

Appendix 17

Constitution

of the

Academic Senate

of

California State Polytechnic University, Pomona

2018

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## **Article I**

### **Name**

SECTION 1 The name of this body shall be the Academic Senate of the California State Polytechnic University, Pomona

## **Article II**

### **Purpose**

Whereas the Legislature of the State of California has enacted the Higher Education Employer-Employee Relations Act which provides for joint decision making and embraces the concept of shared Academic governance and Academic Senates as mechanisms for that shared governance, this document establishes an Academic Senate at this University subject to the laws of the State of California, the regulations of the Trustees and the Chancellor of the California State University, the Collective Bargaining Agreement, the Bluebook (Principles and Policies: Papers of the Academic Senate of The California State University, Volume I, 1988), and the review or approval by the President of the University. The CSU Statement on Collegiality dated October 4, 1985 shall become an addendum to this Constitution.

SECTION 1 Authority, Constraints & Responsibilities

The Academic Senate shall be governed by its Constitution and Bylaws, provided that nothing in the Constitution and Bylaws exceeds its power and authority as determined by regulations established by the President of the University, the Trustees or the Chancellor of the California State University, or the laws of the State of California.

SECTION 2 It shall be the responsibility of the Academic Senate to protect the principle of departmental autonomy, compatible with the general welfare of the University. It is understood that responsibilities not specifically assumed by the Academic Senate shall be reserved to the departments.

SECTION 3 The Academic Senate shall have primary responsibility for determining the educational policies of the University, minimally to include:

- A. curricula;
- B. course objectives content, requirements, teaching methods, and all other determinants of the classroom teaching-learning experience;
- C. academic standards of performance and system of grading;
- D. appropriate class sizes and teaching pedagogies within the framework of the university budget;
- E. the composition, powers, and duties of all Unit 3 member Committees, related to educational policies of the university, wherein it is decided by either the Academic Senate or the administration that Unit 3 participation is desirable.

The Administration and the Academic Senate shall confer when either party desires to create a campus Committee. When seeking Unit 3 representation and consultation the Administration shall confer only with the Senate. Unit 3 representation on University Committees should be assigned only by the Senate.

The President, in making the final decision on these matters, shall accept the recommendations of the Academic Senate except in rare instances and for compelling reasons. Should the President decline to concur in determinations of the Academic Senate it shall be the responsibility of the President to explain the compelling reasons in writing to the Academic Senate. A decision must be communicated in writing within forty-five (45) instructional weekdays from receipt of the Academic Senate recommendations. If the response to a referral cannot be completed within this time frame, then the President or his/her designee will report to the Executive Committee as to the reason for the delay and the Academic Senate Executive Committee shall establish a new deadline.

SECTION 4 It shall be the responsibility of the Academic Senate to participate in determining other policies of the University, by means of recommendations to the President, minimally to include:

- A. the University's internal organizational structure in terms of colleges, schools, centers, divisions, departments, or other administrative configurations;
- B. a suitable Academic environment conducive to the learning situation insofar as physical facilities are concerned;
- C. the nature and scope of university-wide services provided by support branches such as Career Center, Instructional Technology and Academic Computing, Counseling and Psychological Services, and the Cal Poly Pomona Foundation, Inc., all university foundations;
- D. the contents and format of university publications;
- E. the nature of the institution's community relations program;
- F. library allocations for the purchase of departmental educational materials.

SECTION 5 It shall be the responsibility of the Academic Senate to participate in determining Academic personnel policies, by means of recommendations to the President, minimally to include:

- A. rules of ethical and professional behavior of faculty members;
- B. criteria for hiring, retention, tenure, and promotion for faculty members and to make specific recommendations in each instance;
- C. criteria for sabbatical leaves, difference-in-pay leaves, and other professional leaves;
- D. the Academic Senate's role in the selection and periodic review of administrative officers;
- E. the method of selection, conditions, and terms of office for department chairs as well as the methods by which they can be removed if deemed necessary by members of a given department.

SECTION 6 It shall be the responsibility of the Academic Senate to participate in the selection of administrative officials of the University and the Foundations and in the determination of the university administrative regulations and practices, including preparation of the University Manual.

### **Article III**

#### **Membership and Organization**

- SECTION 1 The Academic Senate shall consist of thirty-five (35) elected representatives from the following three categories:
- A. all tenure-track faculty (tenured and probationary appointed on an annual basis—two Academic semesters), all full-time lecturers appointed on an annual basis;
  - B. all librarians and academic specialists not included in “A” above; as well as
  - C. all Student Services Professionals classified as SSPIII, SSPIV, SSP AR, SSSP, Counselors, and Coaches.
- SECTION 2 Senators shall be elected on the basis of proportional representation established every three years within the various constituent schools and related areas, each constituency being guaranteed a minimum of one senator.
- SECTION 3 Each Academic school and college shall be considered a constituency. Department Chairs are enfranchised. No person shall be allowed to be a member of more than one constituency.
- SECTION 4 In addition to the thirty-five regular senators, each statewide Academic senator shall be an ex-officio voting member of the Senate.
- SECTION 5 No Academic Senate constituency in the University shall have more than one statewide academic senator until each Academic Senate constituency in the University has at least one statewide academic senator.
- SECTION 6 Voting membership shall be granted to a representative of the staff for a term of three years. The staff representative must be a full-time permanent employee. The staff representative shall be selected by an ad hoc committee made up of individuals from bargaining units 1, 2, 4, 5, 6, 7, 8, and 9. The individual representing unit 4 must be in a job classification other than SSPIII, SSPIV, SSP AR, or SSSP. Each of these 8 groups will be invited to have one representative on the committee but participation may be declined. The committee will adopt its own selection procedure. A member of the Elections and Procedures Committee will be assigned to the ad hoc committee in a non-voting status to provide assistance and administrative support. The Elections and Procedures Committee is responsible for contacting the bargaining units and forming the ad hoc committee.

- SECTION 7 Ex-officio voting membership shall be granted to the ASI student body President or to an alternate designated by him/her and confirmed by majority vote of the ASI Senate.
- SECTION 8
- A. No department in a college/school shall have more than one senator until each department within that college/school has at least one senator. During each nomination period candidates may be nominated from any department within the college/school that does not already have a senator. However, if after the close of the initial nomination period there is an insufficient number or numbers of candidates from the eligible department(s), then the seat(s) shall be declared open and candidates from any department within the college/school may be nominated.
  - B. If a senator resigns from the Academic Senate before the end of his or her term, an election shall be conducted as in Article III, Section 8, A. The senator thus elected shall serve until the end of that term.
  - C. Single-seat constituencies may only be represented by a member of that constituency.
- SECTION 9 From among those duly elected members of the Academic Senate, a Chair and Vice Chair shall be elected by the Senate membership.
- A. Election of the Chair and Vice Chair shall take place during the first regularly scheduled Academic Senate meeting in April.
  - B. The nomination period of candidates for the offices of Chair and Vice Chair shall commence at the first regularly scheduled March meeting of the Academic Senate. Nominations, in writing, will be accepted in the Academic Senate office until 5:00 p.m. on the second Wednesday following the first regularly scheduled Academic Senate meeting in March. Nominations made after the 5:00 p.m. deadline shall not be accepted. Candidates shall provide biographical information and a statement of philosophy of shared governance for distribution. This information shall be made available to the electorate.
  - C. At the election, candidates for the offices of Chair and Vice Chair shall have the opportunity to present a short statement not to exceed three minutes.
- SECTION 10 The chair of the Academic Senate is empowered to appoint a recording secretary, parliamentarian, and other such administrative functionaries as in his/her judgment would expedite the work of the Senate.
- SECTION 11 The Executive Committee of the Academic Senate shall consist of the Chair, the Vice Chair, one Senator representing each college or school, one Statewide Senator, and one Senator from other Unit 3 areas specified in Article III, Section I, B and C. The Senate may vote to include the immediate past chair as a voting member of the Executive Committee, provided that the immediate past chair is a member of the Senate. Members of the Executive Committee must be Unit 3 members and should be tenured.
- A. Election of the Executive Committee shall occur after the seating of new Academic Senators at the last regularly scheduled Academic Senate meeting of the Spring Term.
  - B. The nomination of candidates for the Executive Committee shall commence at 9:00 a.m. on the day of the first regularly scheduled Academic Senate meeting in the month

of April. Nominations, in writing, will be accepted in the Academic Senate Office until 12:00 p.m. on the day of the last regularly scheduled Academic Senate meeting of the Spring Term. At the last regularly scheduled Academic Senate meeting of the Spring Term, floor nominations shall be accepted, but only after the seating of new Academic Senators.

- C. At the election, candidates for the Executive Committee shall have the opportunity to present a short statement.

SECTION 12 All other standing and ad hoc Committees shall be appointed by the Executive Committee. All Committees must have at least two senators as members. Each Committee shall be chaired by a senator who is appointed by the Executive Committee. No senator may serve on more than one standing Committee. Faculty membership on Committees will be appointed by the Executive Committee. Duties and procedures of standing Committees will be stated in the Academic Senate Bylaws.

SECTION 13 Election of members of the Academic Senate shall take place prior to April 1 but not before February 1. Newly-elected senators will be seated at the last regularly scheduled Academic Senate meeting of the Spring Term.

SECTION 14 Senators will serve three-year terms, one third of senators being elected annually. The number of vacancies shall be determined on the basis of proportional representation.

SECTION 15 A member of the Academic Senate may be recalled provided that a petition signed by 20% of a senator's constituency, as defined by Article III, Section 1, is presented to the Executive Committee. Upon receiving the signed petition, the Executive Committee shall notify the Election and Procedures Committee, which shall conduct a special election within thirty days of said notification. If a majority of the votes cast by the constituency favors the recall the recall is approved. The Elections and Procedures Committee will conduct an election in the usual manner for a new Senator to serve the remainder of the term of the recalled Senator. If a recall election occurs in Spring Term, the election of the new senator shall be completed before the end of the tenth week of the Spring Term. The recalled Senator shall not be listed among the candidates for the election to fill the vacated seat.

## **Article IV**

### **Amendments**

Amendments to this constitution may be initiated by (a) the Senate by a majority vote of the total Senate membership, or (b) a written request signed by ten percent (10%) of the electorate. Proposed amendments shall be submitted to the Unit 3 members in writing. The Academic Senate shall direct an appropriate Committee to conduct a written, mailed ballot vote on all proposed amendments. An amendment is ratified by an affirmative vote of a majority of all those enfranchised by the Senate or by 60 percent of those voting, whichever is the smaller. The amendment shall then be forwarded to the President as a recommendation and shall become effective upon the approval of the President.

## **Note on Ratification**

Passed by a vote of the faculty of the California State Polytechnic University, Pomona on 10/1/2018.



## Addendum

### CSU Statement on Collegiality

To set the standard for the proper relationship among the various constituencies of the California State University, the Board of Trustees adopted the following statements September 18 after wide consultation with the Academic Senate, university presidents, the California State Student Association and Chancellors staff.

ACADEMIC GOVERNANCE is a complex web of decision-making and responsibility that translates academic goals and values into university policy or action. Authority in the modern public university derives from two quite different sources: (a) from the power vested by law and administrative code in governing boards and administrators and (b) from the knowledge of the subject matter and from the pedagogic expertise of the faculty.

COLLEGIALITY CONSISTS of a shared decision-making process and set of values which regard the members of the various university constituencies as essential for the success of the academic enterprise. It incorporates mutual respect for similarities and for differences in background, expertise, judgments and assigned responsibilities; and involves mutual trust based on experience.

COLLEGIAL GOVERNANCE ALLOWS the academic community to work together to find the best answers to issues facing the university. Collegial governance assigns primary responsibility to the faculty for the educational functions of the institution in accordance with basic policy as determined by the Board of Trustees. This includes admission and degree requirements, the curriculum and methods of teaching, academic and professional standards, and the conduct of creative and scholarly activities. Collegiality rests on a network of interlinked procedures jointly devised, whose aim is to assure the opportunity for timely advice pertinent to decisions about curricular and academic personnel matters.

THE GOVERNING BOARD, through its administrative officers, makes sure that there is continual consultation with appropriate faculty representatives on these matters. Faculty recommendations are normally accepted, except in rare instances and for compelling reasons. The collegial process also recognizes the value of participation for the faculty in budgetary matters, particularly those directly affecting the areas for which the faculty has primary responsibility.

CENTRAL TO COLLEGIALITY and shared decision-making is respect for differing opinions and points of view, which welcomes diversity and actively sponsors its opinions. The collegium must be the last public bastion of respect for individuals, whether they are members of faculty, student, staff, alumni, administration or Board of Trustees.

THE BOARD OF TRUSTEES wishes to maintain the statewide Academic Senate and campus senates/councils separate and apart from collective bargaining. It is the intention of the board to maintain its efforts to promote collegiality and to support the continuing efforts of the Academic Senate to preserve collegiality in the CSU.

CSU Stateline

October 14, 1985

*N.B. This statement is intended to apply to campus academic personnel matters in general and not to apply to individual personnel decision. Specific cases involving appointment, promotion, and tenure decisions must be decided on their own merits and are not subject to normative statements such as that contained in paragraph 4. The Statement should in no way be used in the grievance process as a limitation on the good judgment of a president in any specific case.*