

Constitution of the Council of Academic Professionals and Administrators

Approved November 17, 2000

Revised March 27, 2009

PREAMBLE

CAPA represents University of Minnesota Academic Professional and Administrative staff in the governance process and is a powerful partner in promoting the University's mission of teaching, research and service.

ARTICLE I. GENERAL POWERS

1. Distribution of Powers Delegated by the Board of Regents

Consistent with actions and policies of the regents of the University of Minnesota, all matters relating to the educational and administrative affairs of the University are herein committed to the President, the University Senate, the Council of Academic Professionals and Administrators (hereafter CAPA), and the several faculties. CAPA exists and functions by authority of the Board of Regents Policy on Academic Staff Professional and Administrative, adopted in 1980 and revised October 12, 2001.

ARTICLE II. COUNCIL OF ACADEMIC PROFESSIONALS AND ADMINISTRATORS (CAPA)

1. Definition of P&A

Academic Professional and Administrative Staff (P&A) are defined as follows by the Regents Policy:

- a. Academic Professional Staff (the "P" of P&A, class 97xx; 9601-9629) generally parallel disciplinary faculty in having the requisite preparation and specialized knowledge in an academic discipline or field on which practice is based and in exercising independent professional judgment. These individuals may be engaged in teaching, research and service, as are faculty, as well as a wide variety of other professional functions of the University.
- b. Academic Administrative Staff (the "A" of P&A, class 93xx; 9630-9649) are involved in policy development or execution, or in directing, coordinating, or supervising activities and may also be engaged in teaching, research and service in the University. They are expected to have a thorough working knowledge of academic administration and to exercise independent judgment.

2. Membership

- a. CAPA members shall include the elected representatives and elected or appointed alternates of the P&A of various institutes, colleges, schools of collegiate rank, other administrative units and coordinate campuses (hereafter referred to collectively as "the units"), the CAPA Officers and CAPA Senators. Ex officio nonvoting participants, including staff, may be appointed by other University bodies, such as the Faculty Senate or the administration or by the Chair of CAPA with the approval of

the Executive Committee.

b. Voting members shall be those members who are elected CAPA representatives, CAPA officers and any alternate filling in for an elected representative at a given CAPA meeting.

3. Powers in General

CAPA serves as the representative governing body with respect to matters concerning P&A staff of the University as a whole.

4. Election of CAPA Members

a. Representatives to CAPA shall be elected by the P&A of each of the several units. The designation of the representative units shall be determined according to the Bylaws. University of Minnesota P&A employees in the following classifications are represented by CAPA and may vote in CAPA unit representative elections, but are not eligible to be CAPA unit representatives, alternates, or senators if they are:

-tenure-track faculty

-P&A employees appointed for less than 50%-time for 9-months

-academic department Chairs or Heads

-collegiate Deans or Associate or Assistant Deans appointed for over 25% time.

Units may petition the Representation and Governance Committee for exceptions to this Bylaw.

CAPA members must be University of Minnesota P&A employees throughout their elective terms.

b. P&A from each unit shall jointly elect from their ranks one or more CAPA members as specified in the Bylaws.

c. The Representation and Governance Committee shall have the power to determine unit affiliation of any P&A member, subject to confirmation by CAPA.

d. Elections to CAPA shall be held no later than the 15th day of June each year. All P&A elected to CAPA shall begin service on July 1 and shall serve for three years or until their successors shall be designated. CAPA service shall also terminate with termination of employment as a P&A or transfer to another unit.

e. The P&A of each unit shall either elect one or more alternate representatives or define the pool of alternates to be all those eligible to vote for CAPA. A representative may designate anyone from the appropriate unit pool to serve as an alternate in the representative's absence by providing written notice, including e-mail or fax, to the CAPA Clerk and Chair prior to the commencement of any meeting.

f. Names of all continuing and newly elected members of CAPA and alternates shall be forwarded annually to the CAPA Chair no later than July 1. The CAPA Chair and Clerk shall forward these names to the President of the University of Minnesota no later than September 30 of each year. Midterm replacements shall be reported to the CAPA Chair as they occur. If a unit has no representative by June 15, the CAPA Chair, the Representation and Governance Committee chair or designee shall contact the P&A staff and the administration of the unit to secure the selection of a representative.

5. Removal for Neglect of Meetings

- a. A member of CAPA shall be said to have neglected a meeting if the member does not attend and does not provide an alternate. Members must notify the Chair and the Clerk in writing of the impending absence.
- b. A member of CAPA shall forfeit membership by neglecting four meetings of CAPA within an academic year (i.e., September-May meetings).
- c. The clerk of CAPA shall notify any member who would forfeit CAPA membership by neglecting the next meeting of CAPA, in writing, at least ten calendar days before that meeting. Forfeiture of membership for neglect shall not be contingent upon such notice.
- d. A member whose membership has been forfeited may appeal to the Representation and Governance Committee for reinstatement. The committee will review the case and make a recommendation to CAPA, which can vote to uphold the expulsion or reinstate the member by majority vote.

6. CAPA Officers and Clerk

- a. The Chair shall preside at meetings of CAPA. The Vice Chair shall preside in the absence of the Chair.
- b. The Chair, Vice Chair, and committee chairs shall be elected by CAPA as specified in the Bylaws.
- c. Duties of officers shall be specified in the Bylaws.
- d. All officers will be eligible for re-election, subject to elected unit representation requirement and cumulative limitations as specified in the Bylaws III.1.
- e. The CAPA Chair and Vice Chair, together with the chairs of each of the standing committees, constitute the Executive Committee.
- f. The University Senate Office shall provide a Clerk of CAPA (a non-voting participant of CAPA), whose duties shall be prescribed in the CAPA Bylaws.
- g. The CAPA Executive Committee may appoint representatives (CAPA members and/or P&A staff) to other University committees and organizations and require reports from such representatives to the committee or to CAPA.

7. CAPA Agenda and Minutes

The agenda of each CAPA meeting shall be distributed, at least three business days in advance, to all CAPA members via email, and to all P&A and others as determined by the Executive Committee, in such manner as the Executive Committee may direct. The minutes of CAPA meetings shall be distributed in like manner after approval by CAPA at the next regular meeting. Matters under CAPA jurisdiction, including proposed amendments to this Constitution or Bylaws, may be submitted by any committee of CAPA or any CAPA member. Proposed amendments to the Constitution or Bylaws shall be referred to the Representation and Governance Committee. Whenever possible, such proposed amendments shall be incorporated into the annual Constitution and Bylaws review.

8. CAPA Meetings, Call, Quorum

- a. CAPA shall hold regular meetings as stipulated in the Bylaws. Special meetings of CAPA may be held upon the call of the Chair, or any three other members of the Executive Committee, or upon written request of at least five CAPA members. CAPA members shall be given at least three business days notice of any special meeting.
- b. At any regular or special meeting of CAPA, a majority of its membership shall constitute a quorum.
- c. Meetings are open to the public as required by state law.
- d. Only elected CAPA members (or their designated alternates), and, in the case of a tie, the Chair, shall be entitled to vote. Persons who are not CAPA members or alternates may speak if recognized by a CAPA member or alternate, at the discretion of the Chair. Only CAPA members and alternates may offer motions for a vote.

ARTICLE III: CAPA SENATORS

1. Designation of CAPA Senators

- a. P&A representatives to the University Senate (except the Faculty Senate) shall be designated by CAPA in the manner prescribed within the CAPA Bylaws, consistent with the University Senate Constitution, Bylaws, and Rules.
- b. Elections of CAPA Senators shall take place no later than the deadline required by the University Senate, and no earlier than April 15 of each year. All P&A designated by CAPA to serve on the University Senate shall begin service on July 1 and shall serve for a term of three years. Service as a CAPA Senator shall also terminate with termination of employment as a P&A.
- c. The CAPA Chair and Clerk shall forward the names of CAPA Senators to the University Senate office no later than the deadline required by the Senate. Midterm replacements shall be designated in a manner prescribed in the CAPA Bylaws, and reported to the Senate office as they occur.
- d. The CAPA Bylaws shall govern the determination of which officer(s), committee(s), body, or document(s) shall have the power to resolve disputes regarding CAPA involvement in the University Senate.

2. Removal for Neglect of Meetings

- a. CAPA Senators may be removed from the University Senate by CAPA, under the same terms and process by which CAPA members may be removed consistent with Senate policy and CAPA Constitution and Bylaws.

ARTICLE IV. COMMITTEES OF CAPA

CAPA has the power to establish committees and task forces as needed.

ARTICLE V. EXTERNAL RELATIONS

CAPA may participate in organizations located outside the University to the extent such participation directly facilitates the goals of CAPA, and enhances its services to P&As at the University. Participation in such organizations can be adopted as specified in the Bylaws.

ARTICLE VI. UNIVERSITY ADMINISTRATION CONSULTATION WITH CAPA

- a. Any proposal for a new policy, policy revision, or decision affecting P&A staff in more than one University college or unit shall be reported to the CAPA Chair or designee as early as possible before reaching its ultimate decision-making phase. CAPA notification will coincide with submission of proposals to the Senate Consultative Committee.
- b. Once notified, the CAPA chair is empowered to respond to a proposal if time or other constraints will not permit consultation with CAPA as a whole or the CAPA Executive Committee, or consultation with or assignment to a committee or task force.
 - i. Disposition of proposals referred to the chair shall be reported to the Executive Committee within one week of the Chair's action, and to CAPA no later than its next regular meeting.
 - ii. Standing committees and task forces will consider the issues referred to them and draft responses and recommendations. The full CAPA will review and refine such recommendations and forward them to appropriate University authorities.
- c. Central administration will continuously inform CAPA of subsequent changes in proposals through various means:
 - i. Written communication with the CAPA Chair or relevant committee or task force Chair
 - ii. Reporting at CAPA meetings
 - iii. Seating of designated CAPA members on University-wide committees
- d. CAPA will be empowered to provide input on any proposal affecting P&A staff before the proposal reaches the ultimate decision-making phase.
- e. The University President will encourage deans, chancellors and vice presidents to consult with P&A staff in their units individually and/or through unit representative groups.

ARTICLE VII. RESOLUTION OF JURISDICTION

Controversies arising between CAPA or its committees or task forces and a campus, institute, college, or school government or other division of the University shall be resolved by the President or his designee, after appropriate consultation with representatives of CAPA and of the units in question.

ARTICLE VIII. SUPPORT OF UNIVERSITY GOVERNANCE

The University President supports the participation of P&A staff in CAPA, and encourages department chairs, deans, chancellors and faculty to recognize P&A participation in University governance as an important and integral part of the individual's workload, make accommodations and to supply necessary assistance and support for these activities.

ARTICLE IX. CONSTITUTIONAL AMENDMENTS

- a. An amendment to this Constitution must be distributed in writing to CAPA and in the manner provided in Article II, Section 7 and the Bylaws at least 10 calendar days prior to the date of the vote on the approval of the proposed amendment. To the extent possible, such revisions shall be incorporated into the annual review of the Constitution and Bylaws.
- b. An amendment to this Constitution shall be approved by a two-thirds majority of all voting members of CAPA at a regular or special meeting. If there is not a two-thirds majority of all voting members present at the meeting, the amendment can be approved by a majority of all voting members of CAPA at each of two meetings (the second of which shall be the next regular meeting).
- c. An amendment shall be effective one month after approval by CAPA.

ARTICLE X. BYLAWS

CAPA may enact or amend its Bylaws by a two-thirds vote of all members present at a regular or special meeting, provided the proposed change has been submitted, in writing, to each member of CAPA at least 10 calendar days prior to the date of the vote on the approval of the proposed change. To the extent possible, such revisions shall be incorporated into the annual review of the Constitution and Bylaws.

ARTICLE XI. EFFECTIVE DATE OF CONSTITUTION

This Constitution shall take effect one month following its approval by CAPA.