

LANEY COLLEGE



FACULTY SENATE

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# CONSTITUTION

*Revised April 2018*

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900 Fallon Street • Oakland, CA 94607 • Room T-414

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LANEY COLLEGE FACULTY SENATE  
**CONSTITUTION**

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**Article I**

*Statement of Purpose*

In order that the faculty may participate effectively in the formation of district educational and professional policies and in the selection of major administrative personnel and faculty for the Peralta Community College District, the Laney College Faculty Senate (an organization formed in accordance with Section 131.6 of Title 5 of the California Administrative Code) shall make recommendations to the College Administrators, District Academic Senate (DAS), district administration and/or the Peralta District Board of Trustees on matters of educational and professional significance pertinent to the College and/or the District.

**Article II**

*Composition of the Electorate*

The electorate shall consist of all certificated personnel employed on a regular contract or hourly basis who do not perform any services for the college under an administrative contract.

**Article III**

*Composition of the Senate*

The Senate shall consist of a President, Vice President, Secretary, Treasurer, Parliamentarian, District Academic Senate (DAS) Representative and one representative for each six regular contract (permanent) faculty during the semester in which an election is held. Hourly faculty shall be represented by four (4) elected representatives.

**Article IV**

*Functions of the Senate*

- A. The Laney Faculty Senate shall be a deliberative as well as a coordinating body.
- B. Matters of educational and professional significance may be brought before the Senate in the following ways:
  - 1. From an individual faculty member (not a senator) through his/her Senate representative or an appropriate committee, or by invitation of the Senate.
  - 2. From a Senator on the Floor of the Senate during the time provided for such actions.
  - 3. From a committee chairperson or his/her representative in response to the will of the committee which he/she chairs.
  - 4. From the College Administrators either indirectly through the President of the Senate or directly by invitation of the Senate.
  - 5. From the Board of Trustees either indirectly through the President of the Senate or directly by invitation of the Senate.
- C. All business requiring a vote of the Senate must be on an agenda published and released to the Senate at least seventy-two (72) hours (Brown Act) prior to the scheduled meeting of the Senate.
  - 1. An individual member of the faculty or a Senator will prepare for inclusion in the agenda a brief statement of the resolution, problem, or question to be deliberated.

2. When making committee reports, the committee chairperson or his/her representative may give to the Secretary of the Senate a typed copy of the committee report when representing the committee. Or if representing himself/herself will conform to the regulation in Section C, Paragraph 1.
  3. Administrators and Board Members have in the agenda a statement of the resolution and/or problem to be deliberated if the presentation is to be made in person, or a separate precis must be submitted as an addendum to the agenda if the issue is presented by the President of the Senate on behalf of Administrators or Board Members.
- D. As soon as practicable, recommendations voted in the Senate shall be published and distributed to the College Administrators, Administrators, district Academic Senate (DAS), the Board of Trustees, and all Electorate.
- E. Regular meetings of the Senate shall be held on the first and third Tuesday of every month when school is in session unless the President shall call a special meeting of the Senate which shall include the electorate.
- F. Upon petition of any fifteen members of the electorate the President shall call a special meeting of the Senate which shall include the electorate.
- G. The Senate may meet but shall not act unless a quorum is present. A quorum consists of a simple majority of the total Senate membership.
- than the first regular April meeting), which shall include the electorate, nominations for the offices of President and Vice President shall be in order. Nominations may be made by any member of the electorate in written form or from the floor with prior consent of the nominees.
  3. Within one week from the time nominations have been made the President shall call a special meeting of the electorate to allow the nominees to present their views.
  4. Within two weeks from the time of nominations, elections shall take place.
  5. The electorate shall vote for the President, Vice President and DAS Representative by secret ballot. Ballots shall have provision for write-in candidates. On the day(s) of the election, voting shall take place at an easily accessible location.
  6. The election of President, Vice President and DAS Representative shall be by a majority of the voting electorate. If after the first ballot no candidate has a majority, then a run-off election shall be held immediately between the two candidates receiving the largest number of votes.

Faculty shall have one vote each.

7. The Secretary, Treasurer, and Parliamentarian shall be appointed by the President with the approval of a majority of the Senate.
8. The officers shall assume office on July 1.

B. Terms of Office

1. All senate offices shall serve terms of one fiscal year.
2. The President and Vice President may be re-elected for additional terms but may not serve for more than two consecutive terms in the same office.

## Article V

### *Officers / District Academic Senate Representative*

A. Manner of Selection of Officers

1. Elections shall be held at least six instructional weeks prior to the close of the Spring semester.
2. At a meeting of the Senate (no earlier than the second regular March meeting nor later

3. A vacancy in the Presidency shall be filled by the Vice President.
4. A vacancy in the Office of Vice President shall be filled by Presidential appointment subject to approval of the Senate.

C. Recall of Officers

1. Any member of the electorate may initiate a recall hearing involving either the President, Vice President and DAS Representative at any meeting of the Faculty Senate providing that a majority of Senators present concur.
2. A special meeting of the electorate shall be called for the purpose of hearing the charges and the defense against the charges. The officer \DAS Representative charged shall determine the specific date of this meeting which shall take place not less than one week nor more than two weeks subsequent to the initial proposal.
3. The recall election shall be held within three days of the hearing by secret ballot. A two-thirds majority of the voting electorate shall be required to remove the officer.

## Article VI

### *Officers*

#### **Qualifications, Duties and Powers**

The officers of the Laney Senate are: Past President (non-voting), President, Vice President, Secretary, Treasurer and Parliamentarian.

A. The President

1. Qualifications:
  - a. Any full-time, tenured faculty member of the electorate may serve as President.
2. Duties:
  - a. It shall be the duty of the President to preside over meetings of the Senate, to serve as a member of the Laney College

President's Council, District Academic Senate meetings and to represent the Senate at meetings of the Peralta District Board of Trustees meetings and workshops.

- b. Reflect the views of the Laney Senate at the President's Council, DAS meetings, Board of Trustees meetings and workshops.
- c. During school vacations he/she shall have the power, in these instances, to make decisions on behalf of the Senate subject to later approval by the Senate. It is impossible for him/her to be present at the above meetings, he/she shall delegate said duty and power to the Vice President or his/ her designated representative. At no other time shall individuals or committees make decisions on behalf of the faculty without prior consent and subsequent approval by the Senate.
- d. The President shall have the power to appoint faculty to college committees with the approval of the majority of the officers (President, Vice-President, Secretary and DAS Representative).
- e. The President shall serve as ex-officio member of all committees formed by the Senate.
- f. The President shall prepare an agenda which shall be distributed to all senators at least seventy-two (72) hours prior to each meeting of the Senate.

3. Powers:

- a. The President shall have the power to call special meetings of both the Faculty Senate and Senate committees.
- b. The President shall have the power to appoint a Committee on Organization. (See Article VIII, Section B)

- c. The President shall have the power to appoint chairpersons on Senate committees with the approval of a majority of the Senate. (See Article VIII, Section D)

## B. The Vice President

### 1. Qualifications:

- a. Qualification for the office of Vice President shall be the same as those for the office of President except that s/he need not be tenured.

### 2. Duties:

- a. The Vice President shall assist the President and preside over the Senate in his/her absence.
- b. The Vice President shall serve as an ex-officio member of all senate committees.
- c. The Vice President shall serve as a member of the President's Council and the District Academic Senate.
- d. The Vice President shall reflect the views of the Laney Senate at the President's Council and the District Academic Senate.

## C. The Secretary

### 1. Qualifications:

- a. The qualifications for the office of Secretary shall be the same as those for the office of the Vice-President.

### 2. Duties:

- a. The Secretary shall have prepared and distributed copies of the minutes of previous meetings to all Senators at least twenty-four hours prior to meetings of the Senate.

- b. The Secretary shall be responsible for all official correspondence and all official minutes of the Senate.

- c. The Secretary shall perform those duties prescribed by the President.

## D. The Parliamentarian

### 1. Qualifications:

- a. The qualifications for the office of Parliamentarian shall be the same as those for the office of the Vice President.
- b. In addition to the above qualifications, the Parliamentarian shall be thoroughly familiar with the Constitution of Laney College Faculty Senate and with Parliamentary procedure.

### 2. Duties:

- a. The Parliamentarian shall be present at all meetings of the Senate.
- b. The Parliamentarian shall advise and serve at the pleasure of the President and be ready to interpret parliamentary procedure in accordance with Robert's Rules of Order. (Added 10-31-84 - Constitutional Amendment approved by the Senate 10-09-84 and ratified by the electorate by secret ballot.)

## E. The Treasurer

### 1. Qualifications:

- a. The qualifications for the office of Treasurer shall be the same as those for the office of the Vice-President.

### 2. Duties:

- a. The Treasurer shall keep a record of all Senate funds & accounts and shall have the power (along with the President) to authorize checks disbursing these funds for purposes authorized by the Senate.

- b. The Treasurer shall keep appropriate records of all Senate income and expenditures, and shall provide periodic reports (at least twice per semester) to the Senate membership.

## Article VII

### *Senate Representatives*

#### **Selection, Terms and Recall**

##### A. Manner of Selection of Senate Representatives

1. The total electorate shall be divided into four areas: Liberal Arts, Service (non-teaching), Vocational and Hourly Faculty (four representatives). For the Liberal Arts and Vocational areas (programs), the electorate shall be divided into their teaching departments; for the Service area, the electorate shall be arranged in alphabetical order and then divided into groups of the electorate that are in number no less than six and as close as possible to multiples of six.
2. At the time nominations are made for Senate Officers, any member in each separate group of the electorate may make nominations for Senate representatives from his/ her respective group only. Nominations may be made in written form or from the floor with prior consent of the nominees.
3. Ballots shall have provisions for write-in candidates.
4. The electorate in each group shall vote by secret ballot for a number of representatives, from their group only, that does not exceed the proportional amount assigned to their group—one Senate representative for each six electorate; should the groupings result in a fractional allocation of representatives, the following shall be applied: one representative for 4 to 9 electors, 2 representatives for 10 to 15 electors, 3 representatives for 16 to 21 electors; those liberal arts departments having fewer than four electorate shall be placed in one group,

those vocational departments having fewer than four electorate shall be placed in one group.

The service faculty shall be considered one group.

If any department or group does not fill its prescribed number of representatives, then the newly elected Faculty Senate shall elect via secret ballot an appropriate number of candidates-at-large to fill the vacancies in each major area: Liberal Arts, Service and Vocational. Candidates-at-large must be from the area they desire to represent. Any member of the electorate shall be qualified to be a candidate-at-large.

On the day(s) of the election, voting shall take place at an easily accessible location.

5. The number of candidates equal to the proportional amount assigned to each separate group receiving the greatest number of votes in their respective group shall become the Senate representatives for their group. If after the first ballot two or more candidates tie for the last available position in any group, a run-off election shall be held immediately between the candidates involved in the tie.
6. Hourly faculty shall elect four representatives college-wide.
7. The elected representatives shall assume office on July 1.

##### B. Terms of Office

1. All senate representatives shall serve terms of one fiscal year.
2. Senate representatives may be re-elected for additional terms.
3. A vacancy in the body of representatives shall be filled by appointment by the president with approval of a majority of the Senate . Representatives appointed to fill a vacancy shall serve until the next election.

### C. Recall of Representatives

1. Any member of the electorate may petition the Senate President to hold an election by secret ballot for the recall of a representative from his/her group only.
2. A two-thirds vote of the entire electorate of the group shall be necessary to remove the representative.

2. DAS Representative may be re-elected for additional terms.
3. A vacancy in the DAS representative shall be filled by special election called by the president.

### E. Recall of DAS Representative

Same as recall of officers.

## Article VIII

### *District Academic Senate Representative*

#### Selection, Term and Recall

##### A. Manner of Selection of District Academic Senate Representative

1. At the time nominations are made for Senate Officers nominations for the office/position of District Academic Senate Representative shall be in order.
2. Election shall follow the procedures for election of President and Vice President.

##### B. Qualifications

1. Qualification for the office DAS Representative shall be the same as those for the office President and Vice-president.

##### C. Duties

1. Regularly attend Laney and District Academic Senate meetings.
2. Represent the Laney Senate at the DAS.

##### D. Terms of Office

1. DAS Representative shall serve for term of one fiscal year.

## Article IX

### *Committees*

#### Structure and Function

- A. Committees of the Faculty Senate which are not joint committees shall be established to investigate issues in their designated areas and recommend action on these issues to the Senate only. The faculty representatives on all other committees considering issues or policy decisions that affect or are deemed important to the faculty shall report to the Senate for deliberation and concurrence on the recommendations the committee wish to make.
- B. At the beginning of his/her term the President of Faculty Senate may appoint members to a committee on Organization. This committee shall recommend to the Senate the establishment of other committees which should be formed and shall also recommend the membership of the other committees which are established, giving all possible consideration to the preferences of individual members of the electorate.
- C. All faculty representatives who serve as voting member on committees other than committees of the Faculty Senate shall be appointed by the President of the Faculty Senate.
- D. The President may appoint a chairperson for each committee of Faculty Senate with the approval of a majority of the Senate or he/she may allow a committee to choose a chairperson from its own ranks by majority vote and approval by the Senate.



- E. At the request of a majority, of the members of a committee, the President shall replace the chairperson of the committee.
- F. Under normal circumstances committees will study and report on issues before the Senate acts upon them.
- G. Issues shall be presented to committees by the President of the Senate, or by acceptance by the appropriate committee when one-fourth of the members of the committee approve, or by action of the Senate.
- H. Committees shall investigate the issues before them and report their findings to the Senate with all due dispatch.
- I. When a committee is prepared to make a report to the Senate, the President shall be obliged to include the committee report on the earliest possible Senate meeting agenda.
- J. A committee report shall include both majority and minority opinions, and if a vote of the Senate will be required, it shall be reproduced and issued to all Senate members at least two days before the meeting at which it is to be presented.
- K. Committee reports shall be presented to the Senate by the chairperson of the report in 2 committee or by any person or persons the chairperson designates.
- L. Except when a committee is dealing with issues that are deemed by the chairperson or a majority of the committee members, or the party involved, to be personally confidential in nature, committee meetings shall be open to all members of the electorate.

## **Article X**

### *The Amending Process / Dissolution of the Representative Body of the Senate*

#### A. The Amending Process

1. This constitution may be amended on a motion of any member of the electorate providing that two-thirds of the cast ballots ratify the proposal by secret ballot.
2. The amending process may be initiated at any Faculty Senate meeting, including a special meeting of the electorate which shall be called for the purpose of initiating amendments at the request of any fifteen members of the electorate.
3. All proposed amendments must be presented in written form to all members of the electorate five teaching days before a vote can be taken.

#### B. Dissolution of the Representative Body of the Senate

1. Upon petition of any twenty-five members of the electorate the President shall hold an election by secret ballot for the dissolution of the entire representative body of the Senate, excluding Senate Officers.
2. If two-thirds of the voting electorate vote to dissolve the representative body, the President shall immediately initiate the process for holding an election to select a new group of Senate representatives.

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LANEY COLLEGE FACULTY SENATE

**BY-LAWS**

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- A. WHEREAS, an elected Senator may cease attending the Senate meetings,

THEREFORE BE IT RESOLVED that in the event of resignation of a Senator or if there are three consecutive absences the group which the Senator represents will be notified of the vacancy or consecutive absences and the group can take any action it legally can take under the Constitution. Notification of these possible actions will be given to the group. (Adopted 12/5/72)

- B. WHEREAS, the Faculty Senate President and Vice President are required by the Laney College Faculty Senate Constitution to attend College Cabinet meetings and the President is required to attend all sessions of the Peralta Board of Trustees, and both officers are required to attend District Academic Senate meetings,

THEREFORE BE IT RESOLVED that copies of the minutes or reports of these bodies be made available to the Senators and be kept on file in the Senate Office. (Revision Adopted 2/17/76)

- C. WHEREAS, to assure the consent of Senate nominee before a Faculty Senate election,

THEREFORE BE IT RESOLVED that a nominee indicate his/her willingness to run by signing the nomination blank and dating it after the two faculty members who have proposed his/her nomination have signed the nomination blank. (Adopted 12/4/72)

- D. WHEREAS, meetings of the Senate are perforce limited to considerable less than an hour for business, old and new,

THEREFORE BE IT RESOLVED that a five-minute rule be observed at the end of each

session thus terminating debate and voting until the next scheduled meeting. (Adopted 12/5/72)

- E. WHEREAS, the deliberations of the Senate may be protracted and thus hinder decision making,

THEREFORE BE IT RESOLVED that the Senate President, in addition to the regular meetings shall call special meetings of the Senate on the second and fourth Tuesdays of every month when school is in session as a matter of policy unless the President decides there is no business of a pressing nature to be conducted. (Adopted 1/9/73)

- F. WHEREAS, meetings of the Laney College Faculty Senate are open meetings,

THEREFORE BE IT RESOLVED that copies of all Faculty Senate Minutes be distributed to all Laney certificated personnel, excluding minutes of any Executive session,

THEREFORE FURTHER BE IT RESOLVED that copies of Laney College Faculty Senate Minutes will be forwarded to the Chancellor of the Peralta District and to each member of the Peralta Board of Trustees after they have been approved by the Senate and excluding minutes of any Executive session. (Revision Adopted 4/20/76)

- G. WHEREAS, faculty and students have many issues of common concern,

THEREFORE BE IT RESOLVED that one or two student observers, to be designated by the Laney College Student Council, are invited to attend all Faculty Senate meetings except Executive sessions. (Adopted 10/5/76)

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LANEY COLLEGE FACULTY SENATE

# AMENDMENTS TO THE CONSITUTION

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October 13, 2017

Number of Part-Time representatives changed  
from 2 to 4.

April 19, 2018

Weight of Part-Time faculty votes changes from  
 $\frac{1}{4}$  to 1, equaling that of Full-Time faculty.

*Previous amendments have been lost. Contact the  
current Senate President if you hold any historical  
knowledge of the Laney College Faculty Senate.*