

# THE CONSTITUTION OF THE FACULTY SENATE

## PREAMBLE

We, the faculty of Metropolitan Community College, do ordain and establish the Faculty Senate to foster the academic integrity of the college. We are committed to the principle of shared governance between faculty and administration for the welfare of MCC. We assert that the faculty have the primary responsibility for such fundamental areas as curriculum, subject matter, methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process. We also assert that the faculty must participate in making other significant decisions affecting the future of the College. Committed to this principle of shared governance, the Faculty Senate hopes to foster mutual respect and confidence in order to fulfill the mission of MCC and the functions of a comprehensive community college district.

The MCC Faculty Senate is the exclusive representative for the purposes of collective bargaining over the terms of salary, benefits, and working conditions for all of the MCC full-time faculty. The MCC full-time faculty is an affiliate of MNEA/NEA as established by a vote of the entire full-time faculty on November 25, 2014. The Faculty Senate authorizes MCC-NEA to negotiate on its behalf.

## ARTICLE I: FACULTY ASSOCIATIONS

**Section 1:** The purpose and function of the Faculty Associations is to foster a working relationship with the community, the college administration, and the students in matters of curriculum development, subject matter, methods of instruction, research, and faculty status.

**Section 2:** Each MCC campus shall have a Faculty Association that shall consist of all teaching and non-teaching faculty hired on a full-time basis. Faculty who are not assigned to a specific campus may select a Faculty Association to join. Membership may be established by emailing a statement to the Chair of the Election Committee and the Senate President. Membership is binding for a year.

**Section 3:** Each Faculty Association shall elect as President a Faculty Association member. The Senate President, President-elect, and Vice-President are not eligible for the office of Faculty Association President. If this person is not a Senator as of the following year, he or she becomes one upon election as President, assuming a one-year senatorial term. If this person holds a senate seat that does not expire at the end of the academic year in which he or she has been elected Faculty Association President, a faculty member will be chosen during regular senate elections to fill that senate seat for one year, after which the original holder of that seat will fill the unexpired term. It shall be the Faculty Association President's responsibility to insure the activities of the Faculty Association are consistent with that of the Academic Senate.

**Section 4:** If the number of faculty assigned to an additional site attached to a campus becomes greater than ten percent of the faculty of that particular campus, then at least one senator from that campus should be chosen from the faculty of the additional site.

## ARTICLE II: PURPOSES AND FUNCTIONS OF THE SENATE

**Section 1:** The purpose of the Faculty Senate shall be to advance the welfare and efficacy of the District and all campuses and additional sites within the District. To assist this end, the Senate shall serve as a regular channel of

communication between the faculty and administration, and through the office of Chancellor between the faculty and the Board of Trustees.

**Section 2:** The Senate shall also act on matters delegated to the faculty by the Board of Trustees or the Chancellor. Furthermore, the Senate shall advise the Board of Trustees and the Chancellor on matters of general concern to the faculty or the institution. Such advice shall be given when these officials request it, but it may also be offered on the initiative of the Senate or of the faculty, as long as the Senate concurs with the advice. Finally, the Senate shall seek to assure that representatives of the faculty participate in the formulation, revision, and supervision of district policy, regulations, and procedures.

**Section 3:** As the official representative body of the faculty, the Senate must be responsible to the will of the whole faculty and attentive to the views of each segment, whether those views are expressed by the senators or through the process of petition.

### **ARTICLE III: SENATE SIZE, MEMBERSHIP AND OFFICERS**

**Section 1:** The District Academic Senate shall consist of twenty-two representatives, the Faculty Association Presidents, and four officers. Any member of a faculty association is eligible to be a Senate representative.

**Section 2:** The Senate representatives shall be apportioned among the campuses as nearly as mathematically possible proportionate to the distribution of faculty at each campus as of December 1 preceding the date of election of such senators, provided that no campus shall have more than a majority representation in the Senate.

**Section 3:** To insure continuity, approximately one-third of the senate representatives shall be elected each year. Newly elected senate representatives shall take office June 1 of the year in which elected and shall serve a term of three years, except in special cases where modification is ordered by a two-thirds majority of the Senate to re-establish the balance whereby one-third of the senate representatives are elected each year.

**Section 4:** The four officers of the Senate shall be the Past President, President, President-elect, and Vice-President, and each shall hold an at-large senate seat. An officer must be a non-probationary faculty member or a special services faculty member with at least five years of consecutive service. Together, the officers and the Faculty Association Presidents shall comprise the Executive Committee of the Senate.

**Section 5:** The Vice-President shall be elected from among the senators of the campus of the incumbent Past President. If none of the eligible senators of that campus seeks to be a candidate for the office of Vice-President, then a member of the faculty who has previously been a senator from that campus may be eligible to seek the office of Vice-President. If no eligible senators or any faculty with previous Senate experience accepts the nomination for the office of Vice-President, then the Vice-President shall be elected from the campus that has the incumbent President. The campus that fails to elect the Vice-President will wait until the other campuses have elected the Vice-President before it again has the opportunity. The newly elected Vice-President shall assume a four-year at-large term beginning on June 1 of the year in which he or she has been elected. In successive years, the Vice-President shall fill consecutively the offices of President-elect, President, and Past-President.

#### **ARTICLE IV: ELECTION PROCEDURES**

The Executive Committee shall appoint annually an Elections Committee which shall include a senator from each campus. The Elections Committee shall review Senate apportionment and present a written report to the Senate at the first regular meeting of the calendar year.

#### **ARTICLE V: MEETINGS OF THE SENATE**

The Senate shall hold a minimum of nine regular scheduled meetings each academic year. In order to open a Senate meeting, a quorum must be present. A quorum shall consist of a majority of the members.

#### **ARTICLE VI: REFERENDUM**

If there is sufficient dissatisfaction with any decision of the Senate, the faculty shall have the power to reverse the decision. Dissatisfied faculty members may require a referendum by presenting to the Senate President a petition protesting a particular action of the Senate. To be valid, the petition must contain the signatures of at least ten percent of the faculty of the District and must be in the hands of the President within two months of the time the disputed decision was made. When a valid petition has been received, the President shall inform the Election Committee Chair, who will hold a vote using the official voting tool of the Senate. The vote will be verified by the Election Committee Co-Chairs; if there is only one chair of the Election Committee, Senate President will serve as the second verifier. If at least fifty percent of the district faculty vote, and a majority of those voting vote to reverse the decision, the disputed action shall be void.

#### **ARTICLE VII: COMMITTEES**

**Section 1:** The Committee on Organization, whose membership is the same as the Executive Committee, chaired by the Vice-President, shall determine the size and composition of all standing committees, and shall recommend to the Senate such changes in the standing or ad hoc committees that it deems appropriate.

**Section 2:** A senator shall chair all senate committees. The chair of each standing senate committee shall have the right to remove a committee member if that member has missed a total of three committee meetings within an academic year, unless the full committee rules otherwise by majority vote.

**Section 3:** The standing committees of the Senate are Academic Affairs, Career and Technical Education, Curriculum, Division Chairs Council, Elections, Instructional Technology, Policies and Procedures, Professional Development, and Salary. All Senate committee chairs must be members of Senate. The Salary committee chair must be a member of MCC-NEA and will chair the Salary negotiations team. Under unusual circumstances, an Interim Chair of a standing committee may be elected for the term of up to one academic year if approved by a simple majority vote as long as a senator on the committee reports monthly to the Senate.

#### **ARTICLE VIII: EXCESSIVE ABSENCES**

When a senator has three consecutive or five total absences from regular meetings of the Faculty Senate in any year of a term (June 1 through May 31), that Senate seat shall be considered vacant unless the Senate rules otherwise by majority vote.

#### **ARTICLE IX: CONSTITUTIONAL AMENDMENTS**

**Section 1:** An amendment to the Constitution shall be submitted to the faculty for approval when it

has been recommended by a majority of the Senate at a regular Senate meeting, or when it is presented to the Senate President in a petition signed by at least twenty percent of the faculty and received by the Senate at a regular meeting. The proposals for amendment must be submitted to Senators at least seven days before the meeting at which action is taken to recommend.

**Section 2:** Proposals to amend must specifically designate sections affected by the amendment, if any, and the draft of the proposal presented to the faculty for a vote must include all amended sections in full as amended.

**Section 3:** The Senate President shall set the date of the election, which shall be held between twenty and thirty days after the date of the distribution of the proposed amendment to the faculty.

**Section 4:** The amendment shall be effective immediately if approved by a majority of votes cast.

### **By-Laws:**

#### **Article 1: Elections**

**Section 1:** The Elections Committee shall supervise the nomination and election of the Vice-President and other members of the Senate. All elections will be conducted using the approved method of the Faculty Senate. Candidates may be placed on the ballot by gathering ten (10) signatures of full-time faculty from their campus. For a campus with fewer than twenty (20) full-time faculty, a simple majority of the full-time faculty of the campus can provide nomination signatures. Faculty may sign the number of nomination forms equal to the number of seats open per election.

**Section 2:** The Vice-President and other Senators shall be chosen by secret ballot, and each faculty member shall be permitted to vote for as many candidates as there are vacancies to be filled. Elections will open for five (5) business days. Candidates shall be elected if their vote total is high enough to place them among candidates equal to the number of vacancies to be filled. In the case of a tie, a runoff election will be held among the tied candidates. Should the vacancies be of different term lengths, the elected candidate who receives the greatest number of votes shall receive the seat with the longest term.

**Section 3:** When a Senate seat becomes vacant, an election for a new senator shall be held as soon as possible to fill the unexpired term.

**Section 4:** If the office of President, President-elect, or Vice-President becomes vacant before December 1, a special election will be held. The replacement will be elected by the entire faculty from among the remaining senators of the campus from which the officer was selected. If the office of President becomes vacant after December 1, the President-elect will become acting President and will complete the current term and his or her elected term. If the office of President-elect or Vice-President becomes vacant after December 1, a special election will be held. The replacement will be elected by the entire faculty from among the remaining senators of the campus from which the officer was selected. If the office of the Past President becomes vacant, it will not be filled for that academic year.

**Section 5:** Results from elections will only be made public to candidates upon request. Results will be given in terms of percentages of votes for the lowest seat winner and the candidate requesting the information, not for the entire election.

**Article 2: Senate Meetings**

**Section 1:** Before each regular Senate meeting, the Senate president shall prepare an agenda setting forth clearly each subject to be discussed by the Senate and shall provide each Senator of the faculty with a copy of the agenda. Items shall be placed on the agenda at the request of any member of the Senate. Faculty members who want the Senate to discuss a subject should ask a Senator to place it on the agenda. If no Senator is willing to present the matter, the faculty may require the Senate to discuss the subject by presenting to the Senate president a petition signed by at least fifteen members of the faculty, at least seven days before a regularly scheduled meeting. The requirement that the agenda be published shall in no way prohibit the Senate from discussing any matter which shall arise, but the body shall not vote on any matter not announced in the agenda without the consent of two-thirds of the Senators present, unless it is routine business,

**Section 2:** As soon as possible following each session, the Senate President shall provide each member of the faculty and the administration with minutes of the meeting.

**Section 3:** Special meetings may be called at the request of the Chancellor, the President of the Senate, six Senators, or fifteen faculty members. The time of the meeting shall be set so that the faculty can be notified in advance of subjects to be discussed at the meeting.