

CONSTITUTION OF THE FACULTY ASSOCIATION ESTRELLA MOUNTAIN COMMUNITY COLLEGE

PREAMBLE

We hold that the governing of Estrella Mountain Community College is the joint responsibility of the Governing Board, the Administration, the Professional Staff Association, and the Faculty of the College. In order to assure the full participation of the Faculty in the determination of educational policy, the adoption of this constitution establishing a Faculty Senate at Estrella Mountain Community College is hereby ordained.

PURPOSES

The primary functions of the Faculty Association or its appointees shall be to serve as the exclusive negotiating representative of the Faculty to the Estrella Mountain Community College Administration, the District Administration, and the Governing Board on academic and professional matters, to select representatives to serve on Administrative councils and on Coordinating Committees of the faculties of the colleges of the district, and to participate in the formation and implementation of policies affecting education and professional working conditions and/or relationships for Estrella Mountain Community College and the Maricopa Community College District.

ARTICLE I DEFINITIONS

Section 1. "Faculty" as used in this Constitution means residential certificated members engaged primarily in teaching, service and/or research.

Section 2. Faculty Association as used in this Constitution means Faculty members who have paid assessed dues by November 15 of each year.

Section 3. Faculty Senate as used in this Constitution hereinafter referred to as "Senate," means members of the Faculty Association.

ARTICLE II ELIGIBILITY TO VOTE

Section 1. All Faculty Association members shall be eligible to vote in the election of Senators.

ARTICLE III COMPOSITION

Section 1. Until such time as the Faculty Association deems otherwise, the Senate shall consist of all members of the Faculty Association.

Section 2. Retired faculty members who are 49% time shall have Faculty Senate representation. The Faculty Senate President will appoint an individual for a one-year term. The retired faculty shall be a pro-rated paid member of the Faculty Association. This member will not have voting privileges but may serve on committees as deemed appropriate by the President.

ARTICLE IV OFFICERS

Section 1. The officers of the Senate shall include, but shall not be restricted to, a President, a President-Elect, and a Secretary-Treasurer. These shall be elected from among the members by a simple majority vote, except for the President which position shall be filled by the person holding the Elect positions the preceding year. At an April meeting, the Senate shall elect officers for the following academic year and the Senate representatives to the District Faculty Association. An officer shall be elected for a one-year term beginning at the first meeting in May. Provisions shall be made for absentee voting.

Section 2. President: The President shall preside at all meetings of the Senate and all meetings of the Estrella Mountain Community College Faculty Association Executive Committee. He/she shall appoint members to serve on all Special Committees subject to the approval of a majority of the Senate. He/she shall be a member, ex-officio, of all committees except the Nominating Committee. He/she shall be a representative to the District Faculty Association Executive Council. He/she shall have the right to call special meetings of the Estrella Mountain Community College Faculty Association Executive Committee and of the Senate. He/she shall be the official representative for the Senate and shall meet regularly with the President of the College. The President may call a general Faculty meeting at his/her discretion, or as asked by a majority of the Senate.

Section 3. President Elect: The President-Elect shall perform such duties as may be assigned by the President, be a representative to the District Faculty Association Executive Council and serve on the Estrella Mountain Community College Executive Committee of the Senate. In addition, he/she shall preside in the absence of the President.

Section 4. Secretary-Treasurer: The Secretary-Treasurer shall keep the minutes of the meetings of the Senate. The Secretary-Treasurer shall record and maintain a record of minutes of all official Senate meetings which shall include all motions and the disposition of each. He/she shall be responsible for the correspondence files and be in charge of communications between the Senate and any other person or organizations. The Secretary-Treasurer shall be responsible for the keeping of all financial and membership records, collecting of assessments, approving of payments from the Faculty Association accounts and making of periodic financial reports. The Secretary-Treasurer and the President shall be the only persons authorized to disburse funds from the Faculty Association account. Such disbursements must be approved in writing by the Secretary-Treasurer.

Section 5. Secretary-Treasurer Elect: The Secretary-Treasurer Elect and the President shall be the only persons authorized to disburse funds from the Faculty Association account. Such disbursement must be approved in writing by the Secretary-Treasurer.

ARTICLE V EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be composed of the officers of the Senate. It shall act as a Steering Committee for the Senate by preparing the priority agenda for Senate meetings and recommending actions to the Senate.

ARTICLE VI DELEGATES

Section 1. The Senate shall select, from its number, representatives to Administrative Councils as they now exist or may be established.

Section 2. Membership in the District Coordinating Committees shall be determined by the Senate President with confirmation by the Senate.

Section 3. Representation to the District Faculty Association shall be determined in the following way: A simple majority of the representatives shall be selected by the Senate from its number. The remaining members shall be elected by May 15 by the Faculty Association from its membership by plurality vote excluding those who are Senators.

ARTICLE VII MEETINGS

Section 1. The Senate shall meet at the call of the President, or by request of the Executive Committee or as established by Senate resolution.

Section 2. Senate meetings shall be open to Faculty members only. However, the President or Senate members may invite non-Faculty members for official business.

Section 3. Faculty members may participate as non-voting members upon request of a sponsoring Senator or by written request the President, which shall include the reason for such request, at least three (3) days prior to the meeting of attendance.

Section 4. Any member of the Senate or any non-member, by securing a senator to sponsor it, may place an item on the agenda of the Senate by signed written notice to the President of the Senate. The President shall provide the Faculty with an agenda prior to all meetings.

ARTICLE VIII QUORUM

Section 1. A ~~two-thirds~~ majority **consisting of one person more than one half** of the elected Senate members shall be considered a quorum.

ARTICLE IX VOTING RECORDS

Section 1. A voting record of each Senator shall be kept by the secretary upon request by a Senator with the exception of election of Senate Officers which shall be by secret ballot.

ARTICLE X PROCEDURES

Section 1. In all matters of internal functioning not otherwise covered by the Constitution, the Senate shall be governed by Robert's Rules of Order, Revised.

ARTICLE XI EXECUTIVE SESSIONS

Section 1. By unanimous vote of the Senators, the Senate may resolve itself into an executive session where only Senators may be present.

Section 2. In executive session no record shall be kept of debate, except that which is ordered by the Senate, and no Senator shall reveal the nature of executive proceedings to any person without the permission of the Senate.

Section 3. No recommendations either to the administration of the MCCCDD Governing Board Members shall be enacted during the executive sessions except personnel matters.

ARTICLE XII COMMITTEES

Section 1. There shall be no Standing Committees of the Senate other than the Executive Committee.

Section 2. Special Committees may be established by majority approval of the Senate.

Section 3. Special Committees shall exist for no more than one year unless reaffirmed by vote of each succeeding Senate.

Section 4. The size, purpose, and membership of Special Committees shall be determined or modified by the Senate.

Section 5. The chairman and members of each Special Committee shall be appointed by the President of the Senate subject to the approval of the Senate membership.

Section 6. Vacancies on Special Committees shall be filled by the President of the Senate subject to the approval of the Senate.

Section 7. Special Committees shall report and be responsible to the Senate.

ARTICLE XIII JOINT COMMITTEES

Section 1. None of the above provisions shall restrict or limit the power of the Senate to propose or participate in Joint Committees involving the Governing Board, the District Administration, Estrella Mountain Community College Administration, other colleges in the District, or the students of Estrella Mountain Community College. The nature and extent of Senate participation shall occur as needed or as the opportunity arises.

Section 2. Special Committees may be designated by the Senate to represent the Senate in Joint Committee activities.

Section 3. Regular reports of the progress of Joint Committees shall be made to the Senate.

Section 4. Recommendations of a Joint Committee shall be referred to the Senate for approval; otherwise, such recommendations shall not imply the concurrence of, or be binding upon the Senate.

ARTICLE XIV PRIVILEGES AND RESPONSIBILITIES

Section 1. The Senate shall of its own determination concern itself with any academic and professional matter which it deems important to the welfare of the college, and/or student body.

Section 2. The Senate on behalf of the Faculty shall actively participate, directly or through its representatives, in the negotiation of non-salary benefits, sabbaticals, general conditions of employment, and Faculty evaluations.

Section 3. The Senate shall not be required to accept, represent, sponsor, or defend any action or grievance, or negotiate on behalf of any member of the faculty who is not a member of the Faculty Association as specified in Article 1.

ARTICLE XV REFERENDUM

Section 1. The Senate may request the administrative head of the college to call a Faculty meeting for consideration of matters of Faculty interest.

Section 2. The Senate may request the advice of the Faculty through written ballots or other communication.

Section 3. On petition of 10 percent of the Faculty Association members, or on demand of one-third of the Senators, any matter must be referred to the Faculty for a secret ballot.

ARTICLE XVI RECOMMENDATIONS

Section 1. Recommendations of the Senate shall be forwarded through the established administrative channels.

ARTICLE XVII FINANCES

Section 1. Faculty members will be asked to pay an annual assessment in an amount established by the Senate for the support of the Senate and the District Faculty Association.

ARTICLE XVIII AMENDMENTS

This constitution may be amended through the following procedure:

Section 1. A proposal shall require a two-thirds vote of those Senators present at any general or special Senate meeting called for that purpose, provided that the proposed amendment shall have been presented in writing to each member of the Senate at least one (1) week preceding the voting.

Section 2. An approved proposal shall be submitted to the members of the Faculty Association by written ballot and receive approval of a majority of the membership voting.

ARTICLE XIX RATIFICATION

Section 1. This constitution shall become effective by a majority vote of the Faculty by secret ballot in meeting or by written ballot submitted to the Faculty.