

Mesa Community College
Faculty Senate
Constitution

Preamble

We hold that the governance of Mesa Community College is the joint responsibility of the Governing Board, District and College Administration, and the Faculty of the College. In order to assure the full participation of the Faculty in the determination of academic and professional matters, the adoption of this constitution establishing a Faculty Senate for Mesa Community College is hereby ordained.

Article I – Name of Organization

The name of this organization shall be the Mesa Community College (MCC) Faculty Association represented by the Mesa Community College Faculty Senate, hereinafter referred to as ‘Senate’. The Senate is a member of the Maricopa Community College District (MCCD) Faculty Association represented by the Faculty Executive Council.

Article II - Purpose

The primary functions of the Faculty Senate or its appointees shall be:

- a. to serve as the exclusive negotiating representative of the Faculty to the Mesa Community College Administration, the Maricopa Community College District Administration and Governing Board, the students of Mesa Community College, and other external communities with respect to all academic and professional matters as stated in the Residential Faculty Policies; and
- b. to select representatives to serve on Administrative Councils and Coordinating Committees of the faculty of the Colleges of the District; and
- c. to participate in the formation and implementation of policies affecting education and professional working conditions and/or relationships for Mesa Community College and the Maricopa Community College District; and
- d. to promote excellence in teaching and learning at Mesa Community College.

Article III – Definitions

Section 1

‘Faculty’ as used in this Constitution means:

- a. full-time residential faculty members, as defined in the Residential Faculty Policies, engaged primarily in academic, occupational and/or service activities; and

- b. faculty members who are currently participating in the Maricopa Community College District Active Retirement Program at the 40-49% level.

Section 2

‘Faculty Senate’ as used in this Constitution, hereinafter referred to as ‘Senate’, means the elected or appointed representatives of the Faculty of Mesa Community College.

Section 3

‘Mesa Community College’ as used in this Constitution includes all locations and shall hereinafter be referred to as ‘College’.

Article IV – Membership

‘Faculty Association’ as used in this Constitution means faculty members, as defined in Article III, Section 1 of this Constitution, who have paid assessed dues by November 15 of each year.

Article V – Eligibility to Vote

Section 1

Faculty Association members not participating in the Active Retirement Program shall be eligible to vote in the election of the At-Large and Zone Senators.

Section 2

Faculty Association members currently participating in the Maricopa Community College District Active Retirement Program at the 40-49% level shall be eligible to vote in the election of the Senator representing active retirees.

Article VI – Composition

Section 1

The Senate shall be composed of twenty (20) members consisting of Zone Senators, At-Large Senators, an Active Retirement Senator, a President-Elect, a President and a Past President.

Section 2

Thirteen (13) Senators will be elected from Zones representing a variety of disciplines, as delineated in the *MCC Faculty Senate Best Practices Manual*.

Section 3

Three (3) At-Large Senators will be elected to represent the College faculty as a whole, as delineated in the *MCC Faculty Senate Best Practices Manual*.

Section 4

One (1) Senator will be elected from among the faculty who are currently participating in the Maricopa Community College District Active Retirement Program at the 40-49% level.

Section 5

The President and President-Elect will be members of the Senate. However, they shall not represent a Zone, or be an At-Large Senator, or be a participant in the Active Retirement Program.

Section 6

The Past President will be a member of the Senate with no vote. However, s/he shall not represent a Zone, or be an At-Large Senator, or be a participant in the Active Retirement Program.

Article VII – Nomination and Election of Senators

Section 1

Each Faculty Association member shall be sent a self-nomination form published and distributed by the Senate President. Return of the signed self-nomination form to the Senate President shall constitute the formal request for said member's name to be placed on the ballot as a Senate nominee.

If the number of vacancies exceeds the number of nominees, the Senate President shall appoint a nominating committee empowered to select at least one (1) nominee for each vacancy.

Section 2

Ballots will be distributed to all Faculty Association members. Full-time residential Faculty Association members shall be eligible to vote for the election of At-Large and Zone Senators. Faculty who are currently participating in the Maricopa Community College District Active Retirement Program at the 40-49% level shall be eligible to vote for the election of the Active Retirement Senator. The election schedule and procedures are detailed in the *MCC Faculty Senate Best Practices Manual*.

Section 3

The nominees receiving the greatest number of votes cast will be elected.

In the event of a tie between nominees, a runoff election will be held on or before the first Monday in May. In the event of a second tie, the Faculty Senate Executive Committee will select the nominee to fill the office subject to approval, by majority vote of the Senate at the first regularly scheduled Senate meeting in May.

Section 4

Upon receipt of a petition for recall consisting of at least twenty-five (25) percent of the Faculty Association Membership, the Senate President will initiate a recall election as delineated in the *MCC Faculty Senate Best Practices Manual*.

Article VIII – Term of Office

Section 1

Each Senator shall serve a term of two (2) years as described in the *MCC Faculty Senate Best Practices Manual*.

Section 2

The term of office shall begin at the first meeting in May.

Section 3

There shall be no limitation on the number of terms a Senator may serve.

Article IX – Vacancies, Removal of Senators or Senate Officers

Section 1

A vacancy shall be declared by the Senate President:

- a. when a Senator or Senate Officer has been absent three (3) consecutive Senate meetings, or missed four (4) total Senate meetings, during the academic year. The remaining term of a declared vacancy shall be filled by presidential appointment with approval of the majority vote of the Senate;
- b. when a Senator has been removed from office by a recall election. A Senator may be recalled on the petition of one-fourth (1/4) or more of the Faculty Association members in the designated area of responsibility (Zone or At-Large). The Senator shall be removed from office by a two-thirds (2/3) vote of the Faculty Association members in the designated area of responsibility. The remaining term of a recalled Senator shall be filled by Presidential appointment with approval of the majority vote of the Senate;
- c. upon receipt of a signed letter of resignation from a Senator or Senate Officer, the remaining term of a declared vacancy shall be filled by Presidential appointment with approval of the majority vote of the Senate.

Section 2

A vacancy shall be declared by the Senate President-Elect upon receipt of a signed letter of resignation from the Senate President. The remaining term of the Senate President will be filled, *pro tempore*, by the Senate President-Elect. The Senate, by majority vote, will elect a *pro tempore* Senate President-Elect.

Section 3

A vacancy shall be declared by the Senate when a Senate Officer has been removed from office by a recall election. A *pro tempore* Senate Officer will be elected by a majority vote of the Senate.

Article X – Officers

The officers of the Senate shall include, but not be restricted to, a President, a President-Elect, a Secretary and a Treasurer.

Article XI – Election of Officers

Section 1

By the first Thursday in February, the Senate President shall appoint Senators to a nominating committee to gather nominations for a slate of candidates for Senate Officer positions for the next

academic year. The nominating committee shall present the slate of candidates to the Senate at the first regularly scheduled Senate meeting in April.

Section 2

At the first meeting in May, the Senate shall elect a President-Elect, Secretary and Treasurer to serve for the following academic year. From the slate of candidates (brought by the nominating committee, by nomination from the floor, or by write-in on the ballot) the election shall be conducted by secret ballot with a majority vote required for election to office. The term of office is one (1) academic year.

Section 3

Candidates for Senate Officer positions must be a member of the Faculty Association and be a member or past-member of the Senate.

Section 4

At the first meeting in May, the President-Elect shall be elevated to President for the next academic year. The term of office shall be for one (1) year.

Section 5

All officers shall be eligible for re-election.

Article XII – Officers’ Duties

Section 1

President: The President shall be the official spokesperson for the Senate, preside at all meetings of the Senate and perform all of the duties of Senate President, as detailed in the *MCC Faculty Senate Best Practices Manual*.

Section 2

President-Elect: The President-Elect shall preside in the absence of the President, serve as parliamentarian for all meetings and perform all of the duties of the President-Elect as detailed in the *MCC Faculty Senate Best Practices Manual*.

Section 3

Secretary: The Secretary shall keep, record, distribute and maintain the minutes of the meetings of the Senate and perform all of the duties of Secretary as detailed in the *MCC Faculty Senate Best Practices Manual*.

Section 4

Treasurer: The Treasurer shall be responsible for recording and maintaining all financial and membership records, be responsible for conducting the annual membership drive and perform all of the duties of Treasurer as detailed in the *MCC Faculty Senate Best Practices Manual*.

Article XIII – Executive Committee

Section 1

The Executive Committee shall:

- a. consist of the officers of the Senate;
- b. prepare an agenda for Senate meetings and make recommendations for action items;
- c. based on information gathered by the Treasurer, prepare and present an annual budget to the Senate for approval, by majority vote, at the first official Senate meeting each Fall.

Section 2

A quorum of the Executive Committee shall consist of a simple majority of the Senate officers.

Article XIV – Delegates

Where representation is sought from the faculty as a whole, on College or District committees or councils, the President shall select faculty representatives with the approval of the Senate, by majority vote. All full-time residential faculty members as defined in the *Residential Faculty Policies*, and faculty members who are currently participating in the Maricopa Community College District Active Retirement Program at the 40-49% level are eligible to represent the College.

Article XV – Meetings

Section 1

The Senate shall meet at least twice each month during the academic year, or at the call of the President, or as established by Senate resolution.

Section 2

Standing Senate meetings will be open to all faculty as defined in Article III of this Constitution. However, non-Senate members shall not be allowed to vote on matters or resolutions before the Senate.

Section 3

By approval of a majority of the Executive Committee, the Senate may invite non-faculty members to attend Senate meetings for presentation or observation.

Section 4

Meetings of the Senate shall be conducted according to the latest edition of *Robert's Rules of Order*, unless otherwise directed by this Constitution.

Article XVI – Quorum

A majority of the elected Senate shall be considered a quorum.

Article XVII – Voting in Case of a Tie

The President shall only vote in the event of a tie. In the event that the President is required to vote to break a tie, the occurrence of the tie and the President’s vote of “yes” or “no” shall be recorded.

Article XVIII – Executive Sessions

Section 1

By unanimous vote of the Senators and officers, the Senate may resolve itself into an executive session where only Senators and Senate officers may be present.

Section 2

In executive session no record shall be kept of debate, except that which is ordered by unanimous vote of the Senators and officers. Further, no Senator or officer shall reveal the nature of executive proceedings to any person without unanimous consent of the Senate and Senate Officers.

Section 3

No resolutions or recommendations either to the College Administrators or the MCCD Governing Board shall be approved or enacted during the executive sessions.

Article XIX – Committees

Section 1

There shall be no Standing Committees of the Senate other than the Executive Committee.

Section 2

Special Committees may be established by majority vote of the Senate.

Section 3

Special Committees shall exist for no more than one (1) year unless reaffirmed by majority vote of Senate by the first Thursday in October of each year.

Section 4

The purpose, size and membership of each Special Committee shall be determined or modified by majority vote of the Senate. Membership on Committees shall be open to all faculty as defined in Article III of this Constitution.

Non-Senate members shall have the right to vote in Committee.

Section 5

The Chair of each Special Committee shall be appointed by the Senate President subject to the approval, by majority vote, of the Senate.

Section 6

Vacancies on Special Committees shall be appointed by the Senate President subject to the approval, by majority vote, of the Senate.

Section 7

Special Committees shall be responsible only to the Senate and shall report to the Senate at least once during the academic year.

Article XX – Joint Committees

Section 1

None of the Articles or other provisions above shall restrict or limit the power of the Senate to propose or participate in Joint Committees involving MCC-internal or external constituencies. The nature and extent of Senate participation shall be determined as needed or as the opportunity arises.

Section 2

Membership on Joint Committees shall be open to all faculty as defined in Article III of this Constitution

Section 3

Special Committees may be designated by the Senate to represent the Senate in Joint Committee activities.

Section 4

The membership of each Joint Committee shall be determined or modified by majority vote of the Senate. Membership on Joint Committees shall be open to all faculty as defined in Article III, Section 1 of this Constitution. Non-Senate members shall have the right to vote in Committee.

Section 5

Vacancies on Joint Committees shall be filled by Presidential appointment subject to the approval, by majority vote, of the Senate.

Section 6

Regular reports of the progress of a Joint Committee, as delineated in the *MCC Faculty Senate Best Practices Manual*, shall be made to the Senate.

Section 7

Recommendations of a Joint Committee shall be referred to the Senate for approval, by majority vote; otherwise, such recommendations shall not imply the concurrence of, or be binding upon the Senate.

Article XXI – Agenda

The College President, any member of the Senate, any faculty member by securing a senator to sponsor it, or 10% of the members of the Faculty Association may place an item on the agenda of the Senate.

Article XXII – Privileges and Responsibilities

Section 1

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

Section 2

The Senate shall be the exclusive negotiating representative of the Faculty with respect to all academic and professional matters as stated in the *Residential Faculty Policies*.

Section 3

The Senate, or its representatives, shall actively participate in the determination of non-salary benefits, sabbaticals, professional growth, and the general and professional conditions of employment for the Faculty of Mesa Community College.

Section 4

The Senate shall not be required to accept, represent, sponsor, or defend any action or grievance, or negotiate on behalf of any member of the Faculty who is not a member of the Faculty Association.

Article XXIII – Referendum

Section 1

A general faculty meeting with the College President shall be requested by the Senate President upon petition of ten (10) percent of the faculty or by majority vote of the Senate.

Section 2

The Senate may request the advice of the Faculty through ballots or written communication.

Section 3

On petition of ten (10) percent of the Faculty or by majority vote of the Senate, any referendum considered by the Senate must be referred to the faculty for a secret ballot.

Section 4

A general faculty meeting shall be called by the Senate President upon petition of ten (10) percent of the Faculty or by majority vote of the Senate. The Senate President shall call the meeting within five (5) full working days of the receipt of the petition.

Article XXIV – Recommendations and Resolutions

All recommendations and resolutions of the Senate shall be forwarded through established administrative channels.

Article XXV – Finances

Consistent with the MCCD Faculty Association Constitution, Faculty Association membership will require the payment of annual dues. The dues amount shall be determined by the MCCD Faculty Association's Faculty Executive Council. Faculty who have not paid or formally pledged the full dues amount by November 15 of each year will not be eligible for election as Senator or Senate Officer.

Article XXVI – Amendments, Ratification and Revision

This Constitution may be amended through the following procedure.

Section 1

A proposal for amendment shall require a two-thirds (2/3) vote of the Senate membership provided that the proposed amendment shall have been presented in writing to each member of the Senate at least five (5) full working days in advance of the meeting.

Section 2

An approved proposal for amendment shall be submitted to the members of the Faculty Association, as defined in Article III of this Constitution.

Section 3

This Constitution shall become effective by a majority vote of the Faculty Association Members.

Section 4

This Constitution shall be reviewed, and revised as required, within five (5) years of its revision date.

Revised by vote of the Faculty Senate, this sixth day of November, 2003.

Revised by vote of the Faculty Senate, this seventeenth of April, 2008.