

ACADEMIC FREEDOM COALITION OF NEBRASKA CONSTITUTION (revised 11/22/2003)

ARTICLE I: Name and Purpose

- A. The name of this organization shall be the Academic Freedom Coalition of Nebraska (AFCON.)
- B. The purpose of AFCON shall be to promote academic freedom in Nebraska, defined as intellectual freedom in educational and research contexts. This includes freedoms of belief and expression and access to information and ideas. In pursuit of this general goal, AFCON shall:
1. support application of the First Amendment in academic contexts, including schools, colleges, universities, and libraries.
 2. educate Nebraskans in and out of academic settings, citizens and professionals, parents and students about the meaning and value of intellectual freedom, intellectual diversity, mutual respect, open communication, and uninhibited pursuit of knowledge, including the role of these ideals in academic contexts and in democratic self-government.
 3. assist students, teachers, librarians, researchers, and others confronted with censorship, indoctrination, or suppression of information or ideas in academic settings.
 4. act as liaison among groups in the State of Nebraska that support academic freedom.

ARTICLE II: Membership

- A. Membership shall be open to all individuals and organizations in the State of Nebraska who support the stated purpose and activities set forth in Article I. Membership shall be contingent upon payment of dues or, in special cases approved by the AFCON Board, upon exchange for specific services. Annual dues in the membership categories shall be set by the AFCON Board. The membership and fiscal year shall be from January 1 through December 31.
- B. Organizational memberships. Each organization shall receive a subscription to the *Sentinel*, AFCON's newsletter, reduced conference rates for its members, one seat on the AFCON Board, and one vote in the election of officers and on actions at the Annual Meeting. Its representative shall be eligible to run for office and chair standing committees.
- C. Individual memberships. Individual members shall receive the newsletter and reduced rates for AFCON conferences, be eligible to run for office and to chair standing committees, and have one vote in the election of officers and on actions at the Annual Meeting.
- D. Members need not agree with all of AFCON's specific policies and strategies. AFCON shall not associate the name of any individual or organizational member with any specific policy or activity without the express permission of that individual or organization.
- E. Members may be expelled from AFCON, with *pro rata* refund of dues, for actions substantially inconsistent with its purpose or Constitution. Any individual or organization subject to an expulsion vote shall be given at least fifteen (15) days notice and an opportunity to present his, her, or its case to the Executive Committee prior to the vote. Expulsion shall require a two-thirds (2/3) vote of the AFCON Board. Expelled members may be readmitted by majority vote of either an annual Membership Meeting or the AFCON Board.

ARTICLE III: Meetings

- A. The AFCON Board shall meet at the call of the President or at the request of three members of the AFCON Board, but not fewer than four times each year. A quorum shall consist of at least four members of the AFCON Board. Portions of AFCON Board meetings may be closed to nonmembers of AFCON by a two-thirds (2/3) vote. In deciding whether to close a meeting, it should be kept in mind that, in general, intellectual freedom entails a commitment to open communication.

B. There shall be an annual meeting of the full membership at the call of the President. The President with the advice and consent of the AFCON Board shall prepare the agenda for each annual meeting. A special meeting of the membership shall be called upon receipt by the President of a petition specifying an agenda for the special meeting and signed by at least twenty percent (20%) of the membership or a majority of the AFCON Board. The agenda for each membership meeting shall be mailed to the membership at least ten (10) days prior to the meeting. A quorum shall consist of those members present. Portions of membership meetings may be closed to nonmembers of AFCON by a two-thirds (2/3) vote. In deciding whether to close a meeting, it should be kept in mind that, in general, intellectual freedom entails a commitment to open communication.

C. Except as otherwise provided by the Constitution or the adoption of special rules, *Robert's Rules of Order (Revised)* shall govern all AFCON meetings and operations.

ARTICLE IV: AFCON Board

A. The five officers (President, President Elect, Immediate Past President, Secretary, and Treasurer,) shall constitute the Executive Committee of AFCON. The officers, the chair of each standing committee, an official representative of each organizational member, the Policy Coordinator, the Newsletter Editor, the Webmaster, and one to five members-at-large shall comprise the AFCON Board. The Policy Coordinator, the Newsletter Editor, the Webmaster, and the members-at-large shall be appointed by the President with the advice and consent of a two-thirds (2/3) vote of the AFCON Board.

B. The duties of the AFCON Board shall be as follows:

1. Set its own rules, consistent with this Constitution.
2. Approve the annual budget and all expenditures.
3. Approve, modify, or nullify policies, consistent with the purposes stated in this Constitution.
4. Implement specific policies, as well as the general goals, of AFCON.
5. Approve the agendas of the membership meetings.

C. The duties of organizational representatives shall be as follows:

1. Act as liaisons between AFCON and their organizations.
2. Inform their organizations concerning the issues before the AFCON Board.
3. Promote AFCON-related activities in their organizations.

D. The duties of the Executive Committee shall be as follows:

1. Plan for the periodic meetings of the AFCON Board.
2. Act on behalf of the Board in situations that require immediate attention.

ARTICLE V: Officers

A. The officers shall be a President, a President-Elect, a Secretary, a Treasurer, and an Immediate Past President. Each shall serve for a one-year term. Only the Secretary and Treasurer shall be eligible for immediate re-election to the same position. These officers shall comprise the Executive Committee of the AFCON Board.

B. The President (with the advice and consent of the Executive Committee) shall appoint a Nominating Committee, which shall arrange a slate of at least one candidate for each available office and report this slate at the Annual Membership Meeting. Additional candidates may be added to the slate by nomination from the floor. The election shall be by mail ballot shortly after the Annual Membership Meeting.

C. Each candidate for office shall be either an individual member in good standing of AFCON or the official representative of an organizational member. The President-Elect, Secretary, and Treasurer shall be elected by mail ballot (which may be published in the newsletter.) The current President-Elect and President shall become President and Immediate Past President respectively and thus may not run for any other office. If there is no President-Elect to assume the presidency, a President shall be elected in conjunction with the normal election of President-Elect, Secretary, and Treasurer.

D. Whenever an office becomes vacant between elections, the remaining members of the AFCON Board shall choose one of their number or another individual member of AFCON or the official representative of an organizational member to serve until the next election. When the office of President becomes vacant, the President-Elect shall assume the presidency and continue as President the following year. If the office of President becomes vacant and there is no President-Elect, the remaining members of AFCON Board shall choose one of their number, another individual member of AFCON, or the official representative of an organizational member to serve as President until the next election and who may be a candidate for that office in that election.

E. The President shall preside over meetings of the Executive Committee, the AFCON Board, at the Annual Meeting, and at any special Board or membership meetings; appoint and replace chairpersons and members of standing and ad hoc committees (with the advice and consent of the Executive Committee or AFCON Board;) represent AFCON before the public (either personally or through designees;) serve as executive officer of AFCON; and perform all other duties usually attributed to this office.

F. The President-Elect shall assist the President at the latter's request, preside over meetings in the absence of the President and perform other duties usually attributed to this office. The President-Elect shall become President at the expiration of one year or whenever the presidency becomes vacant and shall serve in that capacity until two years from the time of his or her election as President-Elect.

G. The Immediate Past President shall advise the Executive Committee, assist the President at the latter's request, and preside over meetings in the absence of the President and President-Elect.

H. The Secretary shall take minutes of all official meetings, distribute them to the board members, and keep a file of them and of all records in conjunction with that office. The Secretary shall assist the President with AFCON correspondence.

I. The Treasurer shall hold the funds and disburse them upon authorization of the President. The Treasurer shall report to the AFCON Board at each meeting and shall provide an annual financial statement.

ARTICLE VI: Membership Meetings

A. There shall be one Annual Membership Meeting and such special meetings as called pursuant to ARTICLE III, Section B of this Constitution.

B. The powers of the Membership Meetings shall be as follows:

1. Set its own rules, consistent with this Constitution.
2. Make recommendations to the AFCON Board concerning budget, policy, or activities.
3. Approve, modify, or nullify policies, consistent with the purpose stated in this Constitution. Such policy changes shall take effect upon approval of the AFCON Board or forty-five (45) days after the Membership Meeting, unless reversed by a majority vote of the AFCON Board during that time. Such a reversal may be overturned pursuant to the process described in ARTICLE VIII: Amendments.
4. Direct the implementation of policies and general goals of AFCON. Such directions shall take effect forty-five (45) days after the Meeting, unless reversed by a majority of the AFCON Board during that time. Such a reversal may be overturned pursuant to the process described in ARTICLE VIII: Amendments.
5. The Annual Membership Meeting may nominate candidates for office pursuant to the process described in ARTICLE V, Section B.

ARTICLE VII: Committees

There shall be standing and ad hoc committees as determined by the President with the advice and consent of the AFCON Board. The chair of each committee shall be appointed by the President with the advice and consent of the AFCON Board and shall report regularly to the AFCON Board. The Chair of each standing committee shall serve on the AFCON Board. Each committee shall choose a secretary who shall keep a continuing record of its activities. Following the end of the calendar year, the secretary of each committee shall file its records with the Secretary of the AFCON Board.

ARTICLE VIII: Amendments

This Constitution may be amended by a two-thirds (2/3) vote of those voting at any Membership Meeting, provided that a draft of each proposed amendment has been received by the membership at least ten (10) days prior to the Membership Meeting. Amendments shall take effect forty-five (45) days after the Membership Meeting, unless reversed by a majority vote of the AFCON Board during that time. In the event of such reversal, the final decision shall be made by a majority vote of the entire membership, with individual members' having one vote each and organizational members' having six votes each. The election shall take place by mail ballot, with rationale and pro and con statements included with the proposed amendment.

ARTICLE IX: Protection of Tax-Exempt Status

A. Recapitulation of purpose. AFCON is organized exclusively for educational purposes under section 501 (c) (3) of the United States Internal Revenue Code.

B. Earnings distributions. No part of the net earnings of AFCON shall inure to the benefit of, or be distributable to, its members, trustees, officers or other private persons, except that AFCON shall be authorized and empowered to pay reasonable compensation for service rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof.

C. Restricted Political Involvement. No substantial part of AFCON's activities shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in or intervene in (including the publishing and distribution of statements) any political campaign on behalf of any candidate for public office.

D. Interpretation of this Constitution. Notwithstanding any other provision of this Constitution, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

E. Distribution of Assets upon Dissolution. Upon the liquidation, dissolution, or termination of AFCON, any assets that remain after satisfying outstanding claims shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to a state or local government, or for a public purpose.

--adopted, February 13, 1988

--revised as recommended by the AFCON Board of Directors, September 11, 1999.

--adopted at the AFCON Annual Membership Meeting, November 20, 1999.

--revised and adopted at the AFCON Annual Membership Meeting, November 11, 2000.

--revised and adopted at the AFCON Annual Membership Meeting, November 22, 2003.