

SOUTH MOUNTAIN COMMUNITY COLLEGE FACULTY SENATE CONSTITUTION

Initially Ratified by the SMCC Faculty in October, 1985

Revised by SMCC Faculty on September 1, 2006.

Revised by Elected Senate on April 17, 2012.

Revised by Elected Senate April 2, 2013.

Preamble

We hold that the governing of South Mountain Community College is the Joint responsibility of the governing board, the administration, and the faculty of the college. In order to promote the full participation of the faculty in determination of educational policy and the execution of that policy, the adoption of this Constitution establishing a Faculty Senate is hereby ordained.

Purposes

The purposes of this organization shall be (1) to promote excellence in teaching at South Mountain Community College; (2) to represent the college faculty in its relationships with the Maricopa County Community College District governing board, the district administration, the South Mountain Community College administration, the District Faculty Association Executive Council, the students of South Mountain Community College, and the community, including other educational associations; and (3) to participate in the formation and implementation of educational policies and professional working conditions for South Mountain Community College and the Maricopa County Community College District.

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Article I. Definition of Faculty

"Faculty," as used in this Constitution, means full-time residential faculty members, defined as certificated instructional and support services personnel.

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Article II. Eligibility

Section 1. The Faculty Senate shall be comprised of elected senators and senate officers. Each academic division will elect 1 senator for every 10 members of the Faculty Association in "good standing" (are current with their payment of MCCD Faculty Association (FA) dues). 1-10 members = 1 senator; 11-20 members = 2 senators; 21-30 members = 3 senators, etc.) There will also be senators elected by the faculty at-large, with there being 1 at-large senator for every 15 members of the Faculty Association.

Section 2a. All full-time residential faculty who are in "good standing" by the Faculty Association census date (currently the first Tuesday in October) shall be eligible to vote in the election of the senators and senate officers. The positions of

president, president-elect, secretary, treasurer, and past-president can be held only by full-time residential faculty who are in “good standing”(current with their payment of FA dues) by the FA census date in the year they are serving.

Section 2b. Faculty members on sabbatical leave, faculty on irregular contracts in which they are not accountable during the week of the election or senate meeting, or faculty on Unpaid Professional Leave, Family and Medical Leave, Medical Leave of Absence, Extended Personal Leave of Absence, or Leave of Absence for Personal Reasons, as defined in the RFP (Residential Faculty Policy) Manual, will be permitted to vote in all faculty elections and attend senate meetings if they are eligible to do so.

Section 2c. Full-time residential faculty hired in the spring semester shall pay one-half the current Faculty Association dues by March 1st to be eligible for Faculty Association and SMCC Faculty Senate benefits.

Section 3a. Those members of the residential faculty who are not FA members shall be eligible to be appointed by the Faculty Senate and the college administration to college and district committees and may attend all Faculty Senate meetings as nonvoting members.

Section 3b. OYO, OSO, and Specially Funded faculty have the same status as residential faculty who are not FA members.

Section 3c. The faculty senate may create an SMCC Associate Membership category for OYO, OSO, Specially Funded, adjunct, or retired instructors faculty, SMCC Associate Membership dues shall be \$25.00/year unless it is changed by the SMCC Faculty Senate. SMCC Associate Members cannot seek, hold, or vote in elections for Faculty Senate officer or senator positions nor can they vote at Faculty Senate meetings, but they do have all other benefits of the SMCC faculty Senate.

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Article III. Funds

All funds received by the South Mountain Community College Faculty Senate (except for Faculty Association dues or FA-PAC donations) shall be deposited in the South Mountain Community College Faculty Senate account. Expenditure shall be by requisition authorized by the South Mountain Community College Faculty Senate president and South Mountain Community College Faculty Senate treasurer.

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Article IV. Nominations and Elections

Section 1. Each Faculty Association member shall receive a form published and distributed by the first Monday in March by the senate president for the purpose of self-nomination. Completion of the form with signature (electronic or paper) and return to the senate president by 4:00 p.m. of the third Friday in March shall be formal request for said Faculty Senate member's name to be placed on the ballot as a nominee. If there is not at least one nomination for each vacancy, a nominating committee shall be selected by the senate president and empowered to select at least one nominee for each vacancy. If the selected nominee declines, the ballots will contain a space for write-in nominee. Nominations will close at 4:00 p.m. of the third Friday in March.

Section 2. The election of senators and officers shall be held on the third Thursday in April March from 8:00 a.m. to 5:00 p.m. Senators who represent academic divisions must be faculty within the division they are representing and will only be voted on by the faculty association members within their division. At-large senators and senate officers are voted on by all faculty association members.

Section 3. The nominees receiving the greatest number of votes cast for each existing vacancy will be elected.

Section 4. In the event of a tie between two nominees for an existing vacancy, a runoff election will be held on the first Monday in April. In the event of a second tie, the Faculty Senate Executive Committee will select the nominee to fill the office.

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Article V. Officers

Section 1. The officers of the senate shall include, but shall not be restricted to, a president, a past-president or president-elect, a secretary, and a treasurer. The terms of the past-president and president-elect will be staggered so that only one of them is be a senate officer at a time. Those candidates receiving the greatest number of votes cast shall be elected.

Section 2. President. The senate president shall preside at all meetings of the senate and all meetings of the executive committee. This officer 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. This officer shall be a representative to the District Faculty Association. He/she shall have the right to call special meetings of the executive committee of the senate. This officer shall be the official spokesman for the senate and shall meet regularly with the president of the college and the Vice President of Academic Affairs. The senate president may call a general faculty meeting at his/her discretion, or if asked by a majority of the senate. The president shall be responsible for initiating the division chair election process as outlined in the College Plan. The president shall also have the responsibility of monitoring the evaluation of chairs by ensuring that a) the evaluations happen on a yearly basis as outlined in the College Plan, and that b) the division chairs provide a summary report of the evaluations back to the division faculty. With the last official senate meeting, the senate president shall become past-president of the senate for the following academic year.

Section 3. Past-President. The past-president shall serve during the first year of a new senate president's term and act as an advisor to the senate president. He/she may perform duties as assigned to him/her by the senate president, the executive committee, the senate, or serve as a representative to the District Faculty Association Executive Council. In addition, this officer shall preside over senate meetings in the absence of the senate president.

Section 4. President-Elect. The president-elect shall serve during the second year of a senate president's term. He/she may perform duties as assigned to him/her by the senate president, the executive committee, the senate, or serve as a representative to the District Faculty Association Executive Council. In addition, this officer shall preside over senate meetings in the absence of the senate president and beginning with the last official senate meeting, shall become president of the senate for the following academic year.

Section 5. Secretary. The secretary shall keep the minutes of the meetings of the senate. The secretary shall record and maintain a record of minutes of all official senate meetings which include all motions and the disposition of each. This officer shall be responsible for the correspondence files and be in charge of communications between the senate and any other person or organization.

Section 6. Treasurer. The treasurer shall be responsible for the collection of assessments the maintenance of all financial records, and the preparation of periodic financial reports.

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Article VI. Senators and Officers--Term of Office

Section 1a. The term of office for all senators and senate officers except for the senate president shall be one year and shall begin with the last official senate meeting. The term of office for the senate president shall be two years. No one may serve as both a senator and senate officer.

Section 1b. If the office of the president is vacated during the first year of the two year term, prior to the selection of a president-elect, the past-president will become president for the remainder of the semester in which the vacancy occurs. A special election will be held within 4 weeks of the vacancy to select a president-elect, who will become president at the start of the next semester and serve the unexpired term of the predecessor.

Section 1c. If the office of the president is vacated during the second year of the two year term, after to the selection of a president-elect, the president-elect will assume that office immediately and serve the unexpired term of the predecessor as well as his/her own term. The previous past-president will be asked to return to the past-president office until the next president-elect is selected during the normal election cycle process. If the previous-past president is unable or unwilling to return to the office of the past-president, the office will be filled according to Section 1d below.

Section 1d. If a vacancy occurs within the office of the past-president, the current senate president shall fill the vacancy with any faculty member who has served as senate president in the past, upon approval of the senate.

Section 1e. A special election will be held within 4 weeks to fill midterm vacancies for senators and the senate offices of President-elect, Secretary, and Treasurer. The election will be announced at least one week in advance. As with regular elections, all members in the faculty association may vote for senate officers or at-large senators, but only members of the academic division may vote for their division's senate representative.

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Section 2. All senators and senate officers shall be eligible for re-election.

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Article VII. Executive Committee

Section 1. The executive committee shall be composed of the officers of the senate. It shall act to prepare the priority agenda for senate meetings and to recommend actions to the senate.

Section 2. A majority of the officers of the senate shall constitute a quorum of the executive committee.

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Article VIII. Removal of Senators and Senate Officers

Section 1. On the petition of five or more of senators, a recall vote will be held for the removal of any senator or officer of the Faculty Senate. The senator or senate officer shall be removed when two-thirds of all the members of the Faculty Senate vote in favor of recall.

Section 2. On the petition of thirty-five percent or more of the faculty association members within an academic division, a recall vote will be held for the removal of a division's senate representative. The senator shall be removed when two-thirds of all the faculty association members within the academic division vote in favor of the recall.

Section 3. Upon a successful recall election, a midterm vacancy will be declared and an election will be held to fill the vacancy as described in Article VI, Section 1e. The recalled senator or officer is not eligible to run for the office they were forced to vacate due to the recall election.

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Article IX. Delegates

Section 1. Where representation is sought from the faculty as a whole on college administrative councils as they exist or may be established, the senate or the SMCC Faculty Senate Executive Committee shall select faculty representatives. Such representation is not limited to Faculty Senate membership or faculty association membership.

Section 2. Where representation is sought from the faculty as a whole on district faculty association councils and committees, the senate or the SMCC Faculty Senate Committee shall select faculty representatives. If the committee deals with curriculum, instruction, professional growth, or any other matters of educational policy, representation shall not be restricted to Faculty Senate members or to faculty association members.

Section 3. The representative to the district faculty association will be the senate president. If more than one representative is required, he/she shall be elected by a simple majority of the faculty association members.

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Article X. Meetings

Section 1. The senate may meet at the call of the senate president, by request of the executive committee or by request of one-third of the senators.

Section 2. Senate meetings shall be open only to faculty as defined in Articles I; however, the president or senate members may invite non-faculty members in for official business or to provide information to the senate.

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Article XI. Quorum

A majority of the senators and senate officers shall be considered a quorum. No votes may be taken or any official business conducted unless a quorum is present at a senate meeting. Vacant offices that have yet to be filled by a special election are not counted against the number of senators and senate officers needed for a quorum.-

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Article XII. Voting

Section 1. The senate president shall vote only in the event of a tie. All other senators and senate officers are voting members of the senate.

Section 2. For each vote of the senate, the senate secretary shall record the total number of "yes", "no", or "abstentions" as part of the minutes, but any senator or senate officer may request that the votes be on the record. When such a request is made, the voting record of each senator or senate officer shall be recorded as part of the minutes. If the senate is asked to select between 2 or more candidates for any position, the election shall be by secret ballot and only the winning candidate may be recorded.

Section 3. In the event that the senate president is required to vote to break a tie, that vote

of "yes" or "no" shall be recorded.

Section 4a. A senator or senate officer may not tell the senate president or any other member of the senate how they would like to vote on an issue and have his/her vote count without being present at the senate meeting when the vote takes place.

Section 4b. If a senator or senate officer will be absent for a senate meeting, he/she may designate another faculty association member as his/her proxy. It will require written transfer of voting power to be submitted to the senate president at least 2 hours prior to the senate meeting. If a senator or senate officer will miss two or more senate meetings, each meeting will require a separate proxy authorization letter. The proxy may not already be a voting member of the senate and must be a member of the faculty association. For senators representing academic divisions, the proxy must also be a faculty member from his/her division. The proxy may not be constrained by the senator or senate officer, whom they are replacing, to vote in any particular way on an issue and may fully participate in any senate deliberations or votes.

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Article XIII. Procedures

In all matters of internal functioning not otherwise covered by the Constitution, the senate shall be governed by the latest edition of Robert's Rules of Order.

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Article XIV. Executive Sessions

Section 1. By unanimous vote of the senators, the senate may resolve itself into an executive session where only senate members 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 senate member shall reveal the nature of executive proceedings to any person without the permission of the senate.

Section 3. No recommendation either to the administration or to the trustees of the district shall be enacted during executive sessions.

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Article XV. Senate Committees

Section 1. There shall be no standing committees of the senate other than the executive committee.

Section 2. Special committees of the faculty Senate may be established by majority approval of the senate.

Section 3. Special committees shall serve at the pleasure of the senate.

Section 4. The size, purpose, and membership of a special committee shall be determined or modified by the senate. Non-membership in the faculty association on special committees may be permitted by the enabling action of the senate.

Section 5. Membership of continuing special committees shall be reconfirmed or modified by the senate prior to October of each academic year.

Section 6. Vacancies on special committees shall be filled by appointees of the senate president subject to the approval of the senate membership.

Section 7. Special committees shall report and be responsible to the senate.

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Article XVI. Agenda

The administrative head of the college, any member of the senate, or ten percent of the members of the faculty may place an item on the agenda of the senate by signed written notice to the senate president. The senate president shall provide the faculty with an agenda one week in advance of all meetings except the executive sessions. The initiator of

the agenda item, if not a faculty member, may be invited to be present at the senate meeting.

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Article XVII. Privileges and Responsibilities

Section 1. The Faculty Senate shall of its own determination concern itself with any academic and professional matters which it deems important to the welfare of the college or the enlightened self-interest of the faculty.

Section 2. The goal of the senate is to work with the college administration to exercise its primary responsibility for such matters as curriculum, subject matter and methods of instruction, faculty status (including appointments, evaluations, and dismissals), and working conditions, and those aspects of student life which relate to the educational process.

Section 3. The Faculty Senate, on behalf of the faculty, shall actively participate, directly or through its representatives, in the determination of policies and procedures governing salary increases, fringe benefits, sabbaticals, and general conditions of employment.

Section 4. The Faculty Senate shall work jointly with administration officials on the appointment of faculty members to administrative committees and to extracurricular responsibilities.

Section 5. The Faculty Senate may enter into an agreement with the college administration through a Memorandum of Understanding (MOU) concerning college governance issues not directly covered within the college plan. The proposed MOU must have been presented in writing to each senator at least one week preceding the voting, and must be approved by two-thirds of the votes cast by the senators at any business or special Faculty Senate meeting called for the purpose of voting on the proposed MOU. The approved MOU must then be signed by the Faculty Senate President and College President to become valid. All MOUs must have stated end date. The stated end date cannot be more than 24 months after the vote for approval, but can be renewed (with a new expiration date) by mutual consent of the Faculty Senate President and College President, within 2 months of an upcoming expiration date.

Section 6. Members of the Faculty Senate, like all faculty members, have a responsibility to maintain standards of personal integrity and of professionalism in teaching and scholarship. Members of the Faculty Senate also assume additional responsibilities for representation of the interests of their colleagues. Respect for and adherence to the policies and procedures of the Faculty Association are essential to the effective balancing of the multiple responsibilities assumed by each senator and senate officer. Conflicts of interests and ideas are inevitable in an enterprise as complex as this one, but such conflict does not diminish the expectation that senators and senate officers will meet their responsibilities with full regard for the professional, collegial, and democratic values to which the Faculty Association is committed.

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Article XVIII. Referenda

Section 1. The senate or ten percent of the faculty may request the president of the college to call a general faculty meeting for consideration of matters of general faculty interest.

Section 2. The senate may request the advice of the general faculty through written ballots or other communication.

Section 3. Any matter considered by the senate may be referred to the general faculty for a secret ballot on petition of ten percent of the total faculty association members or on demand of one-third of the senators.

Section 4. When all faculty members are asked to vote on a matter considered by the senate, the Senate Executive Committee may unanimously decide to conduct such an election via email. The Senate President must then send out the proposal to be voted upon with a deadline of when the votes must be received. The email ballots are to be sent back to the senate president by the specified deadline to be counted. The Senate President will not reveal how any individual faculty members voted. Only the results of the election may be reported. If ten percent of the faculty object to an email vote before the voting deadline, the election will be declared invalid and a secret ballot must be used instead. Faculty members may not object to an email vote after the results have been announced. Email votes may only be used to fill vacant senate positions when only one candidate is running for each position. Email votes may not be used to make changes to the College Plan or the election of Division/Independent Department Chairs.

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Article XIX. Recommendations

Recommendations of the senate shall be forwarded through regularly established administrative channels. However, the senate may, after consultation with the administration, present its views and recommendations directly to the governing board.

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Article XX. Finances

Faculty will be asked to pay an annual assessment, the amount to be determined by the requirements of the senate. Faculty who have neither paid nor formally pledged through payroll deduction the full assessment before the designated dates shall not be eligible to participate in the Faculty Senate as outlined. (See Article II, Sections 2, 3.)

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Article XXI. Amendments

This Constitution may be amended by two-thirds of the votes cast by the senators at any business or special Faculty Senate meeting called for the purpose of voting on the proposed amendment(s). The proposed amendment(s) must have been presented in writing to each senator at least one week preceding the voting.

NOTE: Editorial changes such as correcting typographical errors, punctuation, formatting, and conforming terminology, which do not change the original content or intent of the language, are not considered amendments and may be made immediately by a majority vote of the Faculty Senate.

