

# **COLLEGE OF THE CANYONS ACADEMIC SENATE CONSTITUTION**

## **PREAMBLE**

We, the faculty of College of the Canyons, do hereby establish this Constitution to represent the faculty in academic and professional matters and to enable the collegial process of shared governance.

## **ARTICLE I – NAME**

The official name of the organization shall be the College of the Canyons Academic Senate.

## **ARTICLE II – PURPOSE**

In accordance with Title 5, the purpose of the Academic Senate, as the representative body of the Faculty, shall be to recommend, promote and participate in the formation and implementation of policies on academic and professional matters and to support faculty, students, administration, and the Board of Trustees in that endeavor.

## **ARTICLE III – DEFINITIONS**

For the purposes of this Constitution, the term “tenured” faculty refers to regular employee and the term “tenure track” faculty refers to probationary and, or contract employee as defined by Education Code Section 87661(d) and 87661(b), respectively. The term “adjunct faculty” refers to temporary employee as defined by California Education Code Section 87482.5.

## **ARTICLE IV –MEMBERSHIP**

Section 1 – The voting members of the Academic Senate hereinafter identified as Senators who, unless otherwise specified, shall be tenured and tenure track faculty members are:

- A. President (Officer)
- B. Vice President (officer)
- C. Clerk (Officer)
- D. Treasurer (officer)
- E. 3 Adjunct-Faculty Senators

- F. The Immediate Past Academic Senate President
- G. 1 Senator from each School/Division<sup>1</sup>
- H. 1 At-Large Senator per every 40 tenured/tenure track faculty members
- I. Faculty Chair of the Curriculum Committee (Ex Officio).
- J. Chair, Policy Review Committee (Ex Officio)
- K. In the event that the Academic Senate President is not chairing the Program Viability Committee, the Program Viability Committee Chair will serve as Ex Officio on the Senate.

Section 2 – Individuals that satisfy two or more of the positions/titles listed in Article IV (Section 1) shall be, nonetheless, held to only one vote on matters before the Senate. This restriction does not restrict the right to hold a proxy vote.

Section 3 – The Non-voting members of the Academic Senate shall be:

- A. Chief Instructional Officer (CIO)
- B. Vice President of Student Services
- C. The COC Faculty Association President, or designee
- D. The COC Adjunct Association President, or designee
- E. The Student Senator of Associated Student Government (ASG).
  - 1. The Student Senator shall become a member of the Academic Senate if approved and appointed by the ASG. ASG Membership on the Academic Senate is purely voluntary.

Section 4 – The President of the Academic Senate may vote only when their vote will change the outcome.

## ARTICLE V – ELECTIONS

**Section 1 - The elected positions of the Academic Senate include:**

- A. President/President-Elect
- B. Vice President/Vice President-Elect
- C. Clerk (Officer)
- D. Treasurer (Officer)
- E. School/Division Senators<sup>1</sup>
- F. At Large Senators

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<sup>1</sup> For Schools with two or more Divisions, Senate Representation will take place on the Division level.

## **G. Adjunct-Faculty Senators**

**Section 2** – The term of office for all Senators shall commence July 1 and end June 30.

**Section 3** – The Senators shall be elected in the following manner:

- A. The President and the Vice President shall each serve a two-year term of office upon election by a plurality of the tenured/tenure track faculty at College of the Canyons. The elections shall be administered by the Academic Senate and conducted no later than the 10<sup>th</sup> 4<sup>th</sup> week of the Fall Semester of ~~even~~ odd years. A publicized call for nominations shall be sent prior to the conclusion of the preceding-spring semester. The nominating period shall be open and extend until the conclusion of the fifth week of the fall semester. No restrictions shall exist in the number of terms served. Members elected to office shall shadow the current officers of President and Vice President during the spring semester before their term of office commences.
- B. The Clerk and Treasurer shall each serve a two-year term of office upon election by a plurality of the tenured/tenure track faculty at College of the Canyons. The elections shall be administered by the Academic Senate and conducted no later than the 12<sup>th</sup> week of the Fall Semester of odd years. A publicized call for nominations shall be sent prior to the conclusion of the preceding spring semester. The nominating period shall be open and extend until the conclusion of the fifth week of the fall semester. No restrictions shall exist in the number of terms served. Members elected to office shall shadow the current officers of Clerk and Treasurer during the spring semester before their term of office commences.
- C. The School/Division Senators shall be elected by a plurality of the tenured/tenure- track faculty in their respective Schools/Divisions. They will be elected for a two-year term. No restrictions shall exist in the number of terms served. The elections shall be conducted in the respective Schools/Divisions no later than the 6<sup>th</sup> week of the Spring Semester of even years. The nominating period shall be no less than two weeks in duration.
- D. The At-Large Senators will be elected by a plurality of the tenured and tenure track faculty. They will be elected for a two-year term. No restrictions shall exist in the number of terms served. The elections will be conducted no later than the 8<sup>th</sup> week of the spring semester of odd years. The nominating period shall be no less than two weeks in duration.
- E. School/Division Senators and At-Large Senators will have staggered terms from one another. The nominating period shall be no less than two weeks in duration.
- F. Adjunct Senators will be elected during each spring semester. Adjunct Senators will be elected by a plurality of the adjunct faculty maintaining employment as defined by the American Federation of Teachers Collective Bargaining

Agreement. The Adjunct Senator will serve a two year term-and must maintain their employment as an adjunct faculty member, as defined by the American Federation of Teachers Collective Bargaining Agreement, during their term of office. The nominating period shall be no less than two weeks in duration. No restrictions shall exist in the number of terms served.

- G. In any non-contested elections where there is only one candidate for a position, a formal ballot will not be needed unless requested by an eligible voting member for that respective election.
- H. The results of all elections must be confirmed by the Academic Senate by the conclusion of the semester in which they are held.

Section 4 – Senate vacancies in office shall exist as so declared by a two-third majority of the Academic Senate upon acknowledgement of resignation, sabbatical leave of absence, recall, non-performance or other incapacity.

- A. Vacancies in the office of President or Vice President shall be filled in the manner prescribed by a plurality vote of a quorum of the Academic Senate.
- B. Vacancies in the office of Clerk or Treasurer shall be filled in the manner prescribed by a plurality vote of a quorum of the Academic Senate.
- C. Vacancies in the office of School/Division Senator shall be filled by a plurality of voting tenured and tenure track faculty from which that Senator was elected in a manner prescribed by the Senate.
- D. Vacancies in the office of At Large Senator shall be filled by a plurality of voting tenured and tenure track faculty in a manner prescribed by the Senate.
- E. Vacancies in the office of Adjunct Senator shall be filled by a plurality of voting adjunct faculty in a special election to be held as soon as possible once a vacancy has been declared.
- F. Recall of the President, Vice President, Clerk, Treasurer or At-Large Senator may be initiated by a petition of 40% of all full time Faculty members. Upon establishment of the authenticity of the petition, the Academic Senate must conduct a recall election among the tenured/tenure track faculty. A 2/3 vote of those tenured/tenure track faculty having voted is required to recall the President, Vice President, Clerk, Treasurer or At- Large Senator from office.
- G. Recall of a School/Division Senator may be initiated by 40% of members of the School/Division. Upon establishment of the authenticity of the petition, the Academic Senate will authorize the School/Division to conduct a recall election.

At 2/3 vote of those tenured/tenure track faculty having voted from that School/Division is required to recall the School/Division Senator from office.

- H. Recall of an Adjunct Senator may be initiated by 40% of adjunct faculty. Upon establishment of the authenticity of the petition, the Academic Senate will authorize a recall election. A 2/3 vote of those adjunct faculty having voted is required to recall the Adjunct Senator from office.
- I. Recall of any member of the Academic Senate due to the non-performance of a member in violation of their assigned duties outlined in Article II of the Academic Senate Bylaws may be accomplished by an initial 2/3 vote of the Academic Senate, and subsequent ratification by pertinent faculty members under the following scenarios:
  - 1. Subsequent to initiation by the Senate, removal of the President or Vice- President or Clerk or Treasurer will occur only upon approval of 2/3 of voting tenured/tenure track faculty.
  - 2. Subsequent to initiation by the Senate, removal of a School/Division Senator will occur only upon approval of 2/3 of voting faculty from that Senator's designated constituents.
  - 3. Subsequent to initiation by the Senate, removal of an Adjunct-Instructor will occur only upon approval of 2/3 of voting adjunct faculty members.
  - 4. Recall of an At-Large Senator for non-performance may be accomplished by a 2/3 vote of the Academic Senate alone.
  - 5. All other members of the Academic Senate cannot be removed for non- performance. Removal of those members may be realized by the loss of their title and positions.

## ARTICLE V – CURRICULUM COMMITTEE

Section 1 –Curriculum is the heart of the educational mission of the college; as such, the Curriculum Committee shall be considered the Academic Senate's primary sub-committee.

Section 2 – The Faculty Curriculum Committee chair will be appointed by the President and subject to confirmation by a majority of the Senate.

Section 3 – The Faculty Chair of the Curriculum Committee shall serve a two year term, subject to reconfirmation by a majority vote of the Academic Senate every two years during the spring semester of even years.

Section 4 - The Chief Instructional Officer, or designee from the Office of Instruction may serve as Administrative Co-Chair of the Curriculum Committee.

Every two years during the Spring Semester the Chief Instructional Officer will confer with the Senate as to the status and performance of the Administrative Co- Chair.

Section 5 4 - The voting and nonvoting faculty members of the Curriculum Committee shall be defined in the Bylaws of the Academic Senate:

## ARTICLE VI – COMMITTEES

Section 1 – The President shall be empowered to form any Standing or *ad hoc* committees of the Senate.

A. Any subcommittee of the Academic Senate may be dissolved upon the approval of a 2/3 vote of a quorum of the Academic Senate.

Section 2 – The President shall be empowered to appoint faculty members to all Senate, and/or District committees, except when those faculty members are to be appointed by the COCFA President.

A. The President of the Academic Senate may remove any faculty committee member for cause, including non-performance of their assigned duties.

B. Removal of a committee Chair must be ratified by a 2/3 vote of a quorum of the Academic Senate.

Section 3 – The operating procedures and, or, bylaws of all standing sub-committees of the Academic Senate, shall be approved by a majority of the Academic Senate.

Section 4 – The President will inform and update the Senate, each semester, of any Senate committees that are formed, as well as the appointment of any faculty members to Senate, District and/or College Committees. Those committees and appointments are valid unless a majority of the Senators present rejects the formation of the committees or the appointments that have been made.

## ARTICLE VII – MEETINGS

Section 1 – The Academic Senate shall adopt and distribute a schedule of meetings for each academic term. The President or a majority of the Senators may call special meetings. All meetings shall be open to any interested persons and shall meet the provisions of the Open Meeting Act for the State of California (also known as the Ralph M. Brown Act).

Section 2 – The President and the Vice President shall submit an annual budget request on behalf of the Academic Senate.

Section 3 – Any Senator unable to attend a meeting may select an alternate upon notification to the President in writing in advance of the meeting.

- A. In the absence of the President, the Vice President shall preside.
- B. In the absence of both the President and the Vice President, the President shall designate an alternate from the voting members of the Senate to act as Presiding Officer for that meeting.
- C. A School/Division Senator who anticipates their nonattendance at a Senate meeting, may select an alternate from their respective School/Division.
- D. Alternate Senators serving in place of voting members of the Senate will maintain voting privileges.
- E. Each senator is limited to one proxy vote.

Section 4 – The Academic Senate may audio record its meetings for the purpose of maintaining accurate minutes and transcripts of Senate business. A Standing Rule or Procedure shall be established to govern the practice of audio recordings.

## ARTICLE VIII – QUORUM

Section 1 - The minimum number of Senators, which must be present at a meeting in order to transact business legally, shall be 50% of the elected Senators or their representative.

- A. The presence of the immediate Past-President is not required for a quorum.
- B. A vote by proxy shall not be considered in meeting quorum requirements if the trustee of the proxy is already a voting member of the Academic Senate.

## ARTICLE IX – SUPPLEMENTAL POWERS

The Academic Senate may establish Bylaws, Standing Rules, Standing Procedures, and any other authority it deems necessary to put into effect the provisions of this Constitution or any other legally vested rights so much as they do not conflict with, nor are interpreted to supersede any provision of this Constitution.

## ARTICLE X – RESOLUTIONS

The Academic Senate may adopt resolutions and accordingly shall develop procedures for their implementation.

## ARTICLE XI – AMENDMENTS

Section 1 - This Constitution may be amended by a two-thirds vote of a quorum of the Senate and ratified by a majority of voting tenured/tenure track faculty.

## ARTICLE XII – ENACTMENT CLAUSE

Section 1 – This Constitution shall be effective upon approval by a voting -majority of the College of the Canyons full time Faculty.

Section 2 – Amendments to the Constitution shall be effective upon confirmation of election results by the Academic Senate.

Section 3 – Unless otherwise specified, all actions previously taken by the Academic Affairs Committee of the College of the Canyons Faculty Association shall constitute the policies and practices of the Academic Senate.

*Fall, 1988*

*Revised, Fall 2000*

*Proposal submitted, Fall 2004*

*Amended Proposal, Approved by the Senate - March 10, 2011 Ratified by Faculty, May 12, 2011*



*Amended Proposal, Approved by the Senate May 8, 2014 Ratified by the Faculty, May 22, 2014*

*Amendments submitted, Spring 2018*

*Amendments, Approved by the Senate April 26, 2018*

*Ratified by the Faculty, May 24, 2018*

*Amendments submitted, March 23, 2020*

*Amendments, Approved by the Senate May 7, 2020*

*Ratified by the Faculty, May 20, 2020*