasurer.

Section 2. Terms and Procedures

- a. The term of each office shall be one year.
- b. No officer shall hold two different offices within the organization at one time.
- c. Any individual who has been a member of FSA for a minimum of one year shall be eligible to hold any office.
- d. Any office vacated before the end of its term shall be a cause for a special election for a replacement who shall serve the remainder of the term.
- e. Officers shall be elected by a secret ballot.

Section 3. Impeachment

Any officer who shall abuse his or her office by engaging in any of the following behaviors or actions shall be subject to impeachment which is explained in Section 4 below. Those actions and behaviors include but are not necessarily limited to:

- a. Misuse of FSA funds.
- b. Absence from two (2) or more consecutive meetings without good reason.
- c. Use of office for personal gain or advancement.
- d. Use of office to unduly influence a person or special group for the benefit of an officer or member.
- e. Use of the name of the FSA without consent of the association.
- f. Conviction of a felony violation or gross misdemeanor.
- g. Dismissal from employment at PCC with or without cause.
- h. Exceeding the bounds of the office duties and responsibilities without cause or consent of the members or without extenuating circumstances.
- i. Being subject to disciplinary sanctions of the PCC Personnel Manual after grievance procedure rights have been exhausted/exercised.

Section 4. Procedures for Impeachment

- a. The purpose of the impeachment policy is to swiftly and fairly remove the offending officer(s) from his/her position in the FSA in accordance with the outlined due process procedures:

Any member may file an impeachment petition to the officers of the FSA against any officer(s). The petition shall consist of the following elements:

1. A clear and concise statement of the offenses and charges which the member shall substantiate in written form.
 2. A statement which includes one or more of the illicit actions or behaviors cited in the aforementioned paragraphs or other forms of misconduct.
- b. The officers of the FSA shall transmit in writing to the accused member a copy of the charges excluding the name of the reporting party.
 - c. The officers shall convene within three (3) working days of the receipt of written charges brought by any member of the FSA.
 - d. The officers of the FSA shall schedule an emergency meeting of the full FSA, shall provide each FSA member a copy of the charges prior to the meeting, and shall convene the meeting within three (3) working days after notification to hold formal hearings concerning the alleged offending officer's misconduct, behavior, and actions.
 - e. A vote of the simple majority of the FSA members shall be grounds to cause the impeachment of the alleged offender or the acquittal of the alleged offender.
 - f. Upon removal from office, the impeached officer shall surrender all documents, keys, and other property to the highest ranking officer of the FSA who shall issue to the convicted member a receipt detailing the items, the time, and the date.

Section 5. Appeal

Should the impeached party/convicted party file an appeal, he is to include the following statement in his appellate petition:

In the event that the Grievance Committee and the Board of Trustees, if the grievance is pursued to its final conclusion, finds the accused officer impeachable, the accused officer agrees to submit to the President of PCC and the FSA a letter of resignation with prejudice effective upon signing such document.

Section 6. Post Impeachment Procedures.

- a. Should the impeached individual be guilty of a crime pursuant to PNC 17 or the Constitution of the Republic of Palau, the officers of the FSA shall upon determination of impeachment cause to file with the Attorney General of the Republic of Palau criminal and civil or criminal/civil proceedings against the impeached member.
- b. Should the impeached party flee the jurisdiction of the FSA, the criminal jurisdiction and/or the civil jurisdiction, the FSA shall be authorized to file a summary judgment with the court to recover costs, damages, and legal fees against the estate of the impeached party.

- c. All officers having duly been elected to their posts shall sign a written verification that they have read and understand the aforementioned impeachment clause and agree to its procedures, action, and legal consequences.

ARTICLE IV - DUTIES OF OFFICES

Section 1. President

- a. Shall preside over all meetings.
- b. Shall be the official spokesperson for the Faculty Senate Association.
- c. Shall countersign all official and financial documents of the organization.

Section 2. Vice-President

- a. Shall act as the floor leader in all meetings.
- b. Shall perform the functions of the office of the President during his/her absence.

Section 3. Secretary

- a. Shall maintain correspondence and non-financial records of the organization.
- b. Shall record the minutes of all the meetings of the organization.
- c. Shall prepare and distribute the minutes of all meetings of the organization.

Section 4. Treasurer

- a. Shall keep up-to-date financial records and source documents of the organization.
- b. Shall give a financial report in all regular meetings which will include current month's deposits and withdrawals, explanation for each transaction, current balance, and copy of the bank passport demonstrating account transactions.
- c. Shall sign all financial documents of the organization.

ARTICLE V - MEETINGS

Section 1. Date, Time, Place

- a. A regular meeting shall be held once a month. The specific date, time and place will be announced in advance before each meeting.
- b. The Annual Meeting shall be held in August.

- c. A special meeting may be called at any time by the President of the FSA.
- d. Thirty percent of the members shall constitute a quorum.

Section 2. Agenda

- a. The agenda of meetings shall be prepared by the President, and distributed and posted by the Secretary at least two (2) working days prior to all regular meetings.
- b. Matters not included in the prepared agenda shall not come before the meeting until all agenda items have been disposed of unless approved by a majority of the members present.

Section 3. Attendance

- a. Attendance shall be recorded in all minutes of meetings.
- b. Attendance shall be a factor in determining good standing.

ARTICLE VI - ELECTION PROCEDURES

Section 1. Nomination

- a. Nomination of candidates for the offices shall be done in August.
- b. Nominations shall be limited to a maximum of three for each office.
- c. A nominee may run for only one position.
- d. Only members present at the meeting may be nominated.
- e. A five (5) Member Ad Hoc Committee on the Election appointed by "the incumbent" President shall be formed to conduct the proceedings of the election.

Section 2. Election

- a. The election shall be held in August.
- c. The election of officers shall be based on popular vote.
- d. There shall be a run-off in the event of a tie for any office.

ARTICLE VII - FINANCE

Section 1. The organization's money shall be deposited in an account at a recognized, FDIC bank in the Republic of Palau.

Section 2. There shall be an open expenditure at the discretion of the majority of members present at any meeting.

