

Foothill Academic Senate Constitution, May 2013

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

- (5) standards or policies regarding
- (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.

Foothill Academic Senate Constitution, May 2013

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 meeting.
- (2) Full-time faculty will have one vote and part-time faculty $\frac{1}{2}$ vote at general meetings and elections
- (3) Any action, including an election, shall be taken by a simple majority of the present voting members

Foothill Academic Senate Constitution, May 2013

- 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
- 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,
 - (3) serve as a voting member on the Executive Committee, facilitating communication with the committee, and
- i. attend the fall plenary session of the state-wide Academic Senate.

Section 7. Duties of the Secretary-Treasurer.

Foothill Academic Senate Constitution, May 2013

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 consistent 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. A proxy vote must be submitted in writing to the Secretary-Treasurer of the Senate at least one calendar day prior to the vote being cast.

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 unexcused absences from the Executive Committee meetings will result in a written warning from the President of the Academic Senate or his/her designee. Three consecutive unexcused 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. Election Procedures for Officers.

- a. Election Committee. No later than second meeting of the winter quarter, the Senate shall confirm, from among the members of the Executive Committee, an Election Committee 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 Election Committee. By the first meeting of the spring quarter the Election Committee Chair will also appoint an official observer from outside the Executive Committee, subject to confirmation of the Senate. The purpose of this committee will be to find candidates for office and ensure proper procedure during elections. 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. The Foothill College Academic Senate will provide an electronic voting process that can securely, reliably, and verifiably conduct an election. In all cases, an electronic election would require some authentication by each faculty member.
- b. The Election Committee will inform all faculty of vacant positions and seek nominees from the fourth week through the eighth week of winter quarter.

Foothill Academic Senate Constitution, May 2013

- c. After securing written acceptance from the nominees, the Election 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. Within three days after the Senate meeting, the Election Committee Chair will notify candidates of their nomination.
- d. In the case of an uncontested election, the candidate will be elected by acclamation at the first Senate meeting of the spring quarter.
- e. A general meeting of the faculty will be held by the fifth week of spring 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.
- f. Voting information will be distributed to all faculty who are employed during the spring quarter by the Election Committee during Election Week (usually the sixth week of spring quarter.) Special procedures will be taken to ensure voting representation as defined in Article II, Section 4.
- g. 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.
- h. The Election Committee will tally 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.
- i. 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.
- j. The official document of ballot results will be placed in the archive of the Academic Senate.
- k. 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.

Section 2. Eligibility. Candidates for President shall have served on the Executive Committee within the prior three years. Candidates for Vice President shall have served on the curriculum committee within the prior three years. 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, so long as they are qualified.

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.

Section 4. Election of Part-Time Senators.

Foothill Academic Senate Constitution, May 2013

- a. Part-time Senators will be elected on the same schedule as described in Article VI, Section 1.
- b. Elections for part-time Senators ideally shall be held every year, with staggered two-year terms.
- c. In the event that there are two open positions, the two candidates with the highest vote totals

Foothill Academic Senate Constitution, May 2013

- (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

Foothill Academic Senate Constitution, May 2013

(6) Processes for institutional planning and budget development

Examples of such committees are the 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 50 % plus 1 vote of the Academic Senate in election procedures such as those outlined in Article VI.
- 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.

By precedent the Constitution is revised once every three years. In these cases Amendments fall under the election procedures defined in Article VI. For off-year amendments, 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 procedB(o)- ts(a)9e-4(o)4(B(o)1(c)-3(o)-9(n)3(s)1(ti)-11(tuti)-11(o)-