Foothill Academic Senate Constitution, May 2004

CONSTITUTION
OF
THE FOOTHILL COLLEGE ACADEMIC SENATE

PREAMBLE

As authorized under Title 5 of the California Administrative Code, Article 2, Section 53201 (Subchapter A), we, the members of the faculty of Foothill College, are uniting to form the Foothill College Academic Senate, which will act through its Executive Committee. We will vigorously promote the quality of community college education. We believe that the Academic Senate will contribute to the fullest educational and professional potential of each member of the faculty and will further the aims and goals of Foothill College. We pledge our mutual support and cooperation to achieve these ends.

ARTICLE I. NAME

This organization shall be known as the Foothill College Academic Senate, hereafter referred to in this document as the Academic Senate or Senate.

ARTICLE II. OBJECTIVES

Section 1. Objectives.

The purpose of the Academic Senate shall be to give the Foothill College faculty a formal and effective procedure for participating in the formation of college and district policies on academic and professional matters. (Reference: Title 5, Subchapter 2, Article 2, Section 53201.) Moreover, the Senate will facilitate communication between the Senate and the administration, the Foothill-De Anza Community College Board of Trustees, the academic divisions, and the De Anza Faculty Senate.

Section 2. Responsibilities.

With regard to academic and professional matters, the Board of Governors and the Board of Trustees rely upon the recommendations of the Academic Senates. Therefore, it shall be the responsibility of the Academic Senate to be primarily concerned with and to make recommendations to the appropriate college and district administrators and management teams, the Board of Trustees, and state educational agencies on local and statewide community college educational issues, including but not limited to the following (Reference: Title 5, Subchapter 2, Article 2, Section 53200, paragraph (c)):

(1) curriculum, including establishing prerequisites and placing courses within disciplines,
(2) degree and certificate requirements,
(3) grading policies,
(4) educational program development,
(5) standards or policies regarding student preparation and success,
(6) district and college governance structures, as related to faculty roles,
(7) faculty roles and involvement in accreditation processes, including self-study and annual reports,
(8) policies for faculty professional development activities,
(9) processes for program review,
(10) processes for institutional planning and budget development and
(11) other academic and professional matters as are mutually agreed upon between the governing board and the Academic Senate.

Section 3. Powers.

After consultation with the college and district administration, if no resolution is achieved on a particular policy or issue (or a portion thereof), the Academic Senate is empowered by Title 5, Subchapter 2, Article 2, Section 53203, to present its written views and recommendations to the District Board of Trustees which, in accordance with said section, shall consider and respond to such views and recommendations.

Furthermore, the Academic Senate is empowered to request the Board of Trustees, or such Board members or administrative officers as it may designate, to meet and confer with representatives of the Academic Senate with respect to recommendations made or proposals to be made by the Academic Senate. The designation of Board members or administrative officers shall not preclude the representatives of the Academic Senate from meeting with, or appearing before, the Board of Trustees with respect to the views, recommendations, or proposals of the Senate at a regular or special meeting of the Board. (Reference: Title 5, Subchapter 2, Article 2, Sections 53203 and 53204.)

Section 4. Definitions.

Faculty means those employees of Foothill College who are employed in positions that are not designated as supervisory or management, and for which minimum qualifications for hire are specified by the Board of Governors as defined in Title 5. (Reference: Title 5, Subchapter 2, Article 2, Section 53200, paragraph (a).)

Quorum shall consist of a majority of members eligible to vote at regular Executive Committee meetings. At a general meeting of the electorate, a quorum shall refer simply to the number of persons present at that time.

Voting shall be as follows:

(1) Executive Committee members will have one vote each at regular Executive Committee.
(2) Full-time faculty will have one vote and part-time faculty ½ vote at general meetings and elections
(3) Any action, including an election, shall be taken by a simple majority of the present voting members unless this Constitution specifies otherwise.

ARTICLE III. MEMBERSHIP

Section 1. Membership.

Membership in the Foothill Academic Senate shall consist of all faculty at Foothill College. Membership begins with employment as a full-time or part-time member of the faculty and continues throughout employment.

Section 2. Responsibilities of Membership.

Members shall participate in the formation of college and district policies through a strong and active Senate by:

a. supporting the officers and elected representatives of the organization through informed suggestions, recommendations, and feedback on issues under discussion,
b. informed voting on all issues presented to the Academic Senate,
c. volunteering to be an active member of at least one committee of the Academic Senate and
d. paying all dues.

Section 3. Dues.

The dues for Academic Senate membership are set by the Executive Committee (as defined in Article II, Section 4) and approved by a vote of the Senate membership prior to fall commencement. Dues for part-time faculty members shall be the same as the dues established for full-time faculty members.

ARTICLE IV. OFFICERS

Section 1. Positions.

The officers of this organization shall be: a President, a Vice-President, and a Secretary-Treasurer.

Section 2. Terms of Office.

The President and Vice-President shall serve for a term of two years. The Treasurer shall serve for a term of two years. Officers are eligible for re-election. The new officers assume their office at the first Executive Committee meeting of the fall quarter after being formally introduced to the other members of the Executive Committee by the outgoing President.

Section 3. Removal from Office.

Any officer may be removed from office by the two-thirds vote of the full Executive Committee casting a written affirmative ballot.

Section 4. Vacancies.

If any of the offices mentioned in this Article become vacant for more than one quarter for any reason, replacements shall be obtained through the election procedures outlined in Article VI, Section 2.

Section 5. Duties of the President.

The President shall:

a. serve as the chief executive officer of the Academic Senate and of the Executive Committee,
b. exercise his/her vote in the Executive Committee only when the vote is by ballot or when his vote, cast as he intends to cast it, would change the outcome.
c. prepare, with the assistance of the Vice-President and the Secretary-Treasurer, an agenda for all meetings of the Academic Senate and of the Executive Committee,

d. preside at the meetings of the Senate and of the Executive Committee,
e. supervise all the affairs of the Academic Senate and execute such plans and policies as the members of the Executive Committee or the Academic Senate may have authorized, directed, or approved,
f. serve as an ex-officio member of all committees, except the election and nominating committees,
g. make an end-of-the-Academic year written report to the Academic Senate at least one week prior to leaving office,
h. appoint or remove committee members with the consent of the Executive Committee,
i. attend, or delegate one or more Executive Committee members to attend, any college, district, or state meeting where faculty representation is sought or needed
j. represent, in conjunction with the Vice-President when possible, the collective opinions, Committee desires, and recommendations of the members of the Academic Senate and Executive Committee in meetings with community officials or with college or district administrative and management staff and
k. sign all financial vouchers and bills in the absence of the Treasurer
l. review the Senate constitution every three years
m. attend both plenary sessions of the state-wide Academic Senate as a voting delegate

Section 6. Duties of the Vice-President.

The Vice-President shall:

a. serve as a voting member of the Executive Committee,
b. assume, in the temporary absence of the President, the duties of that office,
c. assist the President in the performance of the functions and responsibilities of that office,
d. sign all financial vouchers and bills in the absence of the Treasurer and the President,
e. inform all faculty of committees and invite them to participate,
f. coordinate the membership of all Senate committees for presentation to the Executive Committee the last meeting of spring quarter and
g. perform other duties for the President as mutually agreed upon, or as requested
h. serve as the co-chair of the curriculum committee,
(1) prepare the agenda and co-chair the Curriculum Committee,
(2) serve as an ex-officio member on the Campus Shared Governance Committee, and
(3) serve as a voting member on the Executive Committee, facilitating communication with the committee
i. attend the fall plenary session of the state-wide Academic Senate.

Section 7. Duties of the Secretary-Treasurer.

The Secretary-Treasurer shall:

a. serve as a voting member of the Executive Committee,
b. collect dues, disburse funds, sign all financial vouchers and bills, maintain financial records, and submit financial reports to the Senate at the end of spring quarter, and as requested by the Executive Committee,
c. set up the budget for the approval of the Executive Committee and Senate,
d. act as President in the temporary absence of the President and Vice-President, and
e. perform additional duties as may be required by the office
f. attend the spring plenary session of the state-wide Academic Senate,
g. keep accurate attendance records of Senate executive committee meetings,
h. maintain or delegate responsibility for the Academic Senate website ,
i. produce minutes in a timely fashion.

ARTICLE V. THE EXECUTIVE COMMITTEE

Section 1. Composition.

An Academic Senate Executive Committee, elsewhere referred to in this document as the Executive Committee, shall be established and shall consist of the officers of the Academic Senate as listed in Article IV, the Improvement of Instruction Chair, the Curriculum Co-Chair as listed in Article VIII, plus the faculty division representatives, hereafter known as Senators who have been duly elected from each of the current instructional or instructional support divisions~~, and one faculty representative for the at-large faculty~~.

Section 2. Representation.

Every division shall be entitled to two Senators.

Section 3. Terms of Office.

Each Senator shall serve for a term of two years. Approximately one-half of the Senators shall be elected each year. The terms of office for newly elected Senators shall begin with the convening of the first Executive Committee meeting of the fall quarter after being formally introduced to the other members of the Senate by the current President at the last meeting of the spring quarter.

Section 4. Duties of the Senators.

Senators shall:

a. attend regular Executive Committee meetings,
b. ratify all appointments made by the President of the Senate,
c. maintain constant oral and written communication with:
    (1) the division members,
    (2) the faculty-at-large, and
    (3) individual or collective college and district administrative and management staff, the Board of Trustees, and the Faculty Association Governing Board when requested by the Senate President,
d. be responsible for a division's concerns, and bring the division's recommendations or these concerns to the Executive Committee for consideration and/or action,
e. serve during each year of a term in office, on at least one major or select Senate committee as the President may request,
f. appoint a substitute with the power of a proxy vote in writing whenever an absence from an Executive Committee meeting is necessary.

Section 5. Removal from Office.

Any Senator may be removed from office after notice from the President by a simple majority vote in a written affirmative ballot of either the Executive Committee or of the division that the Senator represents. Two consecutive absences from the Executive Committee meetings will result in a written warning from the Executive Council. Three consecutive absences from the Executive Committee meetings shall be grounds for removal by vote of the Executive Committee.

Section 6. Vacancies.

Vacancies on the Executive Committee of more than one quarter will be handled by the election procedure as outlined in Article VI.

ARTICLE VI. ELECTION OF THE EXECUTIVE COMMITTEE

Section 1. Nomination of Officers.

a. A Nominating Committee will be appointed at the second meeting of the winter quarter consisting of a faculty chairperson and at least two other faculty from different divisions. The current officers of the Senate Executive Committee will not serve as members of the Nominating Committee.
b. The Nominating Committee will inform all faculty of vacant positions and seek nominees in the fourth week and the eighth week of winter quarter.
c. After securing written acceptance from the nominees, the Nominating Committee will present a slate of one or more candidates for each office at a regular meeting of the Senate Executive Committee during the first meeting of spring quarter.
d. Within three days after the Senate meeting, the Nominating Committee Chair will notify candidates of their nomination.

Section 2. Election of Officers.

a. Election Committee. No later than the eighth week of the winter quarter, the President shall form, from among the members of the Executive Committee, a three-person Election Committee, one of whom shall be elected chair by the group. The current officers of the Senate Executive Committee will not serve as members of the Election Committee. The President will also appoint an official observer from outside the Executive Committee. The purpose of this committee will be to ensure proper procedure during elections to prepare, distribute, safeguard, and count ballots. The

Election Committee will conduct the election in an efficient and impartial manner, so the elected candidates can take office at the first meeting of the fall quarter.

b. Election Procedures.
   (1) A general meeting of the faculty will be held by the eighth week of winter quarter to allow candidates to distribute a campaign statement of no more than one page, make a campaign speech, and answer questions. The time and place of the general meeting will be announced in the third week.
   (2) Ballots will be distributed to all faculty who are employed during the spring quarter and ballots can be returned as per instructions by the Election Committee during Election Week (usually the sixth week of spring quarter.) Special procedures will be taken to ensure one ballot and one vote per Senate member.
   (3) The Election Committee will ensure that the election procedures address the needs of the evening, part-time, off-campus as well as full-time day faculty and the security of the election process. Elections will be held for a minimum of two days.
   (4) The Election Committee will count the ballots the next work day following the elections. An official observer, previously chosen by the Election Committee Chair, will validate the results and will call the candidates to notify them of the results the following day. The Election Committee will then meet and report the results in written format to the electorate not later than one week following the election.
   (5) An official document of ballot results, signed by the Election Committee members and official observer and indicating the number of votes counted per candidate, will be posted in a prominent area of the main campus and other auxiliary campus sites.
   (6) The official document of ballot results will be placed in the archive of the Academic Senate. Ballots will be kept for three months.
   (7) In case of a tie, the Election Committee will prepare a run-off election. Voting will take place within two weeks and results will be posted as per (5) above.

c. Vacancies. In the event that an office becomes vacant, the Executive Committee will appoint a temporary officer from the Executive Committee to serve to the end of the academic year.

d. Eligibility. Any member of the Academic Senate shall be eligible for election to any position on the Executive Council. Any present officer or division representative on the Executive Committee may run for that same or any other office for which there will be a vacancy.

Section 3. Election of Senators.

a. Division Selection of Senators. Senators starting a new term on the Executive Committee in the fall quarter shall be elected by each division prior to the end of the fifth week of the spring quarter.

b. Eligibility.
   (1) Any faculty member in a particular division shall be eligible for the office of Senator for that division.
   (2) Senators shall be eligible for re-election.

c. Voting. In the election of Senators, the Senate President will call for nominations at the first regular meeting of the Executive Committee in the spring quarter. Representatives should then notify their divisions of any vacancies.

d. Vacancies. The President shall notify the division to elect a faculty replacement within two weeks of the date of the vacancy. Senators elected to fill a vacancy will assume office at the next Executive Committee.

ARTICLE VII. MEETINGS

Section 1. General Conditions for all Meetings.

All meetings shall meet the following conditions:

a. Notice and agenda for meetings. A notice, and the agenda for any meeting of the Academic Senate or the Executive Committee, shall be appropriately distributed as designated in the Brown Act.

b. Agenda Items. Any member of this organization may submit to the Senate President an item related to the 11 points covered in Title 5, Subchapter 2, Article 2, Section 53200 or other Senate related business for consideration and action by the Academic Senate or the Executive Committee and this item must be on the agenda for any Academic Senate or Executive Committee meeting within three-meetings of its submission.

c. Attendance. All general and special meetings of the Academic Senate or of the Executive Committee shall be scheduled to ensure maximum attendance.

d. Voting. Shall be as defined in Article II, Section 4.

e. Parliamentary Authority for Meetings. The current edition of Robert's Rules of Order shall govern the organization's transaction and decision-making procedures at all meetings provided that these are consistent with this Constitution and any special rules that this organization may adopt.

Section 2. Academic Senate Meetings.

a. General and Special Meetings of the Academic Senate shall be called, with at least 48 hours of notice, by:
   (1) the President, or
   (2) the President upon receiving a written petition signed by 10% of the Academic Senate membership, or
   (3) the Executive Committee, who can
      (a) petition the President to call a meeting, or
      (b) by a majority vote, call a meeting.

b. Power of the Academic Senate. Final executive and legislative powers shall be assumed by the membership at any Academic Senate meeting convened to discuss and act on specific agenda items presented at that meeting.

Section 3. Executive Committee Meetings.

Executive Committee meetings shall be held under the following provision:

a. Frequency. The Executive Committee shall meet at least once each month during the school year.

b. Availability. All Executive Committee general and special meetings shall be open to all members of the Academic Senate as well as the general public.

c. Organizational Meeting. The last Executive Committee meeting of the spring quarter shall be primarily an organizational meeting to:
   (1) introduce all newly-elected Officers and Senators,
   (2) establish a time for all future Executive Committee meetings that will be convenient for most of the members, and
   (3) discuss:
      (a) the role of the Executive Committee,
      (b) the duties of the Senators as given in Article V,
      (c) the current Senate Committees, and
      (d) the written report from the previous year and any current issues confronting the Executive Committee that need discussion and action.

Section 4. Special Meetings of the Executive Committee.

Special meetings of the Executive Committee may be called with at least 48 hours notice, by:

a. the President, or

b. the President, when a group consisting of one-third of the Executive Committee membership presents the President with a written petition for a meeting. Such a petition must also include an item or items that must be discussed and acted upon.

c. the President, when a group consisting of 10% of the Academic Senate membership presents to the President a written petition for a meeting. Such a petition must also include an item or items that must be discussed and acted upon.

ARTICLE VIII. COMMITTEES

The Academic Senate shall have as many committees as are necessary to fulfill the purposes and functions of this organization as outlined in pertinent sections of the Constitution. A list of these committees will be presented at the first meeting of the Executive Committee in the spring quarter.

Section 1. Committee Membership.

Any member of the Academic Senate shall be eligible to serve on any committee except such committees where part-time or probationary faculty participation is excluded by the Agreement between the Foothill-De Anza Community College District and the Foothill-De Anza Faculty Association.

Section 2. Types of Committees.

The Executive Committee may establish committees consistent with its objectives and responsibilities in Article II and District Board Policy #2223 which defines Senate areas of primary reliance and joint development.

Section 3. Primary Reliance Areas are:

(1) Curriculum and general education
(2) Program specific and degree requirements
(3) Grading policies
(4) Standards regarding student preparation and success
(5) Policies for faculty professional development activities

Such committees may include, but are not limited to the Improvement of Instruction Committee, the Curriculum Committee, and the General Education Committee.

Section 4. Joint Development areas are:

(1) Units for degrees and certificates
(2) Educational program development
(3) Government structures as related to faculty roles
(4) Faculty involvement in accreditation
(5) Policies for program review
(6) Processes for institutional planning and budget development

Examples of such committees are Instructional Improvement Committee, Accreditation Self-Study Committee and campus and district budget committees and program review committees.

Section 5. General Duties of Committees.

The general duties of all committees shall be to:

a. study current college and district policies and/or problems for which that committee was established,
b. inform the Executive Committee, regularly and in a timely manner, about issues of the committees,
c. vote on and present to the Executive Committee recommendations, additions, and actions to be taken by the Executive Committee concerning these policies or problems currently under study, and to
d. present an annual oral or written report of the committee's activities to the Executive Committee at the second to last meeting of the school year. Primary Reliance Committees shall present oral reports upon request and select committees shall present reports upon the termination of their temporary assignment.

ARTICLE IX. CONSTITUTIONAL ADOPTION AND AMENDMENTS

Section 1. Amendments to the Constitution.

a. Initiation of Amendments. Amendments to the Constitution may be initiated in one of the following ways:
   (1) by a singular or group petition to the Executive Committee where one-half of its members must approve the amendment, or
   (2) by submission to the Executive Committee of an amendment on a petition signed by at least 10% of the Academic Senate membership.
b. Notification. The President of the Academic Senate shall notify each member of the Executive Committee of all properly initiated amendments, who will in turn distribute a written copy of each proposed amendment to all faculty members of his or her division.
c. Approval. Amendments to the Constitution shall be approved by a two-thirds vote of the Academic Senate in election procedures such as those outlined in Article VI. The President shall call an election within 15 working days of the receipt of the validated amendment and announce the results of the election within one week.
d. Documentation. All amended language in the Constitution will contain a footnote indicating the date when the voters approved the amended language.

Section 2. Special Voting Committee,

A select committee for Special Voting Procedures will be created by the President from among the members of the Executive Committee to handle ballot and voting certification procedures for constitutional changes and amendments and any other non-candidate issues as necessary.