

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

*Ratified May 23, 2006
Revised April 5, 2011*

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 53203a 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.”

Section 53203 lists the following Senate 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.

Consult collegially, according to Section 53200 of the State of California Education Code, 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.

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.

In carrying out the mandates of Title 5, Section 53200, the Senate's primary function is to make recommendations 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.

Article III Membership of the Senate

Section A. Definition of Membership

- Clause 1. A member of the Senate shall be a representative selected from among the full-time faculty (regular and probationary) and voted upon by full-time faculty members and the adjunct representative of the department.
- Clause 2. Full-time faculty members of a department shall be all faculty who serve a majority of their assignment in that department.
- Clause 3. The part-time faculty shall be entitled to one Senator elected at-large as specified in the bylaws. Part-time faculty members who are on a discipline seniority list shall be eligible to be elected.
- Clause 4. The Chair of the Curriculum Committee shall serve as a voting member of the Senate.

Section B. Selection of Senators

- Clause 1. Each department shall select a Senator by majority vote of the members of the department.
- Clause 2. Departments 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 3. The Senate shall prepare a form on which each department shall notify the Senate of its choice of Senator and, if it so chooses, its Alternate Senator.
- Clause 4. Each department shall conduct elections for its Senator during the twelfth week of the spring semester of odd numbered years.

- Clause 5. Faculty may not exercise their voting privilege or hold office while they are on leave.
- Clause 6. Faculty on leave 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 to the Senate President within the period established in the bylaws.
- Clause 7. The Senator representing the Part-time Faculty Voting Unit shall be elected in a spring general election. The Chair of the Elections Committee will be responsible for distributing self-nomination forms to all applicable part-time faculty as specified in the bylaws. This senator will be elected by approval voting and secret ballot by the part-time faculty.
- Clause 8. Any member of the part-time faculty who is on a discipline seniority list may run for the Part-time Faculty At-Large position in accordance with the Election Code of the Senate bylaws.

Section C. Term of Office

The term of office for Senators shall be for two years beginning the last day of the spring semester 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, Vice-President, Secretary, and Treasurer.
- Clause 2. The Senate President shall appoint a Parliamentarian with the Senate to approve the selection by a simple majority of senators present. In the event that a Parliamentarian has not been selected by the President, a senator may nominate a candidate for Parliamentarian with the Senate to approve the selection by a simple majority of the senators present.
- Clause 3. The Immediate Past-President and the Chair of the Chairs' Council shall serve as ex-officio (non-voting) members of the Senate unless they are already serving as Senators.
- Clause 4. The President shall vote only in the event of a tie.
- Clause 5. The Senate Executive Committee shall consist of the President, Immediate Past-President, Vice-President, Secretary, Treasurer, Parliamentarian, Chair of the Chairs' Council, and Chair of Curriculum Committee. 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.
- Clause 2. Any Officer may be reelected; but with the exception of the President and Immediate Past President, each 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.

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 to 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.
- Clause 3. Senate representation to all advisory and shared governance committees shall be open to all full-time faculty members subject to approval by the Senate.
- Clause 4. The Vice President shall maintain a list of all Academic Senate standing and/or special committees. In addition, the Vice President shall maintain a list of all Senate representatives to advisory and shared governance 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.

Section B. Senate Officers

- Clause 1. In the event of a vacancy in the Presidency, the Vice-President shall succeed as President for the remainder of that term.
- Clause 2. Vacancies in other Senate offices shall be filled by election within the Senate.

**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 his/her place. Alternate Senators should be encouraged to attend Senate meetings. Repeated absences of Senators shall be addressed as specified in the bylaws.

Section B. General Faculty Meetings

- Clause 1. 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 at least ten working days prior to the date of the meeting except in the case of the necessity of continuing a meeting at which business was not completed. In such case, the date of the next meeting shall be decided at the meeting which was not completed, and each Senator shall have the responsibility of notifying his or her department.

Section C. Open Senate Meetings

- Clause 1. Meetings of the Senate shall be open to the faculty at all times.
- Clause 2. Pursuant to the Brown Act, any individual may address the Senate under Public Forum.

Section D. Quorum Senate Meetings

For all meetings of the Senate, one half plus one the number of Senators shall constitute a quorum.

Section E. Quorum Faculty Meetings

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

Section F. Rules of Order

Except where otherwise provided for in the Constitution and/or bylaws, all question on rules of order in conducting meetings shall be determined 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. 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 the part-time faculty representative shall be 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 a simple majority of the votes cast. Procedures for handling requests for recall elections and conducting such elections shall be specified in the bylaws.

Article XI 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. 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 full-time faculty. Any full-time faculty member may circulate such a petition.

Section C. Distribution of Proposed Revision(s)

Copies of any proposed revision(s) to the Constitution shall be distributed to the faculty.

Section D. Meeting to Discuss Proposed Revision(s)

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

Section E. Ratification Election

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

Section F. Validation

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

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