

# **LAS POSITAS COLLEGE ACADEMIC SENATE Constitution**

REVISED APRIL 14, 2021

## **PREAMBLE**

We, the faculty of Las Positas College, in order to establish a formal and effective procedure for participating in the formation of district and college policies on academic and professional matters, adopt this Constitution.

## **ARTICLE I - NAME**

This organization shall be known as the Las Positas College Academic Senate.

## **ARTICLE II - PURPOSE, SCOPE, POWERS**

### **Section 1: Definition**

All powers and responsibilities referred shall be vested in the faculty acting through the Academic Senate (Senate hereafter). The Senate is defined as the elected members and officers who attend Senate meetings.

### **Section 2: Function and Powers**

The primary function of the Senate is to represent the faculty in making recommendations to the administration and to the Board of Trustees in academic and professional matters. These include, but are not limited to, the following:

- a. The Senate has the power to:
  1. Appoint faculty members to serve on committees.
  2. Consult with the Board of Trustees regarding powers delegated by the Board of Trustees to the Senate.
- b. The Board of Trustees shall rely primarily upon the advice and judgement of the Senate regarding:
  1. Curriculum, including establishing prerequisites.
  2. Degree and certificate requirements.
  3. Grading policies.
  4. Faculty roles and involvement in accreditation processes.
  5. Waiver of minimum qualifications and equivalency procedures.
  6. Administrative retreat rights.

- c. The Board of Trustees or its designees and the Senate shall reach mutual agreement by written resolution, regulation or policy of the governing board effectuating such recommendations regarding:
  1. Educational program development.
  2. Standards or policies regarding student preparation and success.
  3. College governance structures, as related to faculty roles.
  4. Policies for faculty professional development activities.
  5. Processes for program review.
  6. Processes for institutional planning and budget development.
  7. Hiring criteria, policies and procedures for new faculty.
  8. Other academic and professional matters as mutually agreed upon.

### **Section 3: Representation**

The Senate shall send a representative to all regular meetings of the Board of Trustees.

### **Section 4: Communication**

The Senate shall present its views and recommendations to the Board of Trustees through regularly established channels.

### **Section 5: Actions**

Senate action shall become effective within seven calendar days after its publication and distribution except for the following cases:

- a. The Senate decides by a majority vote of their quorum that action must be submitted to a vote of the faculty for approval.

OR

- b. A petition for a faculty referendum vote signed by ten percent of the full-time (contract or regular) faculty is submitted to the Senate within ten calendar days.
  1. The referendum shall be submitted to the faculty within fifteen calendar days.
  2. For passage, a referendum shall require a majority of the votes cast in the referendum.
  3. For the purposes of referenda, one full-time (contract or regular) faculty vote shall be equivalent to five part-time faculty votes.

### **Section 6: The Academic Senate Year**

The Academic Senate Year shall be July 1 through June 30.

# **ARTICLE III - MEMBERSHIP**

## **Section 1: Qualifications for the Senate**

- a. Qualifications for membership in the Senate shall be the same as those defined for full-time (contract and regular) and part-time faculty.
- b. A faculty member shall be deemed ineligible to serve in the Senate if that person is appointed to a position defined as "management" as defined by the contract.

## **Section 2: Membership and Voting in the Senate**

- a. The Executive Committee is comprised of President, President-Elect OR Past-President, Secretary and Treasurer.
- b. Senate representation from each Division will be determined by a ratio formula determined by the Senate and identified within the Las Positas College Senate Bylaws.
  1. Each Division shall be entitled to a minimum of two full-time (contract or regular) faculty representatives.
  2. It is recommended that senators be selected from more than one curricular group or support service group within each division.
- c. There can be up to two representatives and one alternate from the part-time faculty (part-time representatives shall each have a full vote).
- d. There may be an honorary, non-voting representative from the Las Positas College Student Senate.
- e. There may be an honorary, non-voting representative from the Las Positas College Classified Senate.

## **Section 3: Election to the Senate**

- a. Procedures for election to the Senate shall be determined by the respective divisions and part-time faculty.
- b. Senators from the Divisions shall be elected by a majority of the members of their respective areas. Senators from the part-time faculty shall be elected by a majority of votes cast by the part-time faculty.
- c. Procedures for election of part-time faculty representation will be determined by the Election Committee (Article 4, Section 3).
- d. The Senate shall settle disputes regarding elections and qualifications.

## **Section 4: Terms of Office - Senators**

- a. Senators shall serve for a minimum of one year, with a maximum of three consecutive years, unless the Division votes to extend their term as outlined in b., below.
- b. A Senator may be elected to a new term where term limits are exceeded providing that the electing body, with full knowledge that term limits will be exceeded, confirms by a two-thirds vote to elect the Senator.
- c. A Senator may be elected to a Senate office (President, President-Elect OR Past-President , Secretary or Treasurer) in any of their three year terms, thus extending their term to a maximum of five years.
- d. When a faculty member has served as an officer and/or Senator for five consecutive years, they must be non-active in the Senate for one year before becoming eligible to serve again.
- e. If a Senator resigns during a term of office, a new Senator shall be elected by the same procedures outlined in Article III, Section 3.

## **Section 5: Recall from Office**

- a. A Senator may be removed from office by a two-thirds division vote of the electing body.

# **ARTICLE IV - OFFICERS**

## **Section 1 : Officers**

The Officers of the Senate shall be:

- a. The President
- b. The President-Elect OR Past-President
- c. The Secretary
- d. The Treasurer

## **Section 2: Eligibility for Office**

- a. All Officers of the Senate shall be full-time faculty (contract or regular).
- b. No faculty member serving as President of the faculty bargaining unit shall be eligible for the office of Senate President.
- c. To be eligible for the office of Senate President or President-Elect, the candidate must be tenured faculty.

## **Section 3: Procedures for Elections of Officers and Part-Time Representatives**

The following procedures shall be followed for each yearly election of Las Positas College Academic Senate Officers:

- a. Election Committee Selection
  1. Two or more members of the full-time faculty (contract or regular) who are not candidates for offices shall be appointed by the President to an election committee, with the approval of the Senate. The committee may include one part-time representative who is not a candidate for office.
- b. Election Committee Procedure
  1. The election committee shall canvas the eligible faculty to develop a slate of officer candidates, actively teaching in the election semester.
  2. The Election Committee shall present the slate of officer candidates at the third to last Senate meeting of the academic year, unless the Senate votes to change this date. Officer nominations may be made from the floor at this meeting, and the nominated candidates must give consent to be placed on the ballot.
  3. The election committee shall prepare a secure ballot which allows for write-in candidates for each office.
  4. Candidates may make their views known via an email to all faculty, to be distributed by the election committee one week prior to the ballot distribution.
  5. The election of officers shall take place prior to the last Senate meeting.
  6. Election tabulating procedure:
    - i. One full-time faculty (contract or regular) vote shall be equivalent to five part-time faculty votes. Full-time faculty who also have part-time assignments shall have only one vote.
    - ii. Votes must be submitted by the date and time established by the election committee.
    - iii. At the appointed time the votes will be tabulated by the Election Committee in the presence of the administrative assistant to the Senate. Candidates may be present during the tabulation and have the right to review the votes.
  7. Officers shall be elected by the majority of valid votes. The election committee will report the election results to the Senate.
  8. If no candidate for a given position receives a majority of valid votes, a run-off election shall be held between the candidates who receive the first and second highest number of votes.
- c. Filling Vacated Offices
  1. Should an office be vacated, the Senate President (or the Senate President-Elect OR Past-President if the office of President is vacated) shall appoint a new officer who must be

confirmed by a majority vote of the Senate membership present at the meeting following the new officer nomination announcement.

d. Terms of Office - Senate Officers

1. Elections for the office of President will be held every other year. In year one, the person so elected shall serve as the President-Elect. In years two and three, said person shall serve as the President of the Senate. In year four, said person shall serve as Past-President.
2. The president can run for another term after being Past-President.
3. The initial term of office for the Secretary and Treasurer shall be one year, with the possibility of reelection for two one-year terms. If any of these offices is then uncontested, they may be reelected for one additional year.

## Section 4: Duties of Officers

a. Senate President

1. The Senate President shall preside over meetings of the senate. In addition, the President is responsible for:
  - i. Representing the opinions, votes and/or referendum results of the Senate to the administration, to other committees, and to the Board of Trustees.
  - ii. Reporting to the Senate on all matters of academic and professional concern to the faculty.
  - iii. Setting agendas.
  - iv. Attending meetings of the Board of Trustees.
  - v. Being familiar with the statutory context in which the Senate operates.
  - vi. Advocating for faculty interests.
  - vii. Promoting an effective relationship between the Board of Trustees and the Senate.
  - viii. Maintaining contact with the Academic Senate for California Community Colleges.
  - ix. Developing Senate participation and leadership.
  - x. Fostering communication.
  - xi. Working to secure resources to ensure Senate success.
  - xii. Participating in the hiring process to assure the appointment and retention of qualified academic personnel.
  - xiii. Serving as the Academic Senate for California Community Colleges representative for Las Positas College.
  - xiv. Serving or appointing others to serve on college and district committees as provided by the shared governance structure or requested by the chancellor or administrators.
  - xv. Working to ensure that board policies and procedures, particularly those governing curriculum and hiring processes, are adhered to both at the district and campus level.

- xvi. Serving as the major conduit for district-wide information that must reach faculty in a timely manner.
- xvii. Advising the district on the Senate's position on present and emergent policy matters.
- xviii. Appointing a Legislative Specialist as needed.
- xix. Appointing a Parliamentarian with the concurrence of the majority of the Senate.
- xx. Presiding over the Executive Committee and serving on other committees as provided by the shared governance structure.
- xxi. Other duties as needed.

- 2. In the absence of the Senate President, the duties of that office shall be discharged by the President-Elect OR Past-President. If the President-Elect OR Past-President is unable to discharge these duties, they shall be discharged in the following order: Secretary, then Treasurer.

b. President-Elect

- 1. The President-Elect attends committees as recommended by the President.
- 2. The President-Elect becomes familiar with Board Policy
- 3. The President-Elect assumes the duties of the President when the President is absent or leaves the chair.
- 4. When acting in the place of the President, the President-Elect has all the powers, duties, responsibilities, and privileges of the President.
- 5. The President-Elect assists the President, as needed, in assuming and delegating tasks and duties.
- 6. The President-Elect serves on the Executive Committee.
- 7. The President-Elect is a voting member of College Council.

c. Past-President

- 1. The Past-President assumes the duties of the President when the President is absent or leaves the chair.
- 2. When acting in the place of the President, the Past-President has all the powers, duties, responsibilities, and privileges of the President.
- 3. The Past-President assists the President, as needed, in assuming and delegating tasks and duties.
- 4. The Past-President serves on the Executive Committee.
- 5. The Past-President is a voting member of College Council.

c. Senate Secretary

- 1. The Secretary conducts Senate personal correspondence as necessary.
- 2. The Secretary assists in drafting Senate resolutions and statements, and amendments to the Senate Constitution and Bylaws.
- 3. The Secretary works in consultation with the President to perform other duties as needed.
- 4. The Secretary serves on the Executive Committee.

d. Senate Treasurer

1. The Treasurer is responsible for the collection, safekeeping, and expenditure of all funds of the organization, and for keeping an accurate financial record.
2. The Treasurer shall report on the finances of the organization as necessary.
3. The Treasurer works in consultation with the President to perform other duties as needed.
4. The Treasurer serves on the Executive Committee.

## **Section 5: Duties of Senators**

- a. Senators shall attend meetings of the Senate.
- b. Senators shall report on and carry out Senate business in Division meetings, and present at Senate meetings items of interest and concern to the Senate.
- c. Senators shall read Senate minutes and agenda prior to Senate meetings.
- d. Senators shall serve on Senate task forces.
- e. Senators may serve on Senate subcommittees and ad hoc committees.

## **Section 6: Recall of Officers**

- a. Recall of a Senate officer shall be initiated by:
  1. A fifty percent vote of the total Senate.  
OR
  2. A recall petition signed by forty percent of the full-time (contract or regular) faculty.
- b. A Senate officer shall be removed by a vote of sixty percent of the total number of votes in the previous elections.
  1. A recall vote shall take place no less than ten working days nor more than fifteen working days after step a. 1. or a. 2. above.
- c. A new Senate officer shall be selected in accordance with the provisions of Article IV, Section 3.
- d. A recall petition for an officer may be considered ninety days after that Senate officer has taken office.

# **ARTICLE V - EXECUTIVE COMMITTEE**

## **Section 1: Executive Committee**

- a. The Executive Committee shall be composed of the officers of the Senate.
- b. The Executive Board shall meet in open meetings between meetings of the Senate at a publicized time.
- c. The Executive Board shall maintain liaison with the Chabot College Senate and report to the Las Positas College Senate items of interest.



- d. The Executive Committee shall:
  1. Assist in preparation of Senate agendas.
  2. Assist in implementing Senate decisions, policies, and recommendations for awards.
  3. Draft Senate resolutions.
  4. Conduct Senate referenda.
  5. Announce its meetings to the faculty at least seventy-two hours in advance in accordance with the Brown Act.

## **ARTICLE VI - MEETINGS**

### **Section 1 : Academic Senate Meetings**

- a. The Senate shall meet on the 2nd and 4th Wednesdays of each month from August through May, as the academic calendar allows.
- b. Actions of the Senate shall be approved by a majority of the Senate voting at that meeting.
- c. The Senate shall follow Robert's Rules of Order and publish its proceedings.

## **ARTICLE VII - AMENDMENTS**

### **Section 1: Proposed Constitutional Amendments**

Amendments may be proposed in the following ways:

- a. By a majority vote of the members of the Senate in a regular meeting.  
OR
- b. By a petition signed by ten percent of the full-time (contract or regular) faculty.

### **Section 2: Ratification of Amendments**

- a. Shall be by a secret ballot of the entire full-time (contract or regular) and part-time faculty.
- b. This ballot shall require a vote of sixty percent of the full-time (contractor regular) faculty and part-time faculty.
- c. One full-time (contract or regular) faculty vote shall be equivalent to five part-time faculty votes. Full-time faculty who also have part-time assignments shall have only one vote.

### **Section 3: Non-policy Revisions of the Constitution**

- a. Constitutional revisions regarding language and/or procedures, that do not affect standing constitutional policies, may be enacted by a majority vote of all Senate members after appropriate announcement.
- b. Announcement and voting on these revisions shall follow the Brown Act. Las Positas College

Academic Senate Constitution approved by faculty vote: October 24, 1989

Revisions to the Las Positas College Academic Senate Constitution approved by faculty vote: November 9, 1990 January 28, 1991 March 29, 1995 March 30, 1996 March 9, 2000 March 14, 2001 April 9, 2003 May 13, 2009 March 13, 2019 April 14, 2021