

AMENDMENT TO
AP ASSEMBLY CONSTITUTION

A Recommendation

1. **Divisions and Departments:** Operations and Finance
2. **Introduction:** The Board of Trustees (Board) has delegated full authority and responsibility for the shared governance of Oakland University (University) to the President, subject to Board limitations and policies. The Board has also recognized the Administrative Professional (AP) Assembly as an organization to advise the President in regard to representing Administrative Professionals on campus and provide AP representatives for university committees and programs.

The AP Assembly is organized and functions in accordance with a Constitution that has been approved by the Board (AP Assembly Constitution). The AP Assembly Constitution requires both President and Board approval.

The AP Assembly wishes to amend the AP Assembly Constitution to clarify specific personnel functions of AP Assembly elected officials as well as clarification on policies that affect how the AP Assembly functions. AP Assembly's role on campus and its functions have changed since the last time its Constitution was amended in 2001. Proposed changes include amending language regarding the ballot casting for AP Assembly to reflect current practices of holding online elections. There have also been changes made to policies on voting and membership responsibility for both the AP Assembly Executive Board and the general AP population, as well as minor grammatical edits.

3. **Previous Board Action:** The AP Assembly Constitution was approved by the Board on June 27, 1973, and amended on June 6, 2001.
4. **Budget Implications:** N/A
5. **Educational Implications:** N/A
6. **Personnel Implications:** N/A
7. **University Reviews/Approvals:** The proposed, amended Constitution of the AP Assembly was ratified by the Assembly on December 17, 2016, and was approved by the President.

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Board of Trustees Formal Session
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8. Recommendation:

WHEREAS, the Constitution of the Oakland University AP Assembly, as authorized by the Board of Trustees, provides for certain functions to be assigned to Administrative Professionals

WHEREAS, the Board of Trustees has acted to approve internal constitutions in order to obtain the input and recommendations of administrative professionals on matters relating to the programs of Oakland University, but has retained unto itself the full authority granted to it by law; now, therefore, be it

RESOLVED, that notwithstanding any provision of the proposed, amended Constitution of the Oakland University AP Assembly, the Board of Trustees reconfirms its legal authority to grant, modify and rescind internal constitutions when the Board of Trustees determines such action to be in the interest of the institution or required to comply with its legal obligations; and, be it further

RESOLVED, that the Board of Trustees, under the conditions set forth above, approves the amended Constitution of the Oakland University AP Assembly, attached hereto, effective April 11, 2016.

9. Attachments:

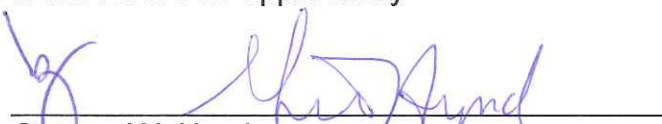
- A. Redline version of the proposed, amended AP Assembly Constitution.
- B. Final version of the proposed, amended AP Assembly Constitution.

Submitted to the Chief Operating officer
on 4/7, 2016 by



Scott Kunselman
Chief Operating Officer

Recommended on 4/8, 2016
to the Board for approval by



George W. Hynd
President

Attachment A

CONSTITUTION OF THE ADMINISTRATIVE-PROFESSIONAL ASSEMBLY
Approved by the Board of Trustees on June 27, 1973,
with Amendments through June 6, 2001, and Proposed Amendments through
April 11, 2016

ARTICLE I – NAME

A. This University body shall be known as the Administrative-Professional Assembly (Assembly) of Oakland University.

B. The term administrative-professional shall refer to all staff members classified as an administrative-professional staff (AP) by the University. The term contract employee shall refer to all exempt administrative-professional employees with individual contracts appointed to fill a position performing duties of an administrative and/or professional nature associated with the supervision and management of the affairs of the institution and is employed in accordance with the terms of an individual employment contract (IC).

C. Assembly, used in this eConstitution, refers to that University body comprised of all AP's and IC's (Members).

ARTICLE II – PURPOSE

The Assembly shall take an active role in the governance of the University by providing representatives to the University Senate and its committees as prescribed by the Senate and to other appropriate committees and shall serve as an advisory group to the President of the University. The Assembly shall also facilitate the personal and professional development of its Members, and provide service benefiting the University and the external community. The Assembly shall not represent its Members with regard to wages, hours, or working conditions, and shall not act as the collective bargaining representative of its Members.

ARTICLE III – FUNCTIONS

The Assembly shall:

A. Advise the President of the University and/or other appropriate University officials on matters of importance to its Members.

B. Introduce and adopt proposals and resolutions on matters of importance to its Members and to the University.

C. Provide representation to appropriate University committees.

D. Provide on-going communication, opportunities for personal and professional development, recognition of its Members, and support of community service.

E. Exercise such powers as may be delegated to it by the President of the University or the Board of Trustees.

F. Take action as necessary to fulfill responsibilities stated elsewhere in this eConstitution.

ARTICLE IV - MEMBERSHIP AND ORGANIZATION

A. Membership of the Assembly shall consist of all AP's and IC's. All Members shall have full voting rights at Assembly Meetings.

B. The administrative structure of the Assembly shall consist of the Executive Committee.

ARTICLE V - EXECUTIVE COMMITTEE

A. Executive Committee Officers

1. The Executive Committee is composed of the following officers elected by the membership of the Assembly:

- a. President
- b. President-Elect
- c. Immediate Past President
- d. Secretary
- e. Treasurer
- f. Two Senators
- g. Six Members-at-Large

2. The President of the AP Association is an ex officio member of the Executive Committee, with non-voting rights.

B. Term of Officers

1. The President-Elect will serve a three-year term on the Executive Committee: the first year as President-Elect, the second year as President, and the third year as Immediate Past President.

2. The term of the other Executive Committee members is for two years. Half of the Senators and the members-at-large are elected in alternating years.

3. The term of officers begins July 1.

C. Duties of Officers

1. The President shall:

a. Convene and preside at the meetings of the Executive Committee and the Assembly. The President shall also assume other duties as designated by the Executive Committee, appoint all committee chairs and members subject to ratification by the Executive Committee, and be responsible for the coordination of all committee activities.

b. Designate individuals to represent the Assembly on appropriate University committees and at University functions in consultation with the Executive Committee.

c. Act as the Assembly representative to the AP Association and be responsible for maintaining communication between the Assembly and the offices of the President, Vice Presidents and Deans of the University.

d. Arrange and issue notices for all meetings.

2. The President-Elect shall:

a. Assume all the responsibilities of the President in the President's absence.

b. ~~Serve as the chair of the Recognition Committee.~~ Act as the Assembly representative to attend Board of Trustees Formal Sessions or assign a designee to attend Board of Trustees Formal Sessions.

3. The Immediate Past President shall:

a. Provide historical continuity and act in other capacities as designated by the President.

b. Serve as the chair of the Nominations and Election Committee.

4. The Secretary shall:

a. Keep an accurate record of the proceedings of the Assembly, Executive Committee meetings, and other special meetings.

b. Take attendance and ~~inform~~ notify the President if any Executive Committee members are in violation of the attendance policy.

c. Issue the minutes to the Executive Committee and members by publishing on the AP Assembly website.

5. The Treasurer shall:

- a. Keep accurate records of the financial status of the Assembly.
- b. **Manage the funding and budget request process.**
- c. **Administer funds as approved by the Executive Committee.**

6. The Senators shall:

- a. Serve on the University Senate **as voting members** and keep the Executive Committee apprised of Senate activities.

7. The Members-at-Large shall:

- a. Maintain communication between the Assembly Members and the Executive Committee.
- b. Assume committee leadership as chairs ~~and chair-elects~~ as designated by the President.

D. Attendance Policy

1. Attendance **for AP Assembly Executive Committee Members at executive Committee monthly** meetings is required. **All meetings scheduled for the Executive Committee by the AP Assembly President or individuals designated by the President are required.** If an Executive Committee member cannot attend a meeting, the member should notify the President prior to that meeting. This will be considered an excused absence. If the member does not notify the President, this will be considered an unexcused absence. The Executive Committee member will be considered to have resigned if the member acquires three unexcused absences per year.

E. Operating Procedures and Responsibilities

1. The Executive Committee shall:

- a. Conduct meetings and transact business of the Assembly; a quorum shall consist of a simple majority of Executive Committee members (seven); a motion may be carried by a majority of the members present at the meeting for which there is a quorum.
- b. Facilitate the Assembly in carrying out the functions listed in Article III.
- c. Have the authority to originate motions for consideration by the Assembly.
- d. Communicate with all Members and other University officials regarding Assembly activities.
- e. Ratify membership of existing standing committees; the term of appointments **shall be for two years, with half of each committee appointed in alternating years. The term of appointments** begins July 1.

- f. Receive reports and recommendations from the Assembly committees for consideration by the Assembly.
- g. Receive reports and recommendations from the representative appointed to the University committees for consideration by the Assembly at least once a semester to the Executive Committee.
- h. Establish additional standing committees and ratify their membership; appointments shall be for two years, except that at the inception of a new committee one-half of the appointments shall be for one year.
- i. Establish ad hoc committees and ratify their membership.
- j. Advocate for Member representation on University committees.
- k. Actively recruit candidates for committee membership who are reflective of the diverse Member community.
- l. Determine the dates for all elections and how to implement the election process.

F. Nominations and Elections

1. The Nominations and Election Committee shall:

a. Consist of **up to** five members: the Immediate Past President and four Member representatives. The term of appointment is **for** one year.

b. Have no Executive Committee members serve on this committee with the exception of the Immediate Past President,

c. Be responsible for:

1) Calling for nominations and determination of a slate of candidates.

2) Presenting a slate of candidates to the Executive Committee at least two weeks prior to the election for the Executive Committee's approval. **Approval is based on a majority vote of Executive Committee.**

3) Conducting the election and notifying the Executive Committee of the election results within seven days of the election.

d. Hold the election of the Executive Committee in **May-the spring**; candidates shall be elected by a plurality of votes cast by Members through a **mail**-ballot election.

e. Hold special elections and recommend filling vacancies:

- 1) Should the office of President become vacant, the President-Elect shall assume the presidency for the duration of the term; should the President-Elect decline the presidency, the Executive Committee shall then appoint a replacement from within its own membership.
- 2) Should any other office except that of President-Elect and Immediate Past President become vacant during the first year of a term of office, the Executive Committee shall offer the position to the next available individual on the original slate of candidates based on the plurality of votes cast by Members. If there are no remaining candidates to choose from on the original slate, the Executive Committee shall appoint an individual from the general membership.
- 3) Should any other office become vacant during the second year of a term of office, the executive Committee shall select a replacement to fill the vacancy for the duration of the term.
- 4) Should the office of President-Elect become vacant, the Nominations and Election Committee shall fill the vacancy by conducting a special election.

ARTICLE VI - ASSEMBLY MEETINGS

- A. The Assembly shall meet at least once every calendar year and when deemed necessary by the Executive committee. The Assembly may meet jointly with the AP Association at the discretion of the Executive Committee. Notice of all Assembly meetings and its order of business shall be sent to all Members at least one week prior to such meetings. The notice shall specifically state the purpose, date, time and location.
- B. A special meeting of the Assembly may be called by the ~~Executive Committee~~ **general membership** based on a written petition of twenty percent of the general membership. This meeting must be called **by the Executive Committee** within fifteen business days of the receipt of the petition.
- C. One-third of those members of the ~~Assembly officially on active status in a given semester or term~~ **Executive Committee** shall constitute a quorum. A motion may be carried by a majority of ~~the M~~ members present at a meeting where there is quorum.
- D. Robert's Rules of Order, latest edition, shall be the authority governing the conduct of business of the Assembly, when such rules are not in conflict with the Constitution and special rules of order adopted by the Assembly.
- E. The Executive ~~e~~**C**ommittee shall prepare the agenda for Assembly meetings. Any Member of the Assembly may propose an item for the agenda or offer a motion at an Assembly meeting.

F. All Assembly meetings shall be open to the public.

ARTICLE VII - STUDENT REPRESENTATION

A. The Executive Committee may consult with the representatives of the recognized student government on matters considered by the Executive Committee to have an effect on the students of the University.

B. Students may be included as voting members of any standing committee whose charge is to deal with matters considered by the Executive Committee to have an effect on the students of the University. Selection of student representatives will be through the recognized student government.

ARTICLE VIII - AMENDMENT TO THE CONSTITUTION

A. Amendments to the Constitution of the Assembly may be presented for consideration at any regular or special Assembly meeting, providing the proposed amendment has been included in the written notice of the meeting.

B. An amendment may be presented through a petition signed by twenty percent of the general membership or by resolution of the Executive Committee.

C. Passage of any amendment shall be by either two-thirds vote of the Members present at a regular or special Assembly meeting or by two-thirds vote of those voting in a mail **or electronic** ballot.

D. All amendments require the approval of the President of the University and by the Board of Trustees.

ARTICLE IX – RECALL

A. Petition to recall any Executive Committee member may be presented to the general membership if twenty percent of the general membership has signed the petition.

B. Passage of the motion to recall any Executive Committee member shall be by either two-thirds vote of the Members present at a regular or special Assembly meeting or by two-thirds vote of those voting in a mail **or electronic** ballot.

ARTICLE X – RATIFICATION

A. This **e**Constitution shall become effective after approval at an organizational meeting of the Assembly by a majority of all Members present where there is a quorum and by the President of the University and the Board of Trustees.

Approved by the Board of Trustees on June 27, 1973, and amended February 1976, April 1979, May 5, 1994, **and** June 6, 2001, **and April 11, 2016.**

Attachment B

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