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CONSTITUTION OF THE PROFESSIONAL STAFF
UNIVERSITY AT BUFFALO, THE STATE UNIVERSITY OF NEW YORK

Article I: Name and Responsibilities

1. This body shall be known as the Professional Staff of University at Buffalo, The State University of New York.
2. Representation of the Professional Staff shall be administered within the Office of University Shared Governance.
3. The general membership elects officers and senators to the Professional Staff Senate (PSS); nominates and elects in conjunction with the Faculty Senate, representatives from the professional staff or the faculty, senators to the SUNY University Faculty Senate; and proposes and considers for approval amendments to the *Constitution of the Professional Staff, Bylaws of the Professional Staff Senate* and the *Code of Ethics of the Professional Staff*.
4. The general membership participates in shared governance practices by (including but not limited to) electing senators; serving on committees of the PSS, UB Faculty Senate and other university committees; and by consulting with faculty, administration, governing boards, and the student assembly to aid in the development of policies and decisions that affect the University.
5. All other rights and responsibilities of the general membership shall be discharged through the elected Professional Staff Senate.
6. The Professional Staff Senate shall be a fact-finding, deliberative, and consultative body, with authority to make studies, reports, and recommendations on all governance matters which have a significant bearing on professional employees. The PSS shall operate, in accordance with the policies set forth by the Board of Trustees of the State University of New York, as a recognized part of the University's shared governance system, and shall, as appropriate, work jointly with others within the five pillars of shared governance: faculty, staff, students, administration and councils.
7. To promote the general welfare of its members and of the University, the Professional Staff Senate shall:
 - a. Actively participate in the policy decisions of the University.
 - b. Provide a forum for exchange of information, discussion of ideas, and consideration of matters related to the administration of the University.
 - c. Promote the professional development of individuals committed to careers in higher education.
 - d. Cultivate collegiality among all members of the University community.
 - e. Maintain liaison with other organizations concerned with shared governance and University affairs.

Article II: Definitions

Unless otherwise specified, the terms used in this Constitution shall have the meaning ascribed to them in the *Policies of the Board of Trustees*.

1. "University" — University at Buffalo, The State University of New York.
2. "Exempt staff" — As defined by the U.S. *Fair Labor Standards Act*.
3. "Professional staff" — As defined in Article III: Membership of the Professional Staff.
4. "Business days" — Excludes weekends and all days the University is officially closed.
5. "SUNY University Faculty Senate" — The state-wide organization comprised of representatives from each State-operated unit and contract college.
6. "General Membership" — Members of the Professional Staff as defined in Article III (1).
7. "Professional Staff Senate" — Senators and Officers elected by the general membership.
8. "Executive Committee" — As defined in the *Bylaws of the Professional Staff Senate*, Article VI.
9. "Senators" — Elected by the general membership to serve on the Professional Staff Senate.

Article III: Membership of the Professional Staff

1. Membership shall include all state employees who are professional staff (as defined in the *SUNY Policies of the Board of Trustees*) who do not hold academic rank as well as exempt staff of the Research Foundation, the Faculty Student Association and UB Foundation.
2. Interpretation of the above definition of membership is to be provided by the Executive Committee.

Article IV: Officers of the General Membership

Section A — Officers and Their Duties

1. President

The President of the University shall be the President of the general membership.

2. Chairperson

The elected official who:

- a. Serves as liaison between the Professional Staff and the President of the University.
- b. Maintains liaison with offices both internal and external to the University deemed necessary and appropriate to Professional Staff matters.
- c. Convenes meetings of the Executive Committee, the Senate, and the general membership and who presides at these meetings.
- d. Prepares the agenda for meetings of the general membership, Senate, Executive Committee and any necessary special meetings.
- e. Is an *ex officio* member of all PSS committees.
- f. May, in accordance with the Bylaws of the UB Faculty Senate and of the SUNY University Faculty Senate, serve as an *ex officio* member of designated committees and governance bodies.

- g. Nominates individuals, for Executive Committee approval, who will represent the Professional Staff in dealings with other organizations.
- h. May assume additional duties as designated by the Executive Committee.

3. Vice Chairperson

The elected official who:

- a. Undertakes prescribed tasks for the Chairperson in his or her absence.
- b. Coordinates committee activities and is an *ex officio* member of all Senate committees.

4. Secretary

The elected official who:

- a. Notifies participants, at least ten business days in advance, of the date, place and time of the meetings of the general membership, Senate and Executive Committee.
- b. Distributes the agenda for meetings of the general membership, Senate, Executive Committee and any necessary special meetings. Agendas are to be distributed to participants five business days prior to the meeting.
- c. Prepares the minutes of meetings of the general membership, Senate and Executive Committee and any necessary special meetings. These minutes are to be distributed to meeting participants within ten business days after each meeting.
- d. Prepares periodic summaries of Senate activities, special reports and Senate correspondence as required by the Chairperson or Executive Committee.
- e. Records attendance of officers and senators at all meetings of the general membership, Senate and Executive Committee.

5. Parliamentarian

- a) Responsibility
 - 1. The Parliamentarian serves as an expert advisor to the Chair (or other presiding officer) regarding matters of procedure. The Parliamentarian will be required to attend all PSS Executive Committee and Senate/General Membership meetings.
 - 2. In the event that the appointed Parliamentarian is unable to attend a meeting, the Chair or other presiding officer may designate an individual to act as Parliamentarian for that meeting. No benefits or compensation will be given to this designee.
- b) Qualifications
 - The Parliamentarian shall not hold any other elected position within the PSS at the time of appointment. Preference will be given to candidates who are familiar with Roberts Rules of Order, or willing to be trained in such, and/or have prior Parliamentarian experience.
- c) Term
 - The Parliamentarian will be appointed concurrent with the two-year term of the officers.
- d) Appointment
 - 1. The Parliamentarian will be appointed by the Executive Committee on the recommendation of a special Parliamentarian Appointment Committee. In February prior to the end of the term (June 30), the Parliamentarian Appointment Committee will convene to discuss and decide to either recommend reappointment of the current

Parliamentarian, or to initiate a search for a new candidate, giving preference to members of the professional staff.

2. The Committee will be led by the Chair of the PSS and be comprised of any newly elected incoming officers (plus, if there are fewer than three new incoming officers, the incumbent Vice Chair and Secretary), and 1 member of the Executive Committee selected by the Executive Committee. The current outgoing Parliamentarian shall not be a member of this committee. The Committee will make a recommendation to the Executive Committee at a regular meeting no later than April prior to the end of the term, to allow for a search to be conducted, if necessary.

e) Removal

The Parliamentarian can be removed at any point during her/his term, at the recommendation of the Officers and with a majority vote of the Executive Committee. Any items made available to the Parliamentarian shall be returned to the UB Office of Shared Governance: Faculty and Professional Staff Senates, and all future compensation shall be forfeited.

f) Search Procedure

If at any time the current Parliamentarian resigns, is removed, is not reappointed by the Executive Committee, or if the seat is otherwise vacant, the special Parliamentarian Appointment Committee will convene and initiate a search. The Committee, led by the Chair of the PSS, will issue a call for interested candidates. The committee will review the list of candidates, conduct interviews, and recommend at least one nominee to the Executive Committee within four (4) weeks of the call for candidates or the next scheduled Executive Committee meeting, whichever is later.

Section B — Terms of Office

1. Elected officers shall assume office on July 1 of odd numbered calendar years.
2. They shall serve a two year term.
3. After two consecutive two year terms, an officer shall be ineligible for re-election to that same office for a period of two years.

Section C — Election of Officers

1. The Elections Committee will exercise overall supervision of election of officers.
2. A nomination ballot shall be made available to each general member no later than December 31.
3. Each member may nominate one individual for each office. Ballots must be received by January 31.
4. To appear on the elections ballot a nominee must accept the nomination and provide a brief written statement of no more than 500 words to be distributed with the election ballot.
5. The candidate for each office who receives the largest number of votes shall be elected.
6. The election of all officers shall be completed by April 1.

Section D — Replacement of Elected Officers

1. If the Chairperson is unable to complete the term, the procedure for replacement shall be as follows:

- a. Six months or less remaining in the term — the Vice Chairperson becomes the Chairperson for the remainder of the term
- b. More than six months remaining in the term — a special election shall be held.
2. If the Vice Chairperson or Secretary is unable to complete the term, the procedure for replacement shall be as follows:
 - a. Six months or less remaining in the term — Executive Committee shall appoint.
 - b. More than six months remaining in the term — a special election shall be held.

Section E — Removal of Officers

Officers of the General Membership may be removed from office by vote of two-thirds of members voting. The intention to offer a motion to remove an officer must be presented to the Chair for placement on the agenda of a regular or special meeting of the General Membership at least ten (10) business days prior to the meeting; voting on the motion will be conducted according to Section F, below no sooner than ten (10) days after the meeting. Any items made available to the officers shall be returned to the UB Office of Shared Governance, and all future compensation shall be forfeited.

Section F – Voting

The election, replacement and removal of Officers shall be conducted by secret ballot of the general membership, either paper or secured electronic (online) method, as decided by the Elections Committee of the Professional Staff Senate. All ballots must be received within 15 business days of mailing or the opening of online voting and shall be counted within two business days from the date voting is closed.

Article V: Meetings of the General Membership

Section A — General Membership Meetings

1. There shall be at least two general membership meetings each year; a Fall and a Spring meeting.
2. The Spring meeting shall, among other items, be devoted to the reports of the elections of new officers and senators.

Section B — Special Meetings

A special meeting may be called by:

1. The Chairperson.
2. A majority vote of the entire Executive Committee.
3. A majority vote of the Senate.
4. By petition of at least ten percent of the membership.
 - a. A petition for a special meeting shall be in writing, signed by each of the petitioning members.
 - b. A petition for a special meeting shall set forth the matters to be presented at the special meeting.

Section C — Distribution Deadlines

Distribution deadlines for meeting-related documents can be found in the *Constitution*, Article IV, Section 4, a–c.

Article VI: Amendment Procedures

Section A — Amendment Proposals

Proposals to amend the *Constitution* may be presented as motions to be considered by the general membership by one of the following:

1. A signed petition of at least ten percent of the general membership, as determined by the Office of University Shared Governance under the guidance of the Executive Committee.
2. A majority vote of the Professional Staff Senate.
3. A majority vote of the entire Executive Committee.

Section B — Deadlines

Such proposed amendments must be submitted to the elected Secretary at least 20 business days prior to a regular or special meeting of the general membership. They will be circulated to the members at least 15 business days prior to the scheduled meeting.

Section C — Voting

Voting must occur within ten business days after the meeting at which amendments were proposed. Voting shall be conducted by secret ballot of the general membership, either paper or secured electronic (online) method, as decided by the Elections Committee of the Professional Staff Senate. All ballots must be received within 15 business days of mailing or the opening of online voting and shall be counted within two business days from the date the ballots were due.

Section D — Implementation

Amendments shall become a part of this *Constitution* if approved by two-thirds of the members voting. Amendments shall take effect immediately after ballots are counted unless a specific effective date is provided with the amendment.

Ratified — May 5, 1972

Revised — 1974, 1976, 1982, June 1987, 1992, July 1, 1999

Proposed revisions — July 21, 2016

BYLAWS OF THE PROFESSIONAL STAFF SENATE
UNIVERSITY AT BUFFALO, THE STATE UNIVERSITY OF NEW YORK AT BUFFALO

Article I: Name

This organization shall be known as the Professional Staff Senate of University at Buffalo, The State University of New York.

Article II: Definitions

Unless otherwise specified, terms used shall have the same meaning in these Bylaws as are ascribed to them in Article II of the *Constitution of the Professional Staff*.

Article III: Membership of the Senate

Section A — Membership

The membership of the Senate shall consist of the following:

1. The President of the University who shall serve *ex officio* without vote.
2. The Chairperson, Vice Chairperson, and Secretary of the general membership who shall have identical roles in the Senate.
3. The representatives elected by and from the general membership according to election procedures described in Article IV, Section D, hereafter called “senators”.
4. The Parliamentarian of the general membership-who shall serve *ex officio* without vote.
5. Professional Staff elected as senators or alternates to the SUNY University Faculty Senate.
6. The immediate past chairperson of the Senate who shall serve *ex officio* without vote for two years.

Section B — Allocation of Senators Among Areas

1. Senate representation shall be allocated to electoral areas as determined by the Executive Committee.
2. An annual review by the Executive Committee of electoral representation will be conducted. Adjustments and reallocations will be made as necessary.
3. Professional staff shall be assigned to electoral areas through the functional unit in which they hold their primary appointment. Professional staff holding joint appointments in two or more functional units located in different electoral areas may petition the Executive Committee to be assigned to an area other than their primary appointment.
4. Representation from the five areas shall be according to the ratio of one senator for every 30 members of each electoral area. Only a full multiple of 30 will entitle an area to an additional senator.

Section C — Terms of Office

1. Senators shall serve for two years and shall assume office on July 1.
2. After every two-year term, a senator who wishes to hold a seat must run for re-election.

Section D — Election of Senators

1. Senatorial terms for each senator will be staggered so that each year an area elects one-half of its senators or the closest applicable whole number thereof.
2. All senators shall be responsible for selecting their own alternates to fulfill all the duties and responsibilities of Senate membership at meetings of the Senate in the absence of the senator.
 - a. Alternates must be Professional Staff from the same electoral area as the senators for whom they substitute.
 - b. No person shall serve as an alternate concurrently to more than one senator nor shall any senator serve as an alternate.
 - c. Each senators shall forward to the Senate Office the name or names of their alternate(s) no later than 30 days from their election or appointment, but at least 1 week prior to a scheduled meeting.
 - d. The list of selected alternates may change at the discretion of the Senator. Changes must be reported to the Senate Office at least 24 hours prior to a scheduled meeting.

Section E — Attendance

1. If senators cannot attend a meeting of the Senate or of the general membership, it shall be their responsibility to notify their alternates that they need to attend.
2. It is the senator's (or their designated alternate's) responsibility to report their attendance to the Secretary at every meeting.
3. If both a senator and that senator's chosen alternate are absent from any two consecutive meetings, or three meetings all year (beginning July 1), that senator shall lose their seat in the Senate. The Executive Committee may move to reinstate the Senator.

Section F — Resignations

1. When senators are unable to complete their term of office they must notify the Secretary of the Senate in writing.
2. Senators must resign as representatives to the Senate, as well as their membership on the Executive Committee of the Senate, when they no longer hold a position within the University in the same Professional Staff Senate area in which they were elected or selected.

Section G — Vacancies

1. Senators from an area in which a vacancy has occurred shall, acting jointly, forward at least one nomination per vacancy to the Executive Committee for approval.
2. The approved individual shall be appointed to serve for the remainder of the vacated term.
3. If multiple vacancies occur, the PSS Elections Committee shall designate the order in which vacant seats are filled, in accordance with Article IV of the Bylaws.

Article IV: Meetings of the Senate

1. The Senate shall hold at least four (4) meetings between September and June of each year. These may be concurrent with meetings of the general membership of the Professional Staff.
2. A special meeting of the Senate may be called by:
 - a. The Chairperson.
 - b. A majority vote of the Executive Committee.
 - c. Petition of ten members of the Senate.
 1. A petition for a special meeting shall be in writing, signed by each of the petitioning senators.
 2. A petition for a special meeting shall set forth the matters to be presented at the special meeting.
3. A majority of the voting members shall constitute a quorum.
4. Distribution deadlines can be found in the Constitution, Article IV, Section 4, a–c.

Article V: Executive Committee of the Senate

Section A — Function

There shall be an Executive Committee of the Senate, which shall represent and act on behalf of the Senate, subject to Senate approval, in all matters within the jurisdiction of the Senate.

Section B — Membership

The Executive Committee shall be composed of the following:

1. The President of the University who shall serve *ex officio* without a vote.
2. The Chairperson, Vice-Chairperson, and Secretary of the general membership who shall have identical roles in the Executive Committee.
3. Two senators elected by and from the senators representing each area. Their terms shall be one year. They cannot serve more than two consecutive terms without an intervening year.
4. One senator, elected by and from the senators representing each area, who shall serve as a non-voting alternate member of the Executive Committee except when serving as substitute for one of the area senators described in the preceding paragraph.
5. The immediate past Chairperson of the Professional Staff Senate who shall serve *ex officio* without a vote for two years.
6. The Parliamentarian of the Senate who shall serve as the Parliamentarian to the Executive Committee without a vote.
7. In accordance with Bylaws Article IX, Section A, all currently seated Senators of the SUNY University Senate who are members of the UB Professional Staff.
8. The Chairperson of the UB Faculty Senate who shall serve *ex officio* without vote.
9. A representative of the leadership of the UB Student Assemblies, selected by the officers and elected senators on the PSS Executive Committee, who shall serve *ex officio* without vote.

Section C — Powers and Duties

The Executive Committee shall:

1. Act as the representative of the Senate between Senate meetings in all matters within the jurisdiction of the Senate under any of the following conditions:
 - a. When the action involves implementation of existing Senate policy.
 - b. When there is insufficient time to bring a matter before the Senate. Such actions shall be reviewed by the Senate at its next regularly scheduled meeting.
 - c. Pursuant to such delegation and direction as the Senate shall provide.
2. Advise and consult with the University President on any matters of University policy.
3. Have the power to consider and advise the Senate regarding all matters within the jurisdiction of the Senate.
4. Set the agenda for meetings of the Senate and general membership.
5. Submit reports through its Chair on all its non-procedural decisions to the Senate at all regular Senate meetings.
6. Serve as the Senate's Committee on Committees.
7. Establish ad hoc committees as necessary.
8. Determine the charges for all Senate committees.
9. Receive reports from Senate committees and promptly transmit them to the Senate whether with or without endorsement or comment, reserving the right first to recommit reports to committee for further work.
10. Nominate individuals to serve on external committees.
11. Define the duties and responsibilities of senators.

Section D — Meetings of the Executive Committee of the Senate

1. Meetings of the Executive Committee shall be held at regular intervals, no fewer than six times during the months of September through June.
2. A majority of the voting members shall constitute a quorum.
3. Special meetings of the Executive Committee may be called by the Chairperson or by a majority vote of the Executive Committee.
4. Distribution deadlines for meeting-related documents can be found in the *Constitution*, Article IV, Section 4, a–c.

Article VI: Senate Committees

Section A — Membership

1. Members of committees shall be approved by the Executive Committee, and shall serve for such terms and shall perform such duties as the Executive Committee shall determine.
2. The Executive Committee shall approve the Chairperson of each committee.
3. A Vice Chair may be appointed by and at the discretion of the Executive Committee. The Vice Chair will assist the Chair with the regular business of the committee and will preside over the committee in the Chair's absence.
4. Voting membership on every committee, except the Executive Committee, may include other members of the university community.

5. Committee members who are nonmembers of the general membership have the privileges of the floor of the Senate, so long as such committee membership continues.

Section B — Powers and Duties

1. The Senate and its standing committees are the policy-recommending bodies of the general members.
2. It shall be the duty of each committee to consider questions and policies within the committee's charge and to initiate investigations of any questions germane to its area of interest.
3. All Standing Committees, Special Committees, and PSS members appointed to Faculty Senate Committees shall report in writing to the Senate by submitting their reports to the Vice Chair at least five days in advance of each regularly scheduled Executive Committee meeting.

Section C — Professional Staff Members Appointed to Faculty Senate Committees

In accordance with the Charter of the UB Faculty Senate, members of the Professional Staff may serve on Faculty Senate committees at the discretion of the Faculty Senate Executive Committee. The PSS Executive Committee will recommend members to sit on appropriate Faculty Senate Committees as needed. Professional Staff members serving on Faculty Senate committees will represent the interests of the PSS and report back to the PSS Vice Chair monthly while the committee is active.

Article VII: Parliamentary Authority

1. *Roberts Rules of Order* shall govern the Professional Staff Senate in all cases that are not in conflict with these Bylaws.

Article VIII: SUNY Senators

Section A — Function

1. In accordance with Article VII, Title B, of the *Policies of the Board of Trustees*, and the rules and regulations of the SUNY University Faculty Senate, the professional staff in conjunction with the faculty shall elect from their memberships representatives to serve in the SUNY University Faculty Senate.
2. SUNY Senators are responsible for attending all Plenary meetings. SUNY Senators who are members of the Professional Staff shall report back to the Professional Staff Senate with a summary of the Plenary, bringing any necessary business forward, no later than the next scheduled Executive Committee meeting.
3. SUNY Senators have voting rights and responsibilities on the SUNY University Faculty Senate, UB Faculty Senate and UB Faculty Senate Executive Committee. They must attend these meetings to exercise their voting rights.

4. Each professional staff member who is elected to the SUNY University Faculty Senate shall also serve as a voting member in the Professional Staff Senate and the Executive Committee.

Section B — Nominations and Elections

1. The Chairs of the Elections Committee for the Professional Staff Senate and the Faculty Senate shall jointly issue a call for candidates.
2. Each member of the professional staff may suggest no more than one name for each of the available positions.
3. The Elections Committees of both Professional Staff Senate and Faculty Senate shall conduct the elections in collaboration with the Elections Committee of the SUNY University Faculty Senate.
4. Voting shall be by a secret ballot with the nominees receiving the highest number of votes being elected. The nominee receiving the next highest number shall serve as the alternate.
5. To appear on the elections ballot, a nominee must be nominated by five (5) professional staff and/or voting faculty with full name and University official email, and provide a brief written statement of no more than 500 words. One of the five may be the nominee.
6. At least one member of the UB delegation to the SUNY University Faculty Senate must be elected from and by the faculty and professional staff of the health science schools (Dental Medicine, Health Related Professions, Medicine and Biomedical Sciences, Nursing, and Pharmacy), and the others from and by the faculty and professional staff of all other academic units and of the University Libraries.

Section C — Alternates

1. For every N vacancy to be filled the N nominees with the highest numbers of votes will be elected as senators to the SUNY University Faculty Senate and the N nominees with the next highest number of votes will be appointed as alternates.
2. The alternate with the highest number of votes shall become the alternate to the senator who received the highest number of votes, the alternate with the second highest number of votes shall become the alternate to the senator with the second highest number of votes, etc.
3. If there are insufficient nominees to fill all the alternate positions the remaining senators shall appoint their own alternates.
4. Alternate representatives shall serve in the SUNY University Faculty Senate in the absence or inability to act for the senators for whom they are alternates. Such alternate representatives shall have and exercise all the powers and duties of the senators for whom they are alternates.

Section D — Terms of Office

1. Senators shall assume office on July 1.
2. Each senator or alternate shall normally serve for a term of three years provided.
3. No such representative shall serve as a member of the SUNY University Faculty Senate after severing employment with the University.

Section E — Re-election

1. A senator or alternate who has served a full three-year term or major fraction thereof shall be eligible to serve a second consecutive three-year term.
2. A senator shall not be eligible to serve again as member of the SUNY University Faculty Senate until the expiration of one year from the end of the last preceding term.
3. Representatives who have served only a minor fraction of one three-year term may serve for two additional consecutive three-year terms.

Section F — Vacancies

1. In the event of a vacancy resulting from the death, resignation, or termination of the service of either a senator or an alternate, an election will be held, as soon as practicable, to fill the unexpired term in the same manner as the original election.
2. Any person currently serving as an alternate is eligible, if otherwise qualified, to be elected senator.
3. If a senator or an alternate is to be on leave of absence for a period of one academic year or longer, the rest of their term shall be vacated, and an election shall be held, as soon as practicable, to fill the unexpired term in the same manner as the original election.
4. If both a senator and the alternate are simultaneously unable to represent the campus for a period in excess of four months, the rest of their terms shall be vacated, and elections shall be held, as soon as practicable, to fill the unexpired terms in the same manner as the original elections.

Article IX: Amendment Procedures

Section A — Amendment Proposals

Proposals to amend the *Bylaws* may be presented as motions to be considered by the general membership by one of the following:

1. A signed petition of at least ten percent of the general membership, as determined by the Office of University Shared Governance under the guidance of the Executive Committee.
2. A majority vote of the Professional Staff Senate.
3. A majority vote of the entire Executive Committee of the Professional Staff Senate.

Section B — Deadlines

Such proposed amendments must be submitted to the elected Secretary at least 20 business days prior to a regular or special meeting of the general membership. They will be placed on the agenda and circulated to the members at least 15 business days prior to the scheduled meeting.

Section C — Voting

Voting must occur within ten business days after the meeting at which amendments were proposed. Voting shall be conducted by secret ballot of the general membership, either paper or secured electronic (online) method, as decided by the Elections Committee of the Professional Staff Senate. All ballots must be received within 15 business days of mailing or the opening of online voting and shall be counted within two business days from the date the ballots were due.

Section D — Implementation

Amendments shall become a part of these *Bylaws* if approved by two-thirds of the members voting. Amendments shall take effect immediately after ballots are counted unless a specific effective date is provided with the amendment.

Ratified — May 5, 1972

Revised — July 1, 1999

Revised — October 15, 2004

Effective Revision date — 11/28/04

Proposed revisions — July 21, 2016

DRAFT