

# CALIFORNIA STATE UNIVERSITY, LONG BEACH

## CONSTITUTION AND BYLAWS OF THE FACULTY

### PREAMBLE

We, the faculty of California State University, Long Beach, in order to promote the effective exercise of our rights, duties, and privileges, and to discharge fully the responsibilities placed upon us by our profession, society, and the State, do hereby establish, subject to the limitations set forth by the Trustees of the California State University and their officers and the Legislature of California, this Constitution.

### **3.100 Name and Membership**

**3.110** The name of this body shall be The Faculty of California State University, Long Beach.

**3.120** Membership in this body shall consist of those persons holding full-time appointments with the rank of Instructor, Assistant Professor, Associate Professor, or Professor, in any discipline of the University; professional librarians; the President and Vice Presidents of the University; Deans and Associate Deans; and such others as the members shall, by majority vote, admit to membership.

**3.130** Membership in this body shall not lapse because of approved leave of absence or emeritus/emerita status.

### **3.200 Powers of the Faculty**

**3.210** The Faculty, subject to the laws of the State of California and the policies and regulations of the Board of Trustees of the California State University, shall make recommendations on matters affecting educational and professional policy which include but are not limited to, curricula, instruction, academic standards, and criteria for the selection, reappointment, and promotion of faculty members, and academic and administrative policies concerning students. The Faculty may review any existing policies and recommend revisions of them.

**3.220** The Faculty shall be free to advise the President of the University on all other matters concerning the general welfare of the University.

**3.225** The Faculty shall exercise final authority in all matters delegated to it by the President for final action.

**3.230** The Faculty shall have the right to present to the Academic Senate CSU, the Chancellor, or the Trustees any matter pertaining to the conduct and welfare of the University the California State University.

**3.240** Unless the Faculty take action to the contrary, it shall be assumed to have delegated its powers to a duly elected body representing the Faculty.

**3.250** Subject to the provisions of this Constitution and Bylaws, and other regulations of the Faculty, the faculties of Colleges, Departments, and such other academic units as may be created, shall recommend policy in all educational matters within their own units and shall

retain the utmost freedom and autonomy compatible with the general welfare of the University.

**3.260** General Faculty Meetings shall be called by the Chair of the Academic Senate within fifteen (15) instructional days of such a request made by: (a) the Academic Senate, or (b) a petition of at least ten percent of the Faculty submitted to the Chair of the Academic Senate.

**3.261** The agenda for General Faculty Meetings shall be publicized at least five (5) days prior to the meeting, and shall be determined by the Executive Committee of the Academic Senate.

**3.262** The Faculty, when in session with an attendance of a majority of the total Faculty, can adopt new regulations or change existing regulations without using the procedures enumerated in Section 3.495 and its subsections.

### **3.300 ELECTION INFORMATION**

#### **3.310 VOTING FRANCHISE**

The voting franchise for college and departmental or area elections shall be determined by the respective organizational units, subject to appropriate personnel procedures, collective bargaining agreements, and constitutional provisions. Faculty with Emeritus/Emerita status are not eligible to vote.

Unless otherwise specified in the regulations controlling a given election, only those tenured or probationary faculty members in the following categories shall be permitted to vote in all-University elections. Within this category, the following are included:

1. Full-time instructional academic employees in residence
2. Librarians
3. Student Services Professionals - Academic Related
4. Administrators who have retreat rights to academic areas
5. Persons on sabbatical leaves or other leaves during the election period
6. Persons participating in the Pre-Retirement Program or the Faculty Early Retirement Program (FERP), during the semester of employment.

#### **3.400 Organization of the Faculty**

**3.410** The Faculty shall establish a duly elected body to be known as the Academic Senate to exercise those powers that rest with the Faculty. The Academic Senate shall remain responsible at all times to the Faculty.

**3.420** The officers of the Academic Senate shall include, but shall not be restricted to, a Chair, a Vice Chair, and a Secretary. These officers shall be elected by the Academic Senate and shall perform the usual functions of such offices.

**3.430** The Academic Senate shall meet at least once a month during the academic year, such meetings to be included in the official University calendar.

**3.440** The Academic Senate shall set its agenda, establish its procedures, set its meeting dates and times, and shall publish and distribute to the Faculty its Minutes, resumes of Minutes and Reports.

### **3.450 Powers of the Academic Senate**

**3.451** Subject to the limitations of the Constitution and Bylaws of the Faculty, the Academic Senate shall have authority to exercise all powers which rest with the Faculty.

**3.452** The Academic Senate shall have the authority to create such committees as are necessary to carry out its functions, to define and limit the power of these committees, and to hold these committees responsible for the performance of their duties.

### **3.460 Committees**

**3.461** Unless otherwise specified by action of the Faculty, all committees and councils whether elected or appointed by the Faculty shall be responsible to the Academic Senate.

**3.462** Representatives of Colleges (other than ex officio members) on councils established by the Faculty shall be elected according to procedures established by the Faculty of each College.

### **3.463 Committee on Committees**

**3.4631** There shall be a Committee on Committees which shall recommend to the Academic Senate (a) appointments to all standing committees and special committees of the Faculty and of the Academic Senate, and (b) changes in the structure of these committees.

**3.4632** The membership of the Committee shall consist of two (2) Academic Senators from the College of Liberal Arts, and one (1) Academic Senator from each of the other Colleges, one (1) of the currently serving lecturer Senators, and one (1) each from the University Library, and from the Student Services Division.

The members of the Committee on Committees shall be nominated and elected by the Academic Senate at its annual organization meeting. The terms are for one (1) year.

**3.4633** Senatorial vacancies on this committee shall be filled by action of the Academic Senate.

### **3.470 Membership**

**3.471** Except as provided in 3.472, 3.475, 3.476, and 3.477 below, all members of the Academic Senate shall be members of the Faculty.

**3.472** The President of the University, the Provost and Senior Vice President for Academic Affairs, the Associate Vice President for Academic Affairs—Instructional Programs, the Associate Vice President for Academic Affairs—Dean of University Academic Programs, and the Associate Vice President for Academic Affairs-- Academic Personnel, Planning and Assessment shall be ex officio, voting members of the Academic Senate.

The Vice President for Administration and Finance, the Vice President for Student Services, the Vice President for University Relations and Development, and the Dean of University College and Extension Services shall be ex officio, non-voting members of the Academic Senate.

**3.473** All academic Deans of the University or Colleges shall be members of the Academic Senate. Academic Deans are those Deans who report to the Provost and Senior Vice President for Academic Affairs, which also includes the Dean of Library Services. Each academic year, two academic Deans shall be selected by the Council of Deans to serve as voting members for the academic year. All other academic Deans shall be nonvoting members of the Senate.

**3.474** Each College, and the University Library, and any other academic unit recognized by the Academic Senate (hereinafter called "unit") shall be entitled to one (1) Senator for each twenty (20) full-time tenured/probationary faculty members or fractions thereof, elected by the tenured/probationary faculty. The Senators from each unit shall be elected by secret ballot. In the initial election or in a first run-off, a majority vote shall be required for election. If a second run-off is required, election shall be by a plurality vote. The number of candidates on a run-off ballot shall be twice the number of vacancies to be filled minus one, but never fewer than two. Campaign statements may be submitted by each candidate and shall be distributed with the first ballot. The Office of the Academic Senate shall forward the call for elections to each unit as early as possible in the spring semester. The call for election shall indicate the number of vacancies for each unit. The election of alternates is encouraged to facilitate replacement of member who is unable to serve or unable to complete a term of service. The term of the alternate shall be determined by each unit. Each unit shall begin the senatorial election process early enough in the academic year that the final results are determined by the first week of April. Units shall publish the vote totals for every candidate on all balloting and forward the results to the Chair of the Academic Senate.

**3.475** One (1) emeritus faculty member, elected by the CSULB Emeritus and Retired Faculty Association, shall be a voting member of the Academic Senate.

**3.476** Three (3) student services professionals—academic related from the Division of Student Services, elected by the student services professionals—academic related members of the Division of Student Services, and five (5) staff members, elected at-large by the staff electorate to serve staggered three-year terms, shall be voting members of the Academic Senate. The President of the Associated Students, the Vice President of the Associated Students, and three (3) students (elected at-large in the spring regular election) shall be voting members of the Academic Senate. In order for the five (5) at-large staff representatives to be seated, they must have received a majority vote of those voting in their election. In the case of the students, those candidates who receive a majority vote in the regular election shall be seated. In the event of a run-off, election shall be by a plurality vote.

**3.477** Each College shall be entitled to one (1) lecturer Academic Senator, with the College of Liberal Arts entitled to two (2). Each lecturer Academic Senator shall be elected by majority vote of the lecturers voting in that College.

As early as possible in the spring semester, the Office of the Academic Senate shall hold elections for lecturer members on Senate Councils from the lecturer population at large. At the same time, the Office of the Academic Senate shall also notify each College to conduct nominations for, and elections of, its lecturer Academic Senator (two in the case of Liberal Arts) from the lecturers in that college. The nominations and elections of lecturer Academic Senators may be held in conjunction with other elections in the college, and in accord with the rules and practices of that college, but must adhere to the following guidelines:

All lecturers in the college must be notified that they are entitled to elect a lecturer senator (two, in the case of Liberal Arts) to the Academic Senate for a one year term beginning in the ensuing academic year. The notification shall include meeting times of the Academic Senate, and a call for nominations. The period for nominations shall be at least ten (10) working days from the date of the notice. Any lecturer may be nominated by submission of that lecturer's name and certification that the lecturer is willing to serve, on a voluntary basis, if elected. Self-nomination is permitted. Brief (50-80 word) campaign statements may be submitted by each candidate and shall be distributed with the first ballot.

Balloting shall be by secret mail ballot, with not less than ten (10) working days allowed for return of the completed ballot. Election requires a majority of the votes cast. If a run-off election is required, the ballot may be truncated by elimination of candidates with lower vote totals from the first ballot so that the run-off ballot contains only one more nominee than offices to be filled. A candidate with the most votes of those not elected may be declared that college's Alternate.

Lecturers who are not attached to a particular college and do not vote elsewhere for an Academic Senator (e.g. with the staff) shall vote with the lecturers in the College of Liberal Arts.

In the event that no lecturer in a particular college is willing to serve as an Academic Senator, the seat shall remain vacant until the next year.

In the event an elected lecturer senator is unable to serve or to complete a term of service, the Alternate shall complete that term of office. Should there be no Alternate, or should the Alternate be unable to serve, a Vacancy shall be declared (see 3.479).

The election of a lecturer to the Academic Senate or to the Senate Councils shall not constitute an entitlement to employment.

**3.478** The terms of office for all Faculty senators, except the members of the Executive Committee, shall start at the beginning of the fall semester. The term of office for the members of the Executive Committee shall start immediately after the end of the first six-week Summer Session. Faculty senators shall serve staggered three-year terms, except for the lecturer Senators who shall serve terms of one year.

**3.479** Vacancies shall be declared by the Academic Senate and upon direction of the Academic Senate to the academic unit, new faculty senators shall be elected to fill unexpired terms. The constituency which elected the original faculty senators shall, within a month, excluding holidays, after declaration of the vacancy, elect a replacement. Student vacancies on the Academic Senate shall be filled by the means

determined by the Associated Student Senate. Staff vacancies on the Academic Senate shall be filled by the same means outlined in Section 3.476.

**3.480** A faculty senator may be recalled by a two-thirds vote by a secret mail ballot of her/his constituency. A recall election for a faculty senator shall be conducted by the Academic Senate upon receipt of a petition signed by ten (10) percent of her/his constituency.

### **3.490 Procedures**

A majority of the voting membership of the Academic Senate shall constitute a quorum.

**3.491** Any three (3) members of the Faculty or any Senator may place an item on the agenda of the Academic Senate by a signed, written notice to the Chair.

**3.492** Members of the Faculty may attend meetings of the Academic Senate, but may speak only with the consent of the Chair or a majority of the senators present.

**3.493** The latest edition of "Roberts Rules of Order Newly Revised" shall prevail at all meetings of the Faculty and its Committees.

### **3.494 Records of the Faculty**

**3.4941** The current records of the Faculty shall be maintained in the Office of the Academic Senate.

**3.4942** Permanent records of the Faculty shall be filed in the Archives Section of the University Library.

**3.495** New policies and amendments to existing University policies may be proposed and adopted by action of the Academic Senate.

**3.4951** Any policy or amendment to an existing University policy may be placed before the Academic Senate in accordance with the rules of that body as specified in Sections 3.440 and 3.491 this Constitution.

### **3.500 Presidential Action**

**3.501** Upon adoption by the Faculty, proposed policies and procedures, including the Constitution and Bylaws of the Faculty, shall be submitted to the President of the University for consideration and action. Those which receive the concurrence of the President become official University policy and will be implemented as soon as is practicable. In all other cases, the President will promptly provide in writing her/his reasons for nonconcurrence.

**3.502** The President of the University shall report to the Faculty at the annual Convocation of the University regarding the general welfare of the University.

### **3.600 Amendments to the Constitution and Bylaws of the Faculty**

**3.601** All amendments to this Constitution shall be subject to the same limitations as stipulated in 3.200; 3.210

**3.602** Amendments to this Constitution may be proposed by: (a) petition of at least ten (10) percent of the Faculty, or (b) a majority vote of the total membership of the Academic Senate.

**3.603** All such proposals shall be submitted to the Chair of the Academic Senate.

**3.604** Any duly proposed amendment to this Constitution shall be submitted by the Chair of the Academic Senate to discussion at a Meeting of the Academic Senate within fifteen (15) instructional days following receipt of the proposed amendment.

**3.605** Such proposed amendment shall be distributed by the Chair of the Academic Senate in writing to the Faculty at least five (5) instructional days prior to the above meeting.

**3.606** An amendment to the Constitution shall become effective when it has received a favorable vote of two-thirds of the Faculty voting in a secret mail ballot conducted by the Office of the Academic Senate within twenty (20) instructional days of the Academic Senate meeting.

Revised Constitution Approved by the Faculty Fall 1984 - President Concurs with Faculty Action Spring 1985.

Amendments to Constitution to Sections 3.8611, 3.8612, 3.8613, 3.8614, new 3.8615 and 3.8617 approved by the Academic Senate on April 13, October 19, 1989. Approved by the Faculty Fall 1989. President Concurs with Faculty Action January 1990.

Amended Constitution approved by the Academic Senate on December 12, 1991. Approved by the Faculty February 1992. President Concurs with Faculty Action April 1992.

Amendments to Constitution regarding membership of Committees on Committees, administrative Membership, and Election Information were approved by the Faculty Fall 1994. President Concurs with Faculty Action December 22, 1994.

Amendments to Constitution regarding lecturer representation and housekeeping changes regarding position titles and similar matters were approved by the Academic Senate on October 5, 2000. Approved by the Faculty Fall 2000. President Concurs with Faculty Action December 15, 2000.