

## Academic Senate Constitution

### Preamble

#### Excerpted from the Statement on Shared Governance and Consultation

#### at California State University, Chico

*Approved May 11, 2017*

*Consultation is the key component of effective shared governance. Consultation between the faculty, staff, students, and the administration within this context is defined as a mutual exchange of information, ideas, opinions, and recommendations from initial formulation to final determination of policy and procedures affecting the academic institution. Consultation shall take place in a timely manner with an understanding that we are rooted in good faith, which sustains our integrity of process. On rare occasions when the administration is unable to seek consultation, reasons for doing so should be communicated in detail.*

*Effective, meaningful consultation must be committed to and characterized by openness and transparency, civility and respectful dialogue, mutual responsibility, evidence-based problem-solving, and a commitment to being informed about and prepared to discuss relevant issues. Above all else, a mutual commitment to and respect for the process must be observed if consultation in the context of shared governance is to be successful.*

### Article I

#### Name

The name of this organization shall be the Academic Senate of California State University, Chico.

### Article II

#### Duties and Responsibilities

##### Section 1:

The Academic Senate shall have the duties and responsibilities delegated to it by the faculty pursuant to California Higher Education Employee-Employer Relations Act, [Section 3561](#) and Article IX of the Constitution of the Faculty of California State University, Chico.

##### Section 2:

The duties of the Academic Senate as delegated to it by the faculty shall be:

1. To formulate, recommend, review, and revise all academic, personnel, and professional policies, including fiscal policies related thereto, broadly and liberally defined. In cases where the Faculty Personnel Policies and Procedures (FPPP) is considered, only faculty members can vote because

the FPPP is the local interpretation and implementation of the governing collective bargaining agreement of the California Faculty Association.

2. To assure, through well-established and well-defined channels of communication, the maximum cooperation among all members of the university, in order that policy and administrative implementation shall be consonant.
3. To present, through proper channels to the Trustees of the California State University and/or the Statewide Academic Senate of the California State University, any appropriate recommendations relating to, but not limited to, those policy matters enumerated in Article II, Section I of the Constitution of the Faculty of California State University, Chico. Such recommendations may ask for amendment to or the elimination of any law, code section, regulation, or policy when the faculty deems it to be in the general welfare of this, of any, or of all the campuses of the California State University.

### **Article III**

#### **Membership**

##### **Section 1: *Ex Officio* Members**

1. The President of the University, nonvoting.
2. The Vice Presidents of the University, nonvoting.
3. President of the Associated Students and the Associated Students Director of University Affairs or their designees, voting.
4. Two additional students selected by procedures determined by the Student Academic Senate of California State University, Chico, voting.
5. The immediate past chair of the Academic Senate, if they are not otherwise a member, shall be an *ex officio* member for one year, voting.
6. Staff Council Chair, or their designee, voting.
7. Executive Chair of Chair's Council, voting.
8. Three additional staff members (excluding Management Personnel Plan designations) selected by procedures determined by Staff Council, voting.

##### **Section 2: At-large Members**

Eight members shall be elected at large, from and by the faculty. Each Statewide Academic Senator will occupy one at-large position which will be elected to three-year terms; the remaining at-large positions will be elected to three-year staggered terms.

### **Section 3: College Members**

1. Twenty-three Academic Senate faculty member seats shall be apportioned to the colleges, including the Meriam Library, in the following manner:
  - a. The academic year faculty electorate head count and the number of full-time equivalent faculty for the academic year are determined from data collected after the spring census date in any given spring semester. Divide 23 by the total number of the faculty electorate. For each college, including the library, multiply this result by the full-time equivalent faculty positions. Each college and faculty unit shall be entitled to the number of members equal to the whole number part of this product. One additional member is allocated to the college(s) with the largest fractional part of this same product up to a total of 23 members with the exception that all college(s), and Meriam library, shall have at least one elected member.
  - b. For the purposes of apportionment and representation, Counseling Faculty may serve as Behavioral and Social Science Senators and Coaching Faculty may serve as Communication and Education Senators.
  - c. In the event of a tie for the last membership(s), the member(s) shall be elected jointly by the college(s) involved in the tie.
2. Regular elections of College Members shall be held at such time during the months of February or March, as the Academic Senate Executive Committee shall set.

### **Section 4: Emeritus Members**

One emeritus faculty member appointed by the Academic Senate Executive Committee upon nomination by the faculty emeritus group. *Note: The California State University Chico Emeritus and Retired Faculty and Staff Association (ERFSA) is currently this group.*

### **Section 5: Constituency**

A member's constituency shall be defined as the electorate of the member.

## **Article IV**

### **Officers of the Academic Senate**

#### **Section 1:**

The officers of the Academic Senate shall be the faculty members of the Academic Senate Executive Committee. The Chair, Vice-chair, and Secretary of the Academic Senate, and the standing committee chairs shall be elected by the Academic Senate for a term of one year. The Statewide Senators serve on Executive Committee for the duration of their Statewide 3-year term. Both continuing and newly elected

faculty members of the Academic Senate may serve as officers. Such elections shall be conducted at the first meeting of the Academic Senate in April in any given academic year.

The newly elected Officers of the Academic Senate will take office the day following the last official academic work day at the end of the spring semester.

The description of the duties of each officer shall be accessible on the Academic Senate website.

## **Article V**

### **Executive Committee of the Academic Senate**

#### **Section 1: Membership of the Academic Senate Executive Committee**

The Academic Senate Executive Committee shall consist of the following members:

The President of the University, voting; the Vice Presidents of the University, voting; the Chair, Vice Chair, and Secretary of the Academic Senate; the standing committee Chairs; the Statewide Academic Senators; and the Immediate Past Chair of the Academic Senate. The Immediate Past Chair shall serve on the Academic Senate Executive Committee for no more than one year subsequent to being Chair of the Academic Senate, and if a vacancy in this position occurs, no replacement shall be made.

#### **Section 2: The Chair of the Academic Senate Executive Committee**

The Chair of the Academic Senate shall be Chair of the Academic Senate Executive Committee.

#### **Section 3: Powers and Duties of the Academic Senate Executive Committee**

The Academic Senate Executive Committee shall have such powers and duties as may be delegated to it by the Academic Senate.

#### **Section 4: Meetings of the Academic Senate Executive Committee**

The Chair of the Academic Senate or the President of the University may call meetings of the Executive Committee of the Academic Senate.

#### **Section 5: Quorum of the Academic Senate Executive Committee**

A quorum of the Academic Senate Executive Committee shall be a majority of its membership.

## **Article VI**

### **Committees of the Academic Senate**

The Academic Senate is comprised of standing committees, permanent committees of the university, and ad hoc committees. Guidelines originating from these committees are subject to review by the Executive Committee and/or the Academic Senate.

## Section 1: Standing Committees

### Definition

1. There are two standing committees of the Academic Senate: the Educational Policies and Programs Committee and the Faculty and Student Policies Committee. Standing committees are defined as the principal sub-groups of the Academic Senate to which shared governance is delegated.

### Recommendations

1. Recommendations by the standing committees shall be submitted to the Academic Senate and then (upon approval and/or amendment) to the President of the University.

### Hierarchy

1. Each standing committee shall be responsible for the conduct of permanent committees of the university, and ad hoc committees assigned to it or established by it, as articulated in subsequent sections of this constitution.

### Membership

1. The chair of each standing committee shall be elected by the Academic Senate.
2. Each voting member of the Academic Senate will be appointed to one of the standing committees. Academic Senate officers, with the approval of the Executive Committee, shall appoint faculty members to the standing committees. Staff and student senators should be distributed equally between the two standing committees.
3. In addition to academic senators, each standing committee may additionally include the following voting members:
  - a. three faculty non-senators,
  - b. one student non-senator selected by the Student Academic Senate,
  - c. two staff members selected by Staff Council,
  - d. one College Dean appointed by the Provost,
  - e. the Provost or designee,
4. Additional Membership, non-voting:
  - a. The Vice President for Student Affairs or designee.
  - b. the Educational Policies and Programs Committee shall also include representatives from the Office of Advising, Graduate Council, and Curriculum Services.

- c. the Faculty and Student Policies Committee shall also include the Vice President for Business and Finance (or designee) and the head of Student Conduct, Rights, and Responsibilities (or designee).
  - d. Standing committees may recommend additional non-voting members subject to approval by the Executive Committee of the Academic Senate.
5. A quorum for a standing committee shall be a majority of the voting members of the committee.

## **Section 2:**

### Permanent Committees of the University

#### Definition

1. To facilitate “joint decision-making and consultation”, as guaranteed to academic senates in HEERA 3561(b), the Academic Senate of California State University, Chico is obligated to oversee Permanent Committees of the University. Permanent committees of the university are committees, boards, councils, etc., typically recognized by Executive Memorandum that carry out a broad range of responsibilities in service to the university. These responsibilities are based on recurring issues and actions that are regular and emergent aspects of the official life of the university. Members of committees of the university may include faculty, staff, student, and MPP representatives.

#### Authorization

1. Rationale, charge, membership, terms of office, manner by which the committee's chair is elected/selected, etc., shall be specified and approved by the Academic Senate. Formal authorization for permanent committees shall be by subsequent Executive Memorandum.

#### Hierarchy

1. All permanent committees, upon their creation/authorization, shall be assigned (for oversight purposes) to either the Executive Committee or one of the standing committees (hereafter called supervisory committee). Each supervisory committee shall be responsible for articulating the policies within which the permanent committee operates and is directly responsible for the conduct of the committee and its chair. All members of a permanent committee may be recalled by their electing or appointing body for failure to perform the duties assigned on the committee.

## **Section 3:**

### Ad Hoc Committees

1. Definition

- a. Ad hoc committees (or task forces) are groups defined as being responsible for single issues or single tasks. Typically, such committees are created/authorized in spontaneous response to particular circumstances or problems, where action by other pre-existing committees seems irrelevant, inappropriate, or inefficient. An ad hoc committee shall be temporary and will immediately disband upon satisfactory execution of its charge; the term of an ad hoc committee shall not normally exceed 12 months.
2. Authorization
    - a. Ad hoc committees may be created by the Executive Committee or by the standing committees, in consultation with the Executive Committee of the Academic Senate. The supervisory committee shall be responsible for articulating the ad hoc committee's rationale, charge, membership, election/selection of chair, and supervising the committee's conduct.

## **Article VII**

### **Initiation, Consultation, and Advisement**

The Academic Senate and the President of the University may each, at their discretion, seek advice and consultation or initiate proposals for the consideration of the other.

## **Article VIII**

### **Eligibility, Terms of Office, Elections, Replacement, Impeachment, and Recall**

#### **Section 1: Eligibility**

1. Any member of the faculty with an academic year appointment at the time of the election, or any member of the faculty participating in an early retirement or pre-retirement reduction in workload who will be active both semesters of the academic year, is eligible for election to the Academic Senate. Only full-time members of the faculty, including lecturers with appointments that cumulatively equal full time, and any member of the faculty participating in early retirement or pre-retirement reduction in workload who will be active both semesters of the year, are eligible for the Statewide Academic Senate positions.

#### **Section 2: Terms of Office**

1. A term of office shall be for three years with the term starting the day after the last academic work day in the spring, with the exception of elections for the following year's officers, as specified in Article IV, Section 1, above.
2. In the case of constituencies with more than one representative, terms shall be staggered so as to distribute elections as evenly as possible within three-year periods.

#### **Section 3: Elections**

1. All elections to the Academic Senate of members-at-large shall be conducted by the Academic Senate.
2. Colleges shall conduct their own elections.
3. In the elections of members of the Academic Senate in Colleges, faculty members who are identified with more than one voting unit shall vote in only one unit. The Bylaws shall contain further stipulations concerning identification of voting members with units represented in the Academic Senate (see Bylaws Article VII, Sections 7 and 11).
4. The twenty-three additional members shall be distributed among the Colleges (including the Meriam Library for this purpose) in a manner to be described in Article III.3.A.

**Section 4: Replacement**

1. Any elected member of the Academic Senate who is recalled or who resigns from the Academic Senate or is no longer an employee of the university shall be replaced by their electorate; their replacement shall serve the remainder of the unexpired term.
2. If a member of the Academic Senate shall be absent for more than one semester, except in the event of a university approved year-long sabbatical or similar university approved leave, they shall be replaced by their electorate for the duration of their term.

**Section 5: Impeachment of Officers**

1. An officer of the Academic Senate may be impeached by a unanimous vote of the other members of the Executive Committee. An impeachment may also be initiated by petition signed by one-third of the members of the Academic Senate and delivered to the Executive Committee of the Academic Senate. The Executive Committee will provide written justification of the impeachment to the officer. The officer under impeachment may provide a rebuttal to the impeachment in writing within 10 calendar days of notification of the impeachment. Within 5 calendar days of receipt of the rebuttal, the Executive Committee will consider the officer's response, and make a final review and recommendation regarding impeachment to Academic Senate. A vote to remove the officer will follow in Academic Senate within 5 calendar days. Removal shall follow upon two-thirds vote of the members of the Academic Senate present and voting.

**Section 6: Recall of Members**

1. Recall of a member of the Academic Senate may be initiated by a petition signed by one-third of the members of their electorate. Recall shall follow upon a two-thirds vote of such electorate.
2. Recall may also be initiated when an Academic Senator is determined absent for more than fifty percent of the scheduled meetings of the Academic Senate for an entire academic year or due to use of proxies in excess of limits set in Article IX, Section 1.



3. Recall may also be initiated when an Academic Senator is determined absent for more than fifty percent of the scheduled meetings of their assigned standing committee of the Academic Senate for an entire academic year or due to use of proxies in excess of limits set in Article IX, Section 1. For recall due to absenteeism or excessive proxy use, the appropriate committee Chair will determine absences or proxy use data to initiate the recall process. Designated proxies during an academic leave will be recorded as "attended."
4. Recall also may be initiated by the Chair of the Academic Senate at the recommendation of the Academic Senate Executive Committee. In such case, the Academic Senate Chair shall request that the College Dean hold a college faculty meeting to initiate the recall vote. In the case of a Senator-at-Large or a Statewide Senator, recall will be initiated directly to the faculty at large.

## **Article IX**

### **Meetings of the Academic Senate and Standing Committees**

#### **Section 1: Meetings of the Academic Senate and Standing Committees**

1. Meetings of the Academic Senate and Standing Committees
  - a. The Chair of the Academic Senate shall call meetings of the Academic Senate at least four times each semester.
  - b. Regular meetings of the Academic Senate will be specified in the Bylaws.
  - c. Meetings of the Academic Senate may be requested by a petition of not less than ten percent of its voting membership. Upon receipt of such a request, the Chair shall call a meeting of the Academic Senate to take place within five instructional days.
  - d. Meetings of the Academic Senate may be requested by any two members of the Executive Committee; upon receipt of such a request, the Chair shall call a meeting of the Academic Senate to take place within five instructional days.
  - e. All meetings called by any of the mechanisms in this Section are defined as "regular meetings."
2. Quorum and Proxies
  - a. Quorum:
    - i. A quorum shall consist of two-thirds of the voting members of the Academic Senate present in person or by proxy.
  - b. Proxies:
    - i. A regular voting member of the Academic Senate may appoint any member of the voting Senate as their proxy.
      1. A Senate member's proxy should be primarily determined and identified by the member's faculty, student, staff, or administration appointment

type to the Academic Senate and/or their standing committee assignment. A proxy may further be identified as a voting member with aligned interests from a college, division, or service.

2. Therefore, a proxy should represent the same membership category as the Academic Senate member utilizing a proxy, e.g. faculty should appoint a faculty proxy, a staff should appoint a staff proxy, a student should appoint a student proxy.
  3. Further, a proxy can only be assigned to another member the same committee assignment.
  4. For FPPP voting, only faculty can hold the proxy of another faculty member.
  5. See Article III, Sections 1-4 for the membership groupings of the Academic Senate.
    - ii. A written proxy shall be delivered to the Secretary for the Academic Senate via e-mail or in writing prior to the Academic Senate meeting, if possible.
    - iii. A proxy may be granted for a period not exceeding one academic semester or cumulatively for more than 50% of scheduled Academic Senate or standing committee meetings throughout the academic year.
    - iv. The relevant electorate may formulate rules regarding the selection of the proxy.
    - v. No individual may carry more than one proxy.
3. Voting
- a. Any matter before the Academic Senate may be enacted by a simple majority vote of those present and voting, provided the matter under consideration was introduced at any preceding meeting during the current academic year. Exceptions are made as provided for by the Parliamentary Authority specified in Academic Senate Bylaws. In cases where Faculty Personnel Policies and Procedures (FPPP) Documents are considered, only faculty representatives of the Academic Senate can vote.

## **Section 2: Academic Senate during academic recesses**

1. Delegation of Duties: The Academic Senate delegates its duties and responsibilities during academic recesses to the Executive Committee of the Academic Senate as constituted in the Constitution of the Academic Senate Article V, Section 1. Academic recesses are defined as non-academic work days by the California State University, Chico Faculty and Staff Calendar.
2. Normally, during academic recesses, the Executive Committee will act only on time urgent issues. At its discretion, the Executive Committee may call an irregular meeting of all members of the Academic Senate during academic recesses. A quorum of the full Academic Senate will then apply to irregular meetings. If a quorum is not obtained, duties and responsibilities will revert to the Executive Committee.

3. Actions of the Executive Committee conducted during academic recesses will be brought to the full Academic Senate for ratification at the first regular meeting of the next semester.

## **Article X**

### **Amendments**

#### **Section 1: Amendments**

1. Amendments to this constitution may be approved at introduction by:
  - a. A two-thirds vote of the Academic Senate; or
  - b. A petition signed by at least twenty percent of the faculty.

#### **Section 2: Approval of Amendments**

1. Proposals for amendments must be available to the electorate at least ten instructional days before they are voted upon as an action item.
2. Amendments to the constitution proposed pursuant to Article X, Section 1, shall require approval by two-thirds of the members, voting and non-voting, of the Academic Senate.