

**CONSTITUTION OF THE
EAST LOS ANGELES COLLEGE
FACULTY ACADEMIC SENATE**

Ratified April 23, 2019

Preamble

We the faculty of East Los Angeles College, in order to discharge our obligations under the State of California Code of Regulations Title 5 and AB 1725, hereby establish this Constitution as the governing rules for our participation in the shared governance process.

Section 53203(a) of State of California Code of Regulations states the “governing board or its designees will consult collegially with the Academic Senate when adopting policies and procedures on academic and professional matters.” Refer to Appendix 1.

**Article I
Name**

The name of this organization shall be the Academic Senate of East Los Angeles College, hereinafter referred to as the Senate.

**Article II
Purpose and Functions**

The Senate shall serve as the governing body for the faculty of East Los Angeles College.

The Senate shall represent the faculty of East Los Angeles College in academic and professional matters. The Senate shall advance the professional recognition of the faculty and promote the advancement of the academic program.

The Senate shall make possible the democratic cooperation and participation of its members in the formulation of educational policies and practices, the upholding of the principles of professional ethics, and the resolution of all matters affecting the academic and professional welfare of the academic program and the faculty of East Los Angeles College. The Senate fulfills this purpose to better serve our students and the college mission.

In carrying out the mandates of Title 5, Section 53200, the Senate’s primary function is to make recommendations to the administration of the college and to the district’s governing board with respect to academic and professional matters. Academic and professional matters means the following policy development matters:

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. College governance structures, as related to faculty roles.
7. Faculty roles and involvement in accreditation processes.

8. Policies for faculty professional development activities.
9. Processes for program review.
10. Processes for institutional planning and budget development.
11. Other academic and professional matters as are mutually agreed upon between the governing board and the Senate.

East Los Angeles College has a Shared Governance Agreement (published on the Academic Senate website) to rely primarily upon the advice and judgment of the Senate on these matters.

Article III

Membership of the Senate

Section A. Definition of Membership

- Clause 1. Membership of the East Los Angeles College Academic Senate shall include all faculty.
- Clause 2. Eligible voting members of the Academic Senate shall include an elected representative from each department, other specified voting units, the Senate President, and the Immediate Past-President.
- Clause 3. Other specified voting units shall include Non-represented Faculty, Part-time Faculty, Child Development Center, Curriculum Committee, Professional Development Committee, Learning Assessment Committee, Chairs Council, and South Gate College Council.
- Clause 4. Non-represented Faculty shall include any full-time faculty on full reassignment and therefore ineligible to vote in department elections.
- Clause 5. The part-time faculty shall be entitled to two Senators elected at-large as specified in the bylaws.

Section B. Selection of Senators

- Clause 1. Each department shall select by majority vote a Senator from its full-time faculty (regular and probationary) and voted upon by full-time faculty members and the adjunct representative of the department or voting unit.
- Clause 2. Full-time faculty members with assignments in more than one department or unit shall vote for a senate representative in the department for which they serve a majority of their assignment.
- Clause 3. Departments and voting units shall have the option of selecting an Alternate Senator to serve on the Senate. The Alternate Senator shall be eligible to vote at a meeting only in the absence of the regular Senator or if the regular Senator relinquishes the vote to the Alternate Senator.

- Clause 4. The Senate shall prepare a form on which each department or voting unit shall notify the Senate of its choice of Senator and, if it so chooses, its Alternate Senator. This form shall be submitted in writing in the manner specified in the bylaws. In the event of a replacement during the term of the senator or alternate, an email update will suffice.
- Clause 5. Each department or voting unit shall conduct elections for its Senator by the second Senate meeting in March of odd numbered years.
- Clause 6. The Senators representing the Part-time Faculty Voting Unit and the Non- represented Faculty Voting Unit shall be elected in the spring semester of odd numbered years. Part-time faculty members who are on a discipline seniority list shall be eligible to be elected as specified in the bylaws. The election process for Senators representing these units will be administered in the manner specified in the bylaws.

Section C. Term of Office

The term of office for Senators shall be for two years beginning July 1st of the election year.

**Article IV
Officers**

Section A. List of Officers and Members of the Senate Executive Committee

- Clause 1. The elected Senate Officers shall consist of President, First Vice- President, Second Vice-President, Secretary, and Treasurer.
- Clause 2. The Senate President shall appoint a Parliamentarian subject to approval by a simple majority of Senators present at a regular Senate meeting. In the event that the President has not selected a Parliamentarian, a Senator may nominate a candidate for Parliamentarian for approval by a simple majority of Senators present at a regular Senate meeting.
- Clause 3. Voting members of the Senate Executive Committee shall consist of the President, Immediate Past-President, First Vice-President, Second Vice- President, Secretary, Treasurer, and Parliamentarian.
- Clause 4. The Chair of the Chairs' Council and the Chair of Curriculum Committee shall serve as nonvoting members.

Section B. Term of Office

- Clause 1. The term of office for all Officers shall be for two years, beginning on July 1st of the election year.

Clause 2. Any Officer may be reelected. With the exception of the President and Immediate Past President, each Officer must be first reelected as a Senator.

Section C. Election of Officers

Clause 1. Election of Officers shall be conducted by the Senate as specified in the bylaws.

Clause 2. Eligibility for the office of President shall require a minimum of one term in the Senate with at least seventy-five percent attendance during that term.

Clause 3. The department formerly represented by any Senator elected to a non- voting office may elect a new representative to serve as Senator during that Officer’s term of office.

Clause 4. Faculty on leave in spring but who will return to their departmental assignment by the start of the fall semester shall be eligible to run for office provided they submit their intentions in writing in the manner prescribed in the bylaws.

Section D. Duty of Officers

Duties of Senate Officers shall be enumerated in the bylaws.

**Article V
Committees**

Section A. Academic Senate Committees

Clause 1. The Academic Senate, in accordance with Title 5 Article 2, Section 53203, F, shall establish all standing and/or special committees and their functions dealing with academic or professional matters.

Clause 2. All faculty shall be eligible for membership of all standing and/or special committees.

Section B. Appointment to Academic Senate Committees

Clause 1. Appointments to all standing and/or special committees shall be subject to approval by the Senate.

Clause 2. Duties of all standing or special committees and the term of office for all committee chairs and members shall be specified in the bylaws.

Section C. Appointments to Campus Committees

Clause 1. Senate representation to all shared governance committees and other standing campus committees shall be open to all faculty members subject to approval by the Senate.

Clause 2. The Second Vice-President shall maintain a list of all Academic Senate standing and/or special committees. In addition, the Second Vice- President shall maintain a list of all Senate representatives to shared governance committees and other standing campus committees.

Article VI Vacancies

Section A. Senators

In the case that a Senator or Alternate Senator cannot serve his or her entire term, the department involved shall conduct a new election as soon as feasible and notify the Senate President of its decision. Other voting units will select a replacement as specified in the bylaws.

Section B. Senate Officers

Clause 1. In the event of a vacancy in the Presidency, the First Vice-President shall succeed as President for the remainder of that term. If the First Vice- President declines, the position shall be considered vacant and the Second Vice-President shall succeed as President. In the event that both Vice- Presidents decline, the position shall be filled by election within the Senate. The manner in which positions are accepted or declined shall be specified in the bylaws.

Clause 2. Vacancies in other Senate offices shall be filled by election within the Senate.

Section C. Verification of Vacancy

A senator or officer position shall be considered vacant under the conditions specified in the bylaws.

Article VII Meetings

Section A. Senate Meetings

Clause 1. Meetings of the Senate shall be scheduled as specified in the bylaws.

Clause 2. Each Senator shall make every effort to attend Senate meetings or have the Alternate Senator attend in their place. Alternate Senators should be encouraged to attend Senate meetings. Repeated absences of Senators shall be addressed as specified in the bylaws.

Clause 3. For all meetings of the Senate, one half plus one the number of voting members of Senate shall constitute a quorum.

Clause 4. Pursuant to the Brown Act, meetings of the Senate shall be open to the public at all times, and any individual may address the Senate under Public Forum/Announcements.

Section B. General Faculty Meetings

Clause 1. With Senate approval, the President may call meetings of the general faculty when it is necessary to transact faculty business.

Clause 2. Faculty shall be notified of a general faculty meeting in the manner specified in the bylaws.

Clause 3. One-fourth the number of full-time faculty of the college shall constitute a quorum for general faculty meetings.

Clause 4. All full-time faculty members may vote at general faculty meetings. In addition, the Part-time Faculty Senator representatives and any department adjunct representatives may vote.

Section C. Rules of Order

Except where otherwise provided for in the Constitution and/or bylaws, all questions on rules of order in conducting meetings shall be guided by *Robert's Rules of Order*.

**Article VIII
Finances**

Section A. Faculty Dues

The Senate shall have the right to request faculty dues to support financial commitments for faculty functions and the Senate scholarship fund. The amount of the dues shall be specified in the bylaws.

**Article IX
Initiatives**

Section A. Initiative Definition

An initiative shall be any course of action for the Senate to take or any recommendation for a decision by the Senate.

Section B. Procedures for Initiatives

Upon the request of twenty-five percent of the full-time faculty, a special meeting of the faculty shall be called to discuss an initiative. Voting on initiatives shall be by secret ballot.

Article X Recall

Section A. Recall of Senators

A department shall have the right to recall its Senator by a simple majority vote of its members. Procedures for the recall of a Part-time faculty Senator or a Non-represented faculty Senator shall be handled in the manner specified in the bylaws.

Section B. Recall of Senate Officers

An election for the recall of a Senate Officer shall be held upon written request of twenty-five percent of the full-time faculty or upon written request by a simple majority of the Senate. Removal of a Senate Officer in a recall election shall require two-thirds of the Senate membership. Procedures for handling requests for recall elections and conducting such elections shall be specified in the bylaws.

Article XI Constitutional Revision

Section A. Definition of Revision

Any amendment, group of amendments, or draft of a proposed new Constitution shall be considered a revision.

Section B. Faculty Eligible for Participation in the Revision Process

All full-time faculty, Part-time faculty Senators, and department adjunct representatives are eligible to participate in the revision process.

Section C. Proposal for Revision to the Constitution

Proposals for revision to the Constitution may be made by a majority vote of the Senate or by a petition signed by twenty-five percent of the eligible faculty. Any eligible faculty member may circulate such a petition.

Section D. Distribution of Proposed Revision

Any proposed revision to the Constitution shall be distributed to the eligible faculty.

Section E. Meeting to Discuss Proposed Revision

After a minimum of three weeks following the distribution of the proposed revision to the Constitution, the Senate President shall call a special meeting of the faculty to discuss the proposed revision. Any changes or additions requested by a two-thirds majority of the eligible faculty present at that meeting shall be incorporated into the proposed revision.

Section F. Ratification Election

The Senate President shall call a ratification election for the proposed revision. All eligible faculty shall vote by written or electronic ballot. A majority of the votes cast shall be necessary for ratification. In the event that two or more conflicting revisions are on the ballot, the revision receiving the greater majority shall be ratified.

Section G. Validation

Clause 1. Upon ratification of this Constitution, it shall supersede the current Constitution.

Clause 2. Upon ratification of any revision to this Constitution, it shall supersede corresponding references in this Constitution.

Ratification history

May 8, 1995

May 23, 2006

April 5, 2011

April 19, 2016

April 23, 2019

Appendix 1

CCR, Title 5, Section 53203 Powers:

- A. The governing board shall adopt policies for the appropriate delegation of authority and responsibility to its college Academic Senate.
- B. In adopting the policies described in section (a), the governing board or designees, shall consult collegially with the Academic Senate.
- C. While consulting collegially, the Academic Senate shall retain the right to meet with or appear before the governing board with respect to its views and recommendations. In addition, after consultation with the administration, the Academic Senate may present its recommendations to the governing board.
- D. The governing board shall adopt procedures for responding to recommendations of the Academic Senate that incorporate the following:
 - 1. When the board elects to rely primarily upon the advice and judgment of the Academic Senate, the recommendation of the Senate will normally be accepted and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted.
 - 2. When the board elects to provide for mutual agreement with the Academic Senate, and an agreement has not been reached, existing policy shall remain in effect unless such policy exposes the district to legal liability or fiscal hardship. In cases where there is no existing policy, or when legal liability or fiscal hardship requires existing policy to be changed, the board may act, after a good faith effort to reach agreement, only for compelling legal, fiscal, or organizational reasons.
- E. An Academic Senate may assume such responsibilities and perform such functions as may be delegated to it by the governing board.
- F. The appointment of faculty members to serve on college committees shall be made, after consultation with the chief executive officer or designee, by the Academic Senate.

Based on CCR, Title 5, Section 53200, to “consult collegially” means that the district governing board shall develop policies on academic and professional matters through either or both of the following:

- 1. Rely primarily upon the advice and judgment of the Academic Senate,
OR
- 2. The governing board, or its designees, and the Academic Senate shall reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.