

**CONSTITUTION OF THE RESIDENTIAL FACULTY SENATE OF  
ESTRELLA MOUNTAIN COMMUNITY COLLEGE**

**PREAMBLE**

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

**PURPOSES**

A primary function of the Residential Faculty Senate (RFS) shall be to serve as the non-exclusive negotiating representative of the Faculty to the Estrella Mountain Community College Administration 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 County Community College District.

**ARTICLE I DEFINITIONS**

Section 1. "Faculty" as used in this Constitution means Residential Faculty member as defined by the Residential Faculty Policies (RFP) or Faculty Agreement (FA) as the name transitions.

Section 2. Membership in the Maricopa Community Colleges Faculty Association (MCCFA) is not required to serve on RFS. However, to serve on the Faculty Executive Council (FEC) of the MCCFA as an EMCC representative does require MCCFA membership.

Section 3. Elected Senator as used in this Constitution, hereinafter referred to as "Senator," refers to the elected Faculty members who meet the requirement of Article III, Section 2.

Section 4. Faculty Senate Executive Committee shall consist of the EMCC Faculty Senate President and officers.

Section 5. Faculty Senate as used in this Constitution, hereinafter referred to as "Senate," means elected Senators and EMCC Faculty Senate Executive Committee.

Section 6. Seniority for the purpose of decisions made at EMCC means the length of service in a regular classified residential Faculty position at EMCC, measured from the first day of paid service as a residential Faculty member at EMCC. In the event that two or more Faculty members have the same date of first paid service as a residential Faculty member at EMCC, seniority will be determined by the earliest date of appointment by the Governing Board, or approval by the Chancellor.

Section 7. A simple majority as it relates to voting results is here defined as more than half the votes cast. A 2/3 majority as it relates to voting results is here defined as at least 2/3 of the votes cast. A simple or 2/3 majority does not include Senate members who abstain, are absent, or do not vote.

Section 8. An abstention vote counts toward the number required to meet quorum (Article VIII, Section 1), but will not count toward the number required to have a simple or 2/3 majority (Article I, Section 7).

## **ARTICLE II ELIGIBILITY TO VOTE**

Section 1. All Faculty members in a division shall be eligible to vote in the election of Senators for their division.

Section 2. All EMCC Faculty members shall be eligible to vote in the election of at-large senators.

Section 3. Whenever a vote of the EMCC Senate is called in response to a motion, all EMCC Senators will have an individual vote.

## **ARTICLE III COMPOSITION**

Section 1. Until such time as the Senate deems otherwise, the Senate shall consist of the elected Senators and EMCC Executive Committee.

Section 2. Each college division may elect one Senator from its ranks of Faculty. In addition, one Senator will be elected by Faculty members from the entire Faculty and will serve in an at-large role.

Section 3. Nominations for elected Senators will be called for by April 15 of each academic year. Senators are elected by the May Senate meeting of each year to serve during the next academic year. Senators will be elected yearly.

Section 4. If a division does not or cannot elect a senator, then that seat on the Senate becomes an additional at-large seat for the current academic year. The Senate Executive Committee will call for nominations from Faculty members to fill

the seat. Members will elect the additional at-large senators, if required, by September 15th.

Section 5. At the beginning of the academic year, each Senator will designate an alternate. In the event that a Senator must miss a Senate Meeting, it will be the responsibility of the Senator to send the alternate from the division to the meeting.

#### **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. The President-Elect shall be elected from among the EMCC Faculty by a simple majority vote. The President shall be filled by the person holding the Elect position the preceding year and the Secretary which position shall be filled by the person holding the President position the preceding year. No later than the last March meeting, the Senate shall receive nominations for President-Elect for the following academic year. The vote for President-Elect will occur in April. Voting for the President-Elect will follow the quorum and simple majority procedures outlined for Senate motions in Article VIII and Article IX.

Section 2. President: The President shall preside at all meetings of the Senate. 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. He/she shall have the right to call special meetings of the Estrella Mountain Community College Faculty and Senate. He/she shall be the official representative for the Senate and shall meet regularly with the President of the College. The Senate 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 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: The Secretary shall keep the minutes of the meetings of the Senate. The President, President Elect and Secretary shall have access to update the Senate website for the purposes of recording, maintaining, and electronically posting the records 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.

## **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. Membership in appropriate District Committees shall be determined by the Senate President with authorization by the Senate.

Section 2. This section is included only for clarity and clear separation of MCCFA and the Senate. EMCC representatives to FEC shall be the President and President-Elect. However, if either are not MCCFA members the EMCC members of MCCFA are responsible for electing their representative independently of the Senate. If additional representatives to the FEC are needed EMCC members of MCCFA are responsible for electing them.

## **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. Any member of the Senate and any non-member who secures a Senator to sponsor it, may place an item on the agenda of the Senate by written notification to the President of the Senate. The President shall provide Senators with an agenda prior to all meetings.

## **ARTICLE VIII QUORUM**

Section 1. For purposes of voting on Senate business, a simple majority of the membership of the Senate shall be considered a quorum.

## **ARTICLE IX PROCEDURES**

Section 1. Any Senate motion will require a vote from each individual Senator. The call for a vote will be recommended by the elected Senators and will be called for by the Senate President after appropriate discussion.

Section 2. 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 X EXECUTIVE SESSIONS**

Section 1. By majority vote of the members present, the Senate may resolve itself into an executive session.

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 college administration or the MCCC Governing Board Members shall be enacted during the executive sessions except personnel matters.

Section 4. Executive Sessions are to be held after all agenda items have been addressed.

## **ARTICLE XI GOVERNANCE DURING NON-ACCOUNTABILITY**

Section 1. During Faculty non-accountability days, the Senate President shall be the official representative for the Senate in consultation with the Senate officers and Senators.

Section 2. In the absence of the President, the Senate President shall appoint the President Elect to represent Senate as designated Acting President for non-accountability day issues in consultation with the Senate President. If the President Elect is unavailable, the Senate President shall appoint a Senator to represent Senate. Finally, if neither the President Elect nor a Senator is available, the Senate President shall appoint a Faculty member to represent Senate. Those appointed at any time to represent Senate in the President's absence shall do so in consultation with the Senate President, contacting the President about any Senate related issues that may arise during times of non-accountability. The Senate President's designee may then take actions agreed upon with the Senate President.

Section 3. Whenever the Senate President or a designee of the Senate President takes actions during non-accountability, at the next official Senate meeting, the President will report on the action taken, explaining the issues and the reasons for the motions or actions made.

## **ARTICLE XII COMMITTEES**

Section 1. There are three Standing Committees of the Senate: Executive Committee, Faculty Staffing Committee, and Peer Assistance and Review 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 chair 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.

#### **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 ballots or other communication.

#### **ARTICLE XVI RECOMMENDATIONS**

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

#### **ARTICLE XVII AMENDMENTS**

Any member of Senate may propose an amendment to this constitution through the following procedure:

Section 1. For a proposal to amend the constitution to be initially considered by Senate, it first requires a vote of Senate membership. If quorum is established per Article VIII, Section 1, then a proposal to amend the constitution will move forward and 2/3 of senators approve (Article I, Section 8) then the proposal will move on the Faculty as a whole

Section 2. The subsequent Faculty vote must be 2/3 majority in support with at least 50% of Faculty voting (Article VIII, Section 1) or the proposal fails.

Section 3. Once the proposal to amend the constitution is approved for Senate consideration (ARTICLE XVII, Section 1 and 2), a subcommittee of Senate will be formed to review the proposal and write the amendment to the Senate constitution.

Section 4. The proposed emended constitution shall be submitted to Faculty for approval. This faculty vote requires at least 50% of the Faculty voting and simple majority of the Faculty voting to approve (per Article I, Section 3 and Article VIII, Section 1) to adopt the changes.

#### **ARTICLE XVIII RATIFICATION**

Section 1. This constitution shall become effective by a simple majority vote of the Senate taken electronically and anonymously.