

LAS POSITAS COLLEGE ACADEMIC SENATE CONSTITUTION

Red = language being changed; Blue = changed language

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: 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: 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. Other academic and professional matters as mutually agreed upon.
 - 8. Hiring criteria, policies and procedures for new faculty. REVERSE ORDER TO:
 - 7. Hiring criteria, policies and procedures for new faculty.
 - 8. Other academic and professional matters as mutually agreed upon.

Section 3: The Senate shall present its views and recommendations to the Board of Trustees through regularly established channels.

Section 4: The Senate shall send a representative to all meeting of the Board of Trustees. After informing the administration, the Senate may present its views and recommendations directly to the Board of Trustees.

REPLACE WITH:

Section 3: The Senate shall send a representative to all regular meetings of the Board of Trustees.

Section 4: The Senate shall present its views and recommendations to the Board of Trustees through regularly established channels.

Section 5: 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 a quorum of the Senate of their quorum that action must be submitted to a vote of the faculty for approval.

Or

- b. A petition signed by ten (10) percent of the full-time (contract and regular) faculty for a referendum is submitted to the Senate within ten (10) calendar days requesting a referendum vote for the faculty.

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 adjunct faculty part-time faculty votes. Full-time faculty who also have adjunct assignments shall have only one vote.

Section 6: The Academic Senate Year

The Academic Senate Year shall be July 1 through June 30. THIS IS MOVED FROM ARTICLE IV, Section I, d. Term of Office – Officers, 1.

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 adjunct faculty 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, Vice President, Secretary, Treasurer, and Immediate Past President (at the option of the Past President). The Executive Committee is comprised of President, Vice President, Secretary, Treasurer, and may include the Immediate Past President as an honorary, non-voting member.
- 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 adjunct faculty part-time faculty (adjunct representatives part-time representatives shall each have a full vote).

- d. An honorary, nonvoting representative from the Las Positas College Student Senate.
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 interdisciplinary areas and adjunct faculty.
Procedures for election to the Senate shall be determined by the respective divisions and part-time faculty.
- b. Senators from the interdisciplinary areas shall be elected by a majority of the members of their respective areas. Senators from the adjunct faculty shall be elected by a majority of votes cast by the adjunct faculty.
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. Senate terms shall be for a minimum of one year, with a maximum of three consecutive years.
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, Vice 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, he/she must be off the Senate for one year before he/she is eligible to serve again.

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.
- f. An otherwise qualified member of the faculty may be elected/appointed to a new term where term limits are exceeded providing that the electing/appointing body, with full knowledge and disclosure that term limits will be exceeded, confirm by a 2/3 vote to elect/appoint the member. REPLACED BY b., ABOVE

Section 5: Recall from Office

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

ARTICLE IV – OFFICERS

Section 1: The Officers of the Senate shall be:

- a. The President
- b. The Vice President
- c. The Secretary
- d. The Treasurer
- e. The immediate Past President for one year after the immediate Past President's term expires (at the option of the Past President).
The immediate Past President may serve as an honorary, non-voting member for one year following their time in office.

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 Vice President, 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. Three members of the full-time (contract and regular) faculty who are not candidates for offices shall be appointed by the President to an election committee with the approval of the Senate.
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.
- 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 slate of candidates shall be presented at the third to last Senate meeting of the academic year, unless the Senate votes to change this date. Nominations may be made from the floor at this meeting if the potential candidate gives consent.
The Election Committee shall present the slate of officer candidate 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 candidate must give consent to be placed on the ballot.
 - 3. The election committee shall prepare a ballot which includes spaces for write-in candidates for each office.
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 a letter and/or email to all faculty. Such statements shall be distributed by the election committee one week prior to the ballot distribution.
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 (contract and regular) faculty vote shall be equivalent to five adjunct faculty votes. Full-time faculty who also have adjunct assignments shall have only one vote.

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. Ballots Votes must be received submitted by the date and time established by the election committee.

iii. Voting faculty must sign for a ballot and place it in a locked ballot box.

REMOVE THIS ITEM

iv. At the appointed time the ballot box will be opened and votes will be counted by the electing committee in the presence of the administrative assistant to the Senate. Candidates may be present during the counting and have the right to review the ballots.

At the appointed time the votes will be tabulated votes 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.

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 Vice President in case the presidency is vacated) shall appoint a new officer who must be confirmed by a majority vote of the Senate membership present at the following meeting.

Should an office be vacated, the Senate President (or the Senate Vice 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. The Academic Senate year shall be July 1 through June 30 *MOVED TO Article II – Section 6*

REPLACING THESE TWO SECTIONS:

2. The term of office for the Vice, President, Secretary, and Treasure of the Senate shall be for one year with a maximum of two consecutive terms served.
3. The term of office of the President shall be an initial two-year term with reelection for up to two one-year terms, for a maximum of four consecutive years.

WITH THESE TWO SECTIONS:

2. The initial term of office for the President shall be two years, with possible reelection of two one-year terms. If the office of President is then uncontested, they may be reelected for one additional year.
3. The initial term of office for the Vice President, 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 and votes of the Senate and/or referendum result to the administration, to other committees, and to the Board of Trustees.
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 and issuing Senate minutes.
 - 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 with 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. Furthering efforts to appoint and retain qualified personnel.
Participate in the hiring process to assure the appointment and retention of qualified academic personnel.
 - xiii. Serving as a representative of Las Positas College.
Serving as the Academic Senate 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 rules, particularly those governing curriculum and hiring processes, are adhered to both at the district and campus level.
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.
2. In the absence of the Senate President, the duties of that office shall be discharged by the Vice President. If the Vice President is unable to discharge these duties, they shall be discharged in the following order: Secretary, then Treasurer.
- b. Senate Vice President
1. The Senate Vice 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 Vice President has all the powers, duties, responsibilities, and privileges of the President.
 3. The Vice President assists the President, as needed, in assuming and delegating tasks and duties.
 4. The Vice President serves on the Executive Committee.
- c. Senate Secretary
1. The Secretary conducts Senate personal correspondence as necessary.
 2. The Secretary assists in drafting Senate resolutions and statements.
 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 to the Senate feedback on items of interest and concern 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 ad-hoc committees of the Senate.
Senators shall serve on Senate task forces.
- e. Senators may serve on Senate subcommittees and task forces.
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 Board shall be composed of the officers of the Senate and the immediate Past President (at the option of the Past President).
The Executive Committee shall be composed of the officers of the Senate and optionally the immediate Past President for one year after the immediate Past President's term expires.
- b. The Executive Board shall meet in open meetings between meetings of the Senate at a set 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 motions 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. Main motions shall be approved by a majority of the Senate voting at that meeting. 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 meeting in a regular or special meeting. *NOTE: Special meetings are not defined in the constitution or bylaws.***
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 **adjunct part-time** faculty.
- b. **Shall require sixty percent of the full-time (contract or regular) faculty voting and adjunct faculty voting. One full-time (contract or regular) faculty vote shall be equivalent to five adjunct faculty votes. Full-time faculty who also have adjunct assignments shall have only one vote.**
This ballot shall require a vote of sixty percent of the full-time (contract or 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

