

# ACADEMIC SENATE CONSTITUTION

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## COLLEGE OF ALAMEDA FACULTY

### PART I: ORGANIZATION OF THE FACULTY

#### ARTICLE I: Name

This organization shall be known as the College of Alameda (the “College”) Faculty, hereinafter referred to as the Faculty.

#### ARTICLE II: Membership

Membership shall include any certificated employee at the College of Alameda whose terms of employment do not demand a supervisory or administrative credential and who is not declared as holding a management position.

#### ARTICLE III: Powers

##### Section 1:

Subject to the laws of the State of California and the regulations of the Peralta Community College District ( the “District” or “PCCD”) and relevant collective bargaining agreements, the Faculty shall be the sole body of Faculty members, as defined in this Constitution, at the College with power to perform the duties enumerated in this Article and any such not stated herein, but so enumerated in the State of California Education Code. The Faculty may delegate all or part of its power to the Academic Senate.

##### Section 2:

The Faculty shall participate with the College of Alameda administrators, the Peralta Community College District administrators, the Peralta Community College District Board of Trustees, and the Faculty collective bargaining representative in the formation of policies in educational areas including, but not limited to, the powers enumerated in this Article:

- A. Professional rights and responsibilities (academic freedom, ethical standards)
- B. Professional standards (professional competence)
- C. Professional personnel policies (criteria for personnel selection and retention, evaluation, assignment, teaching load, tenure, sabbatical leave, and administrative personnel policies)
- D. Academic policies (development and expansion of curriculum, admissions, honors, graduation and degree requirements, retention of students, textbook policy, library and learning resources policies)
- E. Student personnel policies (general counseling philosophy, conduct, discipline, general matters pertaining to student activities and welfare)
- F. Institutional philosophy

G. Educational expenditures (budget planning, building planning, long range plans)

**Section 3:**

The Faculty shall perform an advisory function in the application of policy and in other matters relative to the general welfare of the College and the Peralta Community College District.

**Section 4:**

The Faculty shall delegate its powers to the Academic Senate, within the limitations set forth in PART 1, ARTICLE IV, and except for those it may choose to reserve to itself.

**ARTICLE IV: Organization**

**Section 1:**

Meetings of the Faculty:

- A. May be called by the President of the Academic Senate.
- B. May be called by one-third of the members of the Academic Senate.
- C. May be called by a petition signed by at least fifteen members of the Faculty.
- D. Shall be presided over by the President of the Academic Senate or his/her representative.

**Section 2:**

- A. Any calls for a meeting of the Faculty under the provisions of **Parts B** and **C** of Section 1 must be made to the President of the Academic Senate. The date and time of any meetings of the Academic Senate shall be set by the Senate President, not less than two nor more than five instructional days after the call (summer session excluded).
- B. An agenda must include any items requested in writing by those calling the meeting under the provisions of **Parts B** and **C** of Section 1.
- C. The date, time, and agenda for any Faculty meeting shall be publicized by the Senate President at least two instructional days prior to the meeting.

**Section 3:**

Any meeting of the Faculty shall be open unless a majority of those present vote to close all or parts of that meeting or any subsequent meeting to non-Faculty members.

**Section 4:**

A quorum shall be one-third of the membership of the certificated /certified Personnel. A quorum must be present for the Faculty to conduct its business.

**Section 5:**

Resolutions which indicate the positions of the Faculty may be passed by a majority vote of those present and sent to the Academic Senate.

**Section 6:**

An action which has been initiated by the Faculty shall be binding on the Faculty and Academic Senate and carried out when (1) favorable votes on the action are cast by a majority in a Faculty meeting, and (2) favorable votes are cast by a majority vote of the Faculty voting in a secret ballot. The secret ballot will be conducted not earlier than three instructional days but not later than one instructional week after this Faculty meeting. In case of conflict, (2) will prevail.

**Section 7:**

An action determined upon or taken by the Academic Senate shall be prevented from going into effect or shall be rescinded when (1) negative votes on the action are cast by a majority in a Faculty meeting, and (2) a majority of the Faculty voting casts negative votes in a secret ballot conducted not later than one instructional calendar week after this Faculty meeting. In case of conflict, (2) will prevail.

**Section 8:**

Robert's Rules of Order shall prevail in all meetings except when otherwise provided by this Constitution or suspended by a majority vote of those present.

**PART II: REPRESENTATIVE BODY OF THE FACULTY:  
THE ACADEMIC SENATE**

**ARTICLE I: Name**

This body shall be known as the Academic Senate of the College of Alameda.

**ARTICLE II: Membership**

**Section 1:**

Those eligible for election to the Academic Senate shall be members of the Faculty as specified in PART 1, ARTICLE II and within the designations enumerated below.

**Section 2:**

The Senate shall consist of:

- A. Two (2) Regular contract faculty representative elected from each division; and
- B. Two (2) regular contract faculty elected at-large; and
- C. Two (2) regular contract faculty elected from Student Services; and
- D. One (1) part-time, non-contract faculty, who is not serving on the Academic Senate at another Peralta College, elected from each division; and
- E. one (1) part-time, non-contract faculty representative, who is not serving on the Academic Senate at another Peralta College, elected at-large.

**Section 3:**

- A. The terms of the office for members of the Senate shall be two years. division representatives shall, as much as possible, have overlapping terms, some being elected in odd numbered years and the rest in even numbered years. In case a Senator is selected to fill a vacancy, the term served will be that of the Senator replaced.
- B. The start of the term of office for newly elected Senators shall be July 1.

**ARTICLE III: Elections**

**Section 1:**

Elections of Senators and Officers shall be held during Spring Term of each year.

**Section 2:**

- A. The Senate shall appoint an Election Committee of three (3) who are not candidates for any Academic Senate seat. The Election Committee will be responsible for the mechanics of the election of Senators. Senators should make every attempt to get full division or area participation in the process of nominations.
- B. Nominations for each Senator shall be done by petition signed by the nominee and one other Faculty member as described in Part II, Article II, Section 2, at least ten (10) days before an area election.
- C. Each Faculty member within an area will be given a list of candidates at least one week before an election is held.
  - 1. Any regular Faculty member, who is assigned more than 50% in a division or area, has a vote in that division or area.
  - 2. When a regular Faculty member's time is equally divided between two or more areas, said Faculty member shall select one division or area in which to vote.

D. Voting shall be by secret ballot, if more persons than the number of vacancies in that area or division are nominated. Voting shall be on two consecutive instructional days. Balloting will not be conducted for uncontested races.

E. The candidates, equal to the number of vacancies, who receive the highest number of votes shall be elected. If there are vacancies of differing term lengths within one area, the candidate with the highest number of votes shall receive the longest term.

F. In the event of a tie vote for a Senate seat, there shall be a run-off election until one candidate receives a plurality.

### **Section 3:**

A. A division or area Senator may be removed upon:

1. the petition of 30% of the Faculty within the division or area,
2. followed by an affirmative vote (over whether to remove the Senator) of at least 51% of the total Faculty within the division or area represented by the Senator within one month of receipt of the petition by the Senate.
3. should the vote be less than 51% the Senator shall remain in place; whereas if the recall vote succeeds the Senate President shall appoint a new Senator.

B. All voting in recall elections shall be by secret ballot.

C. A vacancy occurring in the body of representatives prior to the completion of a term, including Senators on leave, shall be filled by appointment by the President with approval of a majority of the Senate. Representatives appointed to fill a vacancy shall serve until the next election. When feasible, the President shall name a replacement from the list of candidates of the previous election of that area.

D. Senate vacancies shall be filled within one month.

E. A vacancy shall be declared by a vote of the Senate when a Senator is absent for three consecutive Senate meetings without legitimate circumstances. The Executive Council (President, Vice President, Secretary and Treasurer) shall name a replacement from the list of candidates of the previous election of that area.

F. Replacements for Senators on leave will be for the period of the Senators' leave or until the term expires, whichever comes first. Replacements shall be filled by appointment by the President with approval of a majority of the Senate. When feasible, the President shall name a replacement from the list of candidates of the previous election of that area.

### **ARTICLE IV: Powers**

The Senate shall speak for and exercise the powers of the Faculty in all matters, and its action shall be binding on the Faculty and the Senate, except as provided in PART 1, ARTICLE IV, Sections 6 and 7.

## ARTICLE V: Organization of the Senate

### Section 1:

A. The Senate Executive Council shall be the following: President, Vice President, Secretary, and Treasurer.

1. The President

i. Qualifications: Any full-time Faculty member of the **Senate** may serve as President.

ii. Duties:

1. Preside over meetings of the Academic Senate, serve as a member of the College President's Council, District Academic Senate meetings and to represent the Senate at meetings of the Peralta District Board of Trustees meetings and workshops. Reflect the views of the College of Alameda Faculty at the President's College Council, DAS meetings, and Peralta District Board of Trustees meetings and workshops.
2. All Faculty appointments to College and District committees are to be appointed by the President and approved by the Academic Senate.
3. The President shall serve as ex-officio member of all committees formed by the Senate.
4. The President shall prepare an agenda which shall be distributed to all Faculty at least seventy-two (72) hours prior to each meeting of the Senate.
5. The President shall have the power to call special meetings of both the Faculty Senate and the Senate committees.
6. If it is impossible for the President to be present at above meetings, he/she shall delegate the Vice President or his/her designated representative.
7. During school vacations, the President has the power to make decisions on behalf of the Senate subject to later approval by the Senate. At no other time shall individuals or committees make decisions on behalf of Faculty without prior consent and subsequent approval by the Senate.

iii. Responsibilities:

1. Advocating for Faculty Interests
2. Promoting an Effective Relationship with the Board of Trustees
3. Maintaining Contact with the Academic Senate for California Community Colleges
4. Maintaining Effective Relationships with Other Governance Groups

5. Developing Senate Participation and Leadership
  6. Fostering Communication
  7. Securing Resources to Ensure Faculty Success
  8. Furthering Efforts to Appoint and Retain Qualified Personnel
  9. Ensure that board rules, particularly those governing **curricula** and hiring processes, are adhered to both at the District and campus level.
2. The Vice President
    - i. Qualifications: Any full-time Faculty member of the Senate may serve as Vice President.
    - ii. Duties:
      1. The Vice President shall assist the President and preside over the Senate in his/her absence.
      2. The Vice President shall serve as ex-officio member of all Senate committees.
      3. The Vice President shall serve as a member of the District Academic Senate.
      4. The Vice President will chair the Emeritus Luncheon Committee.
  3. The Secretary
    - i. Qualifications: Any full-time Faculty member of the Senate may serve as Secretary.
    - ii. Duties:
      1. The Secretary shall have prepared and distributed copies of the minutes of previous meetings to all Senators at least twenty-four hours prior to meetings of the Senate.
      2. The Secretary shall be responsible for all official correspondence and all official minutes of the Senate.
      3. The Secretary shall perform those duties prescribed by the President.
  4. The Treasurer
    - i. Qualifications: Any full-time Faculty member of the Senate may serve as Treasurer.
    - ii. Duties:
      1. The Treasurer shall keep a record of all Senate funds and accounts and shall have the power (along with the Council) to authorize checks disbursing these funds for purposes authorized by the Senate.
      2. The Treasurer shall keep appropriate records of all Senate income and expenditures and shall provide periodic reports (a minimum of twice per semester) to the Senate membership.

- B. The Executive Council will assist the President in all matters. During times when school is not in session and/or when the Senate cannot convene for any reason, the Executive Council will assist the President in making necessary decisions. All such actions must be reported to the Senate for **its** information as soon as is feasible. During time when school is not in regular session, a written report to Senators and/or Faculty will be made of any significant actions taken.
- C. The term of office for the elected Senate officers shall be for two (2) years. No Senator shall serve more than four (4) consecutive years in any one executive office.

**Section 2:**

- A. Nominations for President, Vice President, Secretary and Treasurer and the subsequent election for those officers shall be made within the Senate.
- B. Nominations shall be made at least one Senate meeting prior to the meeting for the election of said officers.
- C. Nominations may be made by voice nomination but must have the consent of the nominee.
- D. Voting shall be by secret ballot.
- E. All Faculty shall be notified immediately of the results of the Senate election of the Executive Council members.

**Section 3:**

- A. If the Senate President is temporarily unable to perform the duties of the office, the Vice President shall assume the duties.
- B. In the event of a President's resignation or inability to perform the duties of the office **for** a period of six or more consecutive weeks, the Vice President shall succeed to the Presidency for the unexpired part of the term of office and the Senate shall then elect another Vice President for the unexpired part of the term.
- C. If during the term of office of any other Senate officer, such officer is temporarily unable to carry out the duties of the office, the President, with the consent of a majority of the entire Senate, shall appoint another Senator to serve temporarily in that office, until such time as the officer is able to resume duties.
- D. In the event of an officer's resignation or inability to carry out the duties of the office for a period of six or more consecutive weeks, the Senate shall then elect another Senator to that office for the unexpired part of the term.

**Section 4:**

- A. The Executive Council of the Senate shall prepare the agenda for Senate meetings. Such agendas as well as announcements of Senate meetings shall be in the hands of Senators at least two days prior to a Senate meeting. A schedule of meetings will be announced at the beginning of each term.
- B. The President and Vice President shall represent the Faculty on the District Academic Senate. The Executive Council shall appoint the two alternate delegates to the District



Academic Senate as well as representatives from the Faculty to all other College of Alameda and Peralta committees. (As wide as possible selection of Faculty shall be made.)

**Section 5:**

- A. There shall be at least ten meetings of the Academic Senate scheduled during an academic year. Additional meetings as needed may be called by the President or by petition of 50% of the members of the Academic Senate.
- B. Senate meetings, including Executive Council meetings, shall be open to all Faculty members. Non-Faculty guests may attend Senate meetings with the approval of the Senate.
- C. A quorum shall be majority of the entire membership of the Academic Senate. A quorum must be present for the Senate to vote on action items.
- D. Robert’s Rules of Order shall prevail in all Academic Senate meetings – unless suspended by a majority vote of the Senate.

**PART III: AMENDMENTS**

Amendments to this Constitution may be initiated in the same way that any other motions are initiated by the Academic Senate [ref. PART II, Article V, Section 5, Item D] or may be initiated by members of the Faculty calling for a general meeting of the Faculty as provided in PART I, Article IV, Section 1 of the Constitution. Proposed amendments adopted by the Academic Senate, following its usual rules for passage of motions or adopted by the Faculty in a general meeting following its usual rules for the adoption of motions, shall be in written form to the Faculty, and shall be adopted when the favorable votes cast by secret ballot equals or exceeds much of the voting Faculty.

**PART IV: RATIFICATION**

This Constitution shall become operative when ratified by a majority of the voting Faculty and shall remain in effect until a subsequent Constitution is adopted by a majority of the voting Faculty.

<b>ACTION</b>	<b>DATE</b>
Ratified	November 16, 1989
Amended	December 11, 2003
Amended and Ratified	May 3, 2007
Amended	Spring 2010
Amended	April TBD 2019