

# CONSTITUTION OF THE DE ANZA COLLEGE ACADEMIC SENATE

## PREAMBLE

### De Anza College Mission:

De Anza College provides an academically rich, multicultural learning environment that challenges students of every background to develop their intellect, character and abilities; to realize their goals; and to be socially responsible leaders in their communities, the nation and the world. The college engages students in creative work that demonstrates the knowledge, skills and attitudes contained within the college's Institutional Core Competencies:

- Communication and expression
- Information literacy
- Physical/mental wellness and personal responsibility
- Civic capacity for global, cultural, social and environmental justice
- Critical thinking

We the Faculty of De Anza College do ordain and establish this Constitution for the Academic Senate. As authorized pursuant to Title 5 of the California Code of Regulation, Section 53201, we declare our unwavering fidelity to the De Anza College values of Integrity, Innovation, Equity, the Development of Human Capacity, and a commitment to Civic Engagement and Social Justice.

We the Faculty therefore reaffirm our goals of eliminating institutional bias and racism, promoting a culture of inclusion, valuing and embracing the intellectual contributions of a diverse spectrum of people and cultures, and sharing our dedication to our Institutional Core Competencies.

We also believe that the Academic Senate is essential for promoting the quality of community college education and realizing the fullest educational and professional potential of each member of the faculty, and for furthering the aims and goals of De Anza College. Towards these endeavors we pledge our mutual support and cooperation.

## **ARTICLE I. NAME**

This organization shall be known as the De Anza College Academic Senate, hereinafter referred to in this document as the Academic Senate, or the Senate.

## **ARTICLE II. PURPOSE AND FUNCTION**

### Section A. Purpose

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The purpose and function of the Academic Senate shall be to give the De Anza College faculty a formal and effective procedure for participating in the formation of college and district policies on academic and professional matters. (Reference: Title 5, Subchapter 2, Section 53201 and AB 1725.)

### Section B. Responsibilities

With regard to academic and professional matters, the Foothill-De Anza Board of Trustees either jointly develop and agree or rely primarily upon the recommendations of the Academic Senate.

Therefore, it shall be the responsibility of the Academic Senate to be primarily concerned with and to make recommendations to the appropriate college and district administrators and management teams, the Board of Trustees, and State educational agencies on such local and statewide community college educational issues as curriculum, degree and certificate requirements, grading policies, educational program development, standards regarding student preparation and success, governance structures of the college, accreditation, faculty professional development activities, policies for program review, processes for institutional planning and budget development, and other academic and professional matters as mutually agreed upon between the Board and the Academic Senate.

### Section C. Code of Conduct

The Academic Senate promotes an environment that values respect, openness, fairness, dissent, and integrity. Executive Committee members shall adhere to the Academic Senate Code of Conduct. The failure to adhere to the Code of Conduct will result in providing the basis for the removal of any member of the Executive Committee.

The Academic Senate of De Anza College considers the following principles essential to its mission:

- a. Mutual respect between officers, senators, faculty, students, and staff;
- b. Compliance with the Academic Senate Constitution and By-laws;
- c. Compliance with De Anza College and FHDA District Policies.

The goal of the Code of Conduct is to establish a set of principles and practices that will set parameters and provide guidance and direction for Academic Senate conduct and decision-making. The specifics of the Code of Conduct are outlined in the By-laws of the Academic Senate.

### Section D. Powers

Board Policy 2223 describes which of the items in Section B above are to be joint development items and which are primary reliance. Curriculum, General Education and program specific degree and certificate requirement, grading policies, standard regarding student preparation and success and policies for faculty professional development are considered primary reliance issues for the Academic Senate. Degree and certificate units, educational program development, governance structures, accreditation, policies for program review and processes for institutional planning and budget development are

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considered joint development items.

The designation of Board members or administrative officers as provided in Title 5 Section 53204, and Board policy 2223 shall not preclude the representatives of the Academic Senate from meeting with, or appearing before, the Board of Trustees with respect to the views, recommendations, or proposals of the Senate at a regular or special meeting of the Board. (Reference: Title 5, Subchapter 2, Sections [53203](#) and [53204](#).)

### Section E. Definitions

“Faculty” means those employees (full and part-time) of De Anza College who are employed in positions that are not designated as supervisory, classified, or management, and for which minimum qualifications for hire are specified by the Board of Governors. (Reference: Title 5, Subchapter 2, Section 53200, paragraph (a).)

## **ARTICLE III. ACADEMIC SENATE**

### Section A. Regular Membership

Membership in the Academic Senate shall consist of all faculty (full and part-time) at De Anza College. (Reference: Title 5, Subchapter 2, Section 53200). Part time faculty remain active employees of the district until they complete an Appendix S3, or until they haven't had assignments for 3 years, and their Dean approves them to be terminated.

### Section B. Meetings

1. General and special meetings of the Academic Senate shall be called, with at least 48 hours of notice, by:
  - a. the President, or
  - b. the President, upon receiving a written petition signed by ten percent of the total Academic Senate membership, or
  - c. the Executive Committee, who can:
    - i. petition the President to call a meeting, or
    - ii. by a majority vote, call a meeting.
2. Final executive and legislative power shall be assumed by the membership at any Academic Senate meeting convened to discuss and act on specific agenda items presented at that meeting.
3. The Senate shall conduct its business in a collaborative and inclusive manner following Robert’s Rules of Order. At any point in a meeting, any member can ask that the body modify Robert’s Rules of Order. When using Robert’s Rules of Order, members of the Senate are referred to the easy-to-understand guide prepared by the national Parent Teachers’ Association, Appendix 1: <https://www.pta.org/docs/default-source/files/training/course-tools/president/english/roberts-rules-of-order-basics>

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## **ARTICLE IV. DUES**

Voluntary dues for the Academic Senate shall be established for all members by the Executive Committee and approved by a majority vote of either the membership present at a general Academic Senate meeting, or by a majority of members voting in a supervised campus ballot.

## **ARTICLE V. OFFICERS**

### Section A. Positions

The officers of the Academic Senate shall be: a President, a Vice- President, and an Executive Secretary. These officers shall also serve as the officers of the Executive Committee.

### Section B. Terms of Office

The President of the Academic Senate shall serve for a term of two years,. The Vice-President of the Senate shall serve for a term of two years, but shall retain the option to reduce the term one year by running for and being elected President. The Executive Secretary shall serve for a term of three years .

### Section C. Removal from Office

In accordance with the Academic Senate By-laws, any officer may be removed from office for either

1. violation of the Academic Senate Code of Conduct and/or
2. after the adoption of a Resolution of No Confidence.

Removal requires the affirmative vote of two-thirds of the Academic Senate membership casting an ballot.

### Section D. Vacancies

If the office of President becomes vacant for any reason, the Vice President shall assume the responsibilities of the President for the remainder of the academic term. If the office of Vice President or Executive Secretary becomes vacant for any reason, the Executive Committee will appoint a member of the Executive Committee to fill the vacancy until elections occur in May-June.

## **ARTICLE VI. THE EXECUTIVE COMMITTEE**

### Section A. Composition

1. An Academic Senate Executive Committee, hereinafter referred to in this document as the Executive Committee, shall be established and shall consist of the

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officers of the Academic Senate, the Faculty Senators, and two At-Large Part-Time Faculty Representatives.

2. The Academic Senate gives voting member representation on the Executive Committee based on the need to provide critical perspectives that enhance the faculty's ability to engage in holistic decision making about 10+1 issues in ways that serve our ability to realize the mission of our college. The general principle will be two senators per division. Because the faculty carry the interests of the students they work with, and because the Academic Senate is committed to equity, areas that carry the interests of our most marginalized students will be ensured to have representation. This may change over time and be revised as the institution changes. Because there are a few faculty in small areas, those areas may have one representative each. The current list of Executive Committee Faculty Senators appears in the Academic Senate By-Laws.
3. The voting members of the Executive Committee are the Vice President, Executive Secretary, and the Senators. The President votes only in the case of a tie. All voting members of the Executive Committee may make and/or amend motions or resolutions.
4. There are four methods of voting:
  - a. by voice vote;
  - b. by electronic vote;
  - c. by raising hands or by voting placards, which shall be distributed only to Senators;
  - d. by roll call vote.

Each Officer shall ensure that no non eligible member of the Executive Committee is allowed to vote

### Section B. Senators

In addition to the Curriculum Committee faculty Co-Chair being a Senator, every instructional division and designated faculty area (see Academic Senate Bylaws Section VI "The Executive Committee") shall be entitled to one or two Senators. Senators represent the interests of the faculty in their division/area at Executive Committee meetings.

There shall be two elected At-Large Part-Time Faculty Senators who represent part-time faculty interests for the campus as a whole.

#### 1. Terms of Office

Each Division Senator shall serve for a term of two years for consecutive terms. The Curriculum Committee faculty Co-Chair serves for the duration of their tenure in the position. Each division is responsible for the procedures for electing Senators. Newly elected and area-appointed Senators take office at the first meeting of the Executive Committee each fall quarter, or when their area appoints them.

Each At-Large Part-Time Faculty Senator shall serve for a term of two years. The terms of the Senators will be staggered. Newly elected Senators take office at the first meeting of the Executive Committee each fall quarter.

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Each At-Large Part-Time Faculty Senator shall receive a quarterly stipend.

### 2. Attendance

#### Section C. Associate Membership

Associate membership status on the Executive Committee may be granted to De Anza College faculty, administrative, management, classified professionals, and students by the Executive Committee or the Academic Senate via a simple majority vote of the membership attending a meeting of either organization at which such a motion is made. Non-faculty associate members may make or amend motions/resolutions, but shall not have the right to hold office or to vote. Faculty associate members may make or amend motions/resolutions, but shall not have the right to vote at Executive Committee meetings.

#### Section D. Meetings

Executive Committee meetings shall be held under the following provisions:

1. The Executive Committee shall meet at least once each month during the school year.
2. The agenda for any meeting shall be distributed at least 72 working hours before the meeting. Anyone may submit an item for consideration and action to the Executive Board.
3. All Executive Committee meetings shall be opened to all members of the Academic Senate and the college community.
4. A simple majority of the Executive Committee members shall constitute a quorum for the transaction of business at any meeting.
5. A simple majority of votes cast by the members present at any Executive Committee meeting shall be required to carry a motion or resolution.

#### Section E. Closed Meetings of the Executive Committee

A closed meeting of the Executive may be called only when personnel issues are to be discussed with at least 48 hours notice by:

1. the President, or
2. the President, upon receiving a petition signed by two-thirds of the Executive Committee membership, or
3. an affirmative vote by two thirds of the Executive Committee membership taken at a regular or special meeting of the Executive Committee.

#### Section F. Removal from Office

Any Senator may be removed from office for violation of the Academic Senate Code of Conduct. If the Senator was elected At Large, removal requires the affirmative vote of two-thirds of the Academic Senate membership casting a ballot. If the Senator

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was selected, removal requires the affirmative vote of two-thirds of the Academic Senate Executive Committee.

Any Member or Associate Member of the Executive Committee may be removed from office for violation of the Academic Senate Code of Conduct. Removal requires the affirmative vote of two-thirds of the Academic Senate Executive Committee.

No Member of the Executive Committee may be removed from office without a finding of “clear and convincing” evidence of a violation of the Academic Senate Code of Conduct.

### ARTICLE VII. ELECTIONS

#### Section A. Election Time

Elections of Officers and At-Large Part-Time Senators shall take place in mid-May each year. Elections of Senators should take place within each division in June.

#### Section B. The Election of Officers

1. Nominating Committee. By the sixth week of the winter quarter, the President shall form, from among the members of the Executive Committee, a three-person Nominating Committee, one of whom shall be elected Chairperson immediately by the group. The sole purpose of this ad-hoc committee is to secure candidates for the office of President, Vice-President and Executive Secretary when due for election. As per tradition, the current President and Vice President will not serve as members of the Nominating Committee. Notification of election dates and distribution of candidate statements shall occur at least one week prior to the election dates.
2. Candidates. Any full or part-time faculty may run for Academic Senate Office. Candidates for office shall submit a candidate statement to the Nominating Committee Chairperson.
3. Voting. The election of a candidate or passage of Senate initiatives will be determined by a simple majority vote of the Academic Senate membership voting. In all elections, all Academic Senate members shall be entitled to one (1) vote.
4. Eligibility. The Chairperson of the Nominating Committee may take nominations from the floor for any of the offices that will be vacant if there is an Academic Senate meeting convened for this purpose. Any full or part-time faculty member shall be eligible for election to any position on the Executive Committee.

#### Section C. The Election of Senators

1. Division Selection of Senators
  - a. Senators needed to start a new term on the Executive Committee shall be elected via an open, transparent and inclusive process determined by faculty consensus, and announced by the Dean/supervisor/designated representative of each area.
  - b. For any senatorial vacancy on the Executive Committee due to a resignation or a removal of a Senator by vote of the Division, the Division concerned, upon being

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notified by the President shall elect a faculty replacement. Vacancies for Senator positions must be publicized by the Dean/supervisor/designated representative to the entire division/area. Faculty consensus must determine the open, transparent, and inclusive process used in the division/area to fill vacant Senator position(s).

- c. Senators elected to fill a vacancy caused by resignation or other reason will assume office at the next Executive Committee meeting after they have been elected.

### 2. Eligibility.

- a. Any faculty member (full or part-time) in a particular division shall be eligible for the office of Senator for that division or area.
- b. Senators shall be eligible for reelection to consecutive terms
- c. Nothing stated or implied in this Constitution shall prohibit any Senator from running for any of the Academic Senate officer positions described in Article V.

## Section D. The Election of At-Large Part-Time Faculty Senators

### 1. Election of At-Large Part-Time Faculty Senators

The process described in this section shall occur simultaneously with the process for securing candidates for the offices of President, Vice-President and Executive Secretary as outlined above in Article VII section 2.

- a. At the beginning of Spring Quarter of each year the nominating committee will broadcast a call for candidates for At-Large Part-Time Faculty Senators.
- b. Interested candidates will submit a brief candidate statement. Notification of election dates and distribution of candidate statements shall occur at least one week prior to the election dates.
- c. Voting. Each faculty member shall be entitled to vote for one candidate. The candidate receiving the most votes will be elected.
- d. For any vacancy on the Executive Committee due to a resignation of an At-Large Part-Time Faculty Senator, a call for candidates will be broadcast. Any interested candidates will submit a brief candidate statement, and the Executive Committee will appoint a Senator for the remainder of the term of office.

### 2. Eligibility

- a. Any part-time faculty member (in any division/area) shall be eligible for the positions of the At-Large Part-Time Faculty Senators.
- b. At-Large Part-Time Faculty Senators shall be eligible for re-election to consecutive terms.
- c. Any At-Large Part-Time Faculty Senator may not concurrently serve as a Division Senator

### 3. Removal from Office

In accordance with the Academic Senate By-Laws, the At-Large Part-Time



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Faculty Reps may be removed from office by the affirmative vote of two-thirds of the Academic Senate membership casting a ballot

### **ARTICLE VIII. COMMITTEES**

The Academic Senate shall have such and as many committees as are necessary to fulfill the purposes and functions of this organization as outlined in pertinent sections of this Constitution.

#### Section A. Establishment of Committee

The Executive Committee shall establish committees as needed.

#### Section B. Committee Membership

Any member of the Academic Senate shall be eligible to serve on any committee excepting such committees where part-time or non-tenured faculty participation is excluded by law or the Agreement between the Foothill-De Anza Community College District and the Foothill-De Anza Faculty Association.

#### Section C. Types of Committees

The Executive Committee may establish such committees as the following: Standing, Special, Ad-hoc, and Joint Committees with Foothill College, the District, Classified Personnel and Student organizations.

#### Section D. General Duties of Committees

The general duties of all committees shall be to:

1. study current College and District policies and/or problems for which that committee was established,
2. vote on and present to the Executive Committee recommendations, additions, and actions to be taken by the Executive Committee concerning these policies or problems currently under study, and to
3. present an annual oral or written report of the committee's activities to the Executive Committee at the second to the last meeting of the school year. Ad- hoc committees shall present reports upon the termination of their temporary assignment.

### **ARTICLE IX. CONSTITUTION ADOPTION, AMENDMENTS, AND BY-LAWS.**

#### Section A. Adoption

Adoption of this Constitution shall be by simple majority of the members voting. Upon adoption, this Constitution shall take effect immediately after the vote has been certified by the Executive Committee and announced by the President.

#### Section B. Amendments to the Constitution

1. Initiation of Amendments. Amendments to the Constitution may be initiated in one of the following ways:

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- a. by a singular or group petition to the Executive Committee where one- third of its members must approve the amendment, or
  - b. by submission to the Executive Committee of an amendment on a petition signed by at least ten percent of the Academic Senate membership.
2. Notification. The President of the Academic Senate shall notify each member of the Academic Senate of all properly initiated amendments by distributing a copy of each proposed amendment to all faculty members for study and for voting on at division meetings, or at an Academic Senate meeting.
3. Approval. Amendments to the Constitution shall be approved by a simple majority vote of the Academic Senate. Such amendments shall be considered official and part of the Constitution upon certification of the vote by the Executive Committee as published in the meeting minutes.

### Section C. By-laws, Adoption or Amendment

By-laws for the Constitution shall be adopted or amended by a two-thirds vote of the Executive Committee at any regular meeting . Proposed by-laws, and any amendments to the same, must be submitted in writing to all members of the Executive Committee at least ten days prior to being voted upon at a meeting of this organization.

## Constitution of the De Anza College Academic Senate

Adopted March 1987

Amended May 1993

Amended May 1994

Amended May 1997

Amended May 1999

Amended May 2001

Amended May 2006

Amended June 2015

Amended April 2021