

**CONSTITUTION and BYLAWS of the UNIVERSITY FACULTY
and the ACADEMIC SENATE****POLICY
027-91**

Implementation Date: 8/21/90

Revised: 5/21/91, 3/23/93, 4/29/94, 11/30/95, 3/13/96, 3/29/96,
3/14/97, 4/30/98, 3/20/2000, 5/21/02, 5/1/03, 4/21/05, 9/29/05,
5/12/08**PREAMBLE**

This Constitution and Bylaws establishes the basis upon which effective participation and deliberation shall take place in formulating, evaluating, and recommending policy by which the University shall be governed. It is intended to provide the governance structure of the University Faculty based on a philosophy of shared responsibility for University leadership, to facilitate coordination and cooperation between and among the several parts of the University organization, and to provide means of expression on matters of academic concern by the University Faculty.

Article 1: Names

The name of the representative body within the Faculty shall be the Academic Senate of California State University San Marcos (CSUSM), hereinafter referred to as the Academic Senate or the Senate.

Article 2: Purpose

The purpose of the Faculty shall be to perform functions assigned to it by law, by the Board of Trustees of The California State University (CSU), and by the President of the University; to formulate, evaluate, and recommend to the President of the University policies and procedures pertaining to the development, maintenance, and improvement of the University program; and to serve as a forum for expressing the opinions of faculty members on matters affecting the operations of the University. Generally, the Academic Senate will act as the representative body of the Faculty in order to discharge these duties.

Article 3: Faculty Membership

Voting members of the Faculty shall consist of tenured and tenure-track persons holding faculty rank, library faculty, counselor faculty, and full-time temporary faculty holding at least one-year appointments in academic departments.¹

Persons with substantial managerial and supervisory responsibilities that involve faculty and academic programs are excluded from membership. Persons holding MPP appointments are excluded.² Persons with work assignments that are substantially similar to the duties and responsibilities of persons holding MPP appointments are excluded.^{3,4,5} Faculty with the voting franchise shall be called eligible faculty.

Article 4: Faculty Meetings

The Faculty shall meet twice a year in regularly scheduled meetings. Special meetings of the faculty shall be called at the request of the President of the University, at the request of the Executive Committee, or at the request of ten percent of the members of the eligible faculty by written petition. The Chair of the Academic Senate shall preside at such meetings.

Article 4.1: Quorum

One half of the members of the eligible faculty shall constitute a quorum.

Article 4.2: Agenda and Notice

All members of the Faculty will be provided with an agenda for regular meetings of the Faculty at least two academic days prior to the meeting.

Article 5: The Academic Senate

The Academic Senate is the official representative body of the Faculty.

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Article 5.1: Senate Membership

Voting members of the Senate shall consist of those members of the Faculty and the representative of the part-time temporary faculty who have been duly elected or appointed to the Senate according to this Constitution and Bylaws of the University Faculty and the Academic Senate, the CSUSM representatives to the Academic Senate of The California State University, the Associated Students Incorporated representative, the staff representative, together with the Chairs of the Academic Policy Committee, Budget and Long-Range Planning Committee, Faculty Affairs Committee, General Education Committee, Library and Academic Technology Advisory Committee, Nominations, Elections, Appointments and Constitution Committee, Program Assessment Committee, Student Affairs Committee, and University Curriculum Committee if they were not otherwise elected to a Senate seat.

Article 5.1.1: Representative Proportion of Membership

The Senate shall be representative of the full-time faculty in proportion to the number of full-time eligible faculty in each College/Library/Student Services Professionals - Academic Related. The number of seats for each College/Library/SSP-AR will be that unit's proportion of the total eligible faculty (not including lecturers, and each faculty member can only be counted for one college), multiplied by 50. Fractional seats will be rounded up if they are .5000 or greater and rounded down otherwise, except that each unit will be guaranteed a minimum of one seat.

Article 5.1.2: Terms of Membership

Senate terms of office run concurrently with the academic year. Senators shall serve staggered two-year terms. For election procedures, see Election Standing Rules Academic Senate.

Article 5.1.3: Ex-Officio Membership

Ex-officio, non-voting members of the Senate shall be the President of the University, the Provost and Vice President for Academic Affairs, all Vice Presidents, the Associate Vice Presidents and Deans within Academic Affairs, a representative selected by the CSUSM California Faculty Association (CFA) President (if not already a member of the Senate), the past Chair of the Senate (if not already a member of the Senate), and others approved by the Senate.

Article 5.1.4: Participation of Ex-Officio Members

Ex-officio, non-voting members, unless otherwise noted, shall be extended the right to participate in debate, but may not introduce motions or vote.

Article 5.2: Election Procedures

The Senate Nominations, Elections, Appointments, and Constitution Committee shall solicit nominations and prepare a ballot of nominees for the Academic Senate from each of the Colleges, the Library, and from among the eligible counselor faculty (hereinafter referred to as units). The ballot shall specify the number of senators that the unit shall elect according to the proportioning rule. Whenever possible, the number of nominees should be adequate to provide voters with a choice. A sample ballot shall be published at least two weeks before the date of election. Faculty may directly nominate candidates by a request submitted to NEAC.

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5/12/08**Article 5.3: Senate Officers**

The Officers of the Senate shall consist of a Chair, Vice-Chair/Chair-Elect, and Secretary. The Vice-Chair serves as Chair-elect prior to becoming Chair. The officers of the Senate shall be voting members of the Senate. For election procedures, see Election Standing Rules Academic Senate.

Article 5.4: Senate Meetings

The Senate shall meet at least four times during each of the fall and spring semesters. The Chair of the Senate may call special meetings of the Senate upon two days notice.

Article 5.4.1: Quorum

More than half of the number of voting members of the Senate membership constitutes a quorum.

Article 5.4.2: Agenda and Notice

All members of the Faculty will be provided with an agenda for regular meetings of the Senate at least two academic days prior to the meeting. All senators shall receive supporting documentation for agenda items at least two academic days prior to the meeting. The Senate may waive the two day notice requirement for specific items upon a two-thirds vote of those present at the meeting.

Article 5.4.3: Parliamentarian

The Parliamentarian shall be named by the Executive Committee of the Academic Senate at its last meeting of the academic year from a list of nominees forwarded from NEAC. For the selection procedure, see Academic Senate Election Rules and Guidelines. The Parliamentarian shall be a non-voting, ex-officio member of the Senate, must be tenured with a minimum of two years experience in the Academic Senate, and possess a good knowledge of Robert's Rules of Order.

Article 5.4.3.a: Parliamentarian Duties

The Parliamentarian is to attend all full meetings of the Academic Senate and shall be seated next to the Chair of the Senate. The Parliamentarian shall advise the Chair rather than the body-at-large on Robert's Rules of Order, but has the authority to advise the Chair when he/she is not adhering to said Rules. The Parliamentarian shall attend the new Senator orientation to present a brief overview of Robert's Rules of Order. The Parliamentarian shall also be available to Academic Senators for consultation on matters related to Academic Senate meeting procedures. N.B.: If this amendment passes, the Election Rules and Guidelines will be modified to include the following: Guidelines for Election of the Academic Senate Parliamentarian NEAC shall distribute a call for Parliamentarian no later than one week after the announcement of the spring election results. NEAC will forward the list of nominees to the Executive Committee who will select the Parliamentarian by the last Executive Meeting of the academic year. Should no nominees come forward by the end of the academic year, the incoming Senate Chair shall appoint a member from the Senate to act as interim Parliamentarian until NEAC is able to solicit nominees. Once nominees are solicited, the Executive Committee shall select the Parliamentarian. The interim Parliamentarian shall be a non-voting member while acting as Parliamentarian.

Article 6: Standing Committees of the Senate

The Academic Senate shall have the following Standing Committees:

1. Executive Committee (EC)
2. Academic Policy Committee (APC)
3. Budget and Long-range Planning Committee (BLP)

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4. Faculty Affairs Committee (FAC)
5. General Education Committee (GEC)
6. Library and Academic Technology Advisory Committee (LATAC)
7. Nominations, Elections, Appointments, and Constitution Committee (NEAC)
8. Program Assessment Committee (PAC)
9. Promotion and Tenure Committee (PTC)
10. Student Affairs Committee (SAC)
11. University Curriculum Committee (UCC)

Article 6.1: Standing Committee Membership

Faculty voting members of the Standing Committees of the Senate will be drawn from the Faculty eligible for the Senate according to the Election Standing Rules Academic Senate. Faculty Committee members shall serve staggered two-year terms except for the members of the Executive Committee, which draws its membership from current chairs of the standing committees. The chair of each standing committee shall be elected by the voting members of the committee from the eligible faculty on the committee. Student members and staff members shall serve one-year terms, with the exception of staff members of the Library and Academic Technology Advisory Committee, who will serve two-year terms.

Colleges in development with less than ten full-time faculty members (not including lecturers) will be represented as voting members in standing committees in the following way: the faculty of colleges in development can choose, before the Spring election, the standing committees to which they will send one representative. The chosen committees should be reported to the Academic Senate Office by March 15. The selection of the committees should be conducted by the college by voting. The voting should be anonymous and a single majority is sufficient. The election of the representatives will be conducted according to the Academic Senate Election Rules and Guidelines.

Colleges in development have to send representatives to a minimum number of committees but depending on the size of the college the maximum number of committee seats is also restricted, see the following table.

Number of eligible faculty members of the college	Number of committee seats for the college
1	1-2
2	2-4
3	3-6
4	4-8
5	5-10
6	6-10
7	7-10
8	8-10
9	9-10

Once a college in development has ten or more eligible faculty members its representation in all standing committees will be guaranteed by a change of the Constitution and Bylaws.

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Article 6.2: Other Committees

In addition to the regular Standing Committees, the Academic Senate may create ad hoc or special committees for specific purposes.

Article 6.3 Annual Reports

Each Standing Committee is required to submit an annual report to the Senate at the last Senate meeting of the academic year.

Article 6.4: Executive Committee (EC)

Voting members of the Executive Committee shall be composed of the Chair of the Senate, who will serve as Chair of the Executive Committee, the Vice-Chair and the Secretary of the Senate, one of the CSUSM representatives to the Academic Senate of The California State University, and the Chairs of the Academic Policy Committee, Budget and Long-Range Planning Committee, Faculty Affairs Committee, General Education Committee, Library and Academic Technology Advisory Committee, Nominations, Elections, Appointments and Constitution Committee, Program Assessment Committee, Student Affairs Committee, and University Curriculum Committee. Each College and the Library will be guaranteed at least one voting Executive Committee seat. The Colleges and Library will elect their Executive Committee representatives from among their Senators. The President and the Provost and Vice President for Academic Affairs shall sit as ex-officio, non-voting members. The President, or the President's designee, of the CSUSM chapter of the California Faculty Association shall serve as a liaison to the Executive Committee and as an ex-officio, non-voting member of said committee.

Article 6.4.1: Executive Committee Duties

The Executive Committee shall set the agenda of the Senate, refer tasks to committees, coordinate work of the Academic Senate and Senate Committees, and prepare monthly reports of Senate activities. If necessary, the Executive Committee may be convened to formulate policies and act for the Senate when the Senate is not in session. During periods when neither the Senate nor the Executive Committee is in session, the Chair of the Senate may act for the Senate and for the Executive Committee. It is common practice for the chair to consult with Executive Committee members as a way to inform his or her decisions.

Article 6.4.2: Senate Review of Executive Committee Actions

Policy actions and other recommendations made by the Executive Committee in the name of the Senate when the Senate is not in session shall be brought to the next Senate meeting as information items.

Article 6.5: Academic Policy Committee (APC)

The Academic Policy Committee shall consist of five faculty members drawn from the eligible faculty. The eligible faculty of each College/Library shall elect a representative from the eligible faculty of that College/Library to serve as a member of the committee. The eligible faculty shall elect at-large one additional faculty member. The membership of the Academic Policy Committee shall also include as non-voting members the Associate Vice President for Academic Affairs--Academic Programs, the Dean of Graduate Studies, and the Executive Director of Enrollment Services. One student representative appointed by the Associated Students Incorporated shall also be a non-voting member of this committee.

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5/12/08**Article 6.5.1: Academic Policy Committee (APC) Duties**

The Academic Policy Committee shall have general oversight of all issues related to the creation, revision, and implementation of academic policies, procedures, regulations, and guidelines. The committee shall articulate and implement academic standards through the creation of academic policies, and shall seek to safeguard the University's institutional accreditation and the quality of its academic programs. In pursuit of these duties, the committee may create ad hoc subcommittees.

Article 6.6: Budget and Long-Range Planning Committee (BLP)

The Budget and Long-Range Planning Committee shall consist of five faculty members drawn from the eligible faculty. The eligible faculty of each College/Library shall elect a representative from the eligible faculty of that College/Library to serve as a member of the committee. The eligible faculty shall elect at-large one additional faculty member. One college Dean appointed by the Provost, an Associate Vice President for Academic Affairs appointed by the Provost, one Instructional and Information Technology Services (IITS) representative appointed by the Dean of IITS, and one student member appointed by the Associated Students Incorporated shall be non-voting members of the committee.

Article 6.6.1: Budget and Long-Range Planning Committee Duties

The Budget and Long-Range Planning Committee shall serve as the deliberative body of the faculty on budget and resource use for annual and long-range planning issues. It shall participate in and provide recommendations for the construction of Academic Affairs' budget requests and represent the faculty through participation in university budgeting. The committee shall, in its long-range planning capacity, actively participate in the University's strategic planning process including university accreditation, and review proposals submitted for the University Academic Master Plan. BLP shall make recommendations on resources (for example, library, laboratory, and information technology) for new and existing academic programs. In pursuit of these duties, the committee may create ad hoc subcommittees.

Article 6.7: Faculty Affairs Committee (FAC)

The Faculty Affairs Committee shall consist of seven members drawn from the eligible faculty. The eligible faculty in each College/Library shall elect a representative from the eligible faculty of that College/Library to serve as a member of the Faculty Affairs Committee. Three (3) additional faculty members of the Faculty Affairs Committee shall be elected at-large by the eligible faculty. The membership of the Faculty Affairs Committee shall also include as a voting member a representative of the temporary faculty elected by the temporary faculty; and as non-voting members the Provost and Vice President for Academic Affairs, or the Associate Vice President for Academic Affairs-- Academic Resources, and a representative from the San Marcos Chapter of the California Faculty Association (CFA) elected by the membership of CFA.

Article 6.7.1: Faculty Affairs Committee Duties

The Faculty Affairs Committee shall address issues that affect faculty members and their ability to carry out their professional responsibilities. FAC shall have general oversight of personnel policies and procedures including those of compensation, retention, tenure, and promotion. The committee shall recommend changes in the Faculty Handbook and shall review and recommend the annual calendar of dates for reappointment, tenure, and promotion. The Faculty Affairs Committee recommends procedures and policies for equal opportunity, retirement, leaves of absence, and sabbatical or special leaves. The Faculty Affairs Committee shall propose policy regarding faculty

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development in the areas of teaching, research/creative activity, and service. Furthermore, the committee makes recommendations to the office of the Provost and Vice President for Academic Affairs concerning all of these issues. The committee shall propose policy and provide procedures for resolution of faculty disciplinary issues, and issues of academic freedom and workload. The committee shall work in consultation with CFA, the university administration and other appropriate bodies. In pursuit of these duties, the committee may create ad hoc subcommittees.

Article 6.8: General Education Committee (GEC)

The General Education Committee shall consist of up to seventeen members: nine voting members from the faculty and up to eight ex-officio, non-voting members. The nine faculty members shall be elected from the eligible faculty by the eligible faculty as follows: two faculty members each from the divisions of Mathematics & Sciences, Arts & Humanities, and Social Sciences in the College of Arts and Sciences (from two separate disciplines in each division) and one faculty member each from the College of Business Administration, the College of Education, and the Library. The committee shall also include as non-voting, ex-officio members the General Education Coordinator, the Vice President for Student Affairs or designee, the Associate Vice President for Academic Affairs-- Academic Programs or designee, and the Executive Director of Enrollment Services or designee. One at-large student representative appointed by the Associated Students Incorporated shall sit as a non-voting member of the committee.

Article 6.8.1: General Education Committee Duties

The General Education Committee has general oversight of all issues related to the General Education program and the following specific graduation requirements: the U.S. History, Constitution and American Ideals Requirement, the Language Other Than English Requirement, the Computer Competency Requirement, and the Graduate Writing Assessment Requirement. The committee makes appropriate recommendations regarding the operation of the General Education program and fulfillment of the graduation requirements specified above. In compliance with State mandates, the committee shall be responsible for reviewing, approving, and evaluating all new and existing lower and upper-division courses used to meet the General Education and specified graduation requirements; make recommendations on academic and student policies impacting the General Education program and the specified graduation requirements; establish and provide for periodic internal and external reviews of General Education policies and practices in a manner comparable to those of major programs; review articulation agreements with community colleges for courses satisfying General Education and the specified graduation requirements; provide information to the Provost and Vice President for Academic Affairs regarding the General Education program and the specified graduation requirements; and be a resource for academic advising to ensure student fulfillment of General Education and the specified graduation requirements. In pursuit of these duties, the committee may create ad hoc subcommittees.

Article 6.9: Library and Academic Technology Advisory Committee (LATAC)

The Library and Academic Technology Advisory Committee shall consist of nine voting members: five drawn from eligible faculty; three drawn from the staff, one to be from the Library staff and one to be from Instructional and Information Technology Services (IITS) staff; and one student. The eligible faculty in each College/Library shall elect representatives from the eligible faculty of their College/Library to serve on the committee as follows: two representatives from the College of Arts and Sciences, and one representative from each of the other Colleges/Library. The Library staff shall select the Library staff member; the IITS staff shall select the IITS staff member; the Academic

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Affairs staff shall select the final staff member; and the Associated Students Incorporated shall select two student members. Staff members of LATAC shall serve staggered two-year terms. The committee shall include as ex-officio, non-voting members the Dean of the Library and the Dean of Instructional and Information Technology Services.

Article 6.9.1: Library and Academic Technology Advisory Committee Duties

The committee shall be charged with advising, as necessary, the Dean of the Library and the Dean of Instructional & Information Technology Services on matters related to the Library and to academic technology. The committee shall have the authority to draft policies falling under the jurisdiction of the Academic Senate as they relate to library and academic technology issues. The committee will inform the University Community about library and academic technology policies, financial standing, library collections and services, academic technology and services, and media issues. The committee will also serve as a channel of communication for expressing faculty, staff, and student needs and expectations to the Library and IITS. In pursuit of these duties, the committee may create ad hoc subcommittees.

**Article 6.10: Nominations, Elections, Appointments
and Constitution Committee (NEAC)**

The Nominations, Elections, Appointments and Constitution Committee shall consist of six voting members drawn from the eligible faculty. The eligible faculty in each College/Library shall elect one representative from each College/Library, with the eligible faculty to elect at-large the additional two faculty members.

**Article 6.10.1: Nominations, Elections, Appointments, and
Constitution Committee Duties**

The Nominations, Elections, Appointments, and Constitution Committee shall solicit nominations, prepare slates, and conduct elections for all elected Senate offices, Standing Committees, and Statewide Academic Senate representatives, make nominations to the Senate for committee appointments, recommend ways to improve committee operations and the formation or disbandment of committees, review and suggest amendments to the Constitution and Bylaws. In pursuit of these duties, the committee may create ad hoc subcommittees.

Article 6.11: Program Assessment Committee (PAC)

The Program Assessment Committee shall consist of seven voting members drawn from the eligible faculty. One member shall be elected from the eligible faculty by the eligible faculty in each of the divisions of Mathematics & Sciences, Arts & Humanities, and Social Sciences in the College of Arts and Sciences, the College of Business Administration, the College of Education, and the Library. The eligible faculty shall elect at-large the additional faculty member. The committee shall include as a non-voting member the Associate Vice President for Academic Strategic Planning and Assessment.

Article 6.11.1: Program Assessment Committee Duties

The Program Assessment Committee shall have general oversight of all issues related to the processes of program evaluation and planning (PEP), as outlined in the PEP policy document. The committee shall also discharge those duties specifically assigned to it within the PEP policy document. These duties include, but are not limited to: advising programs undergoing PEP review with regard to the processes, objectives, and specific tasks associated with that review; serving as a liaison among the Senate, Academic Affairs, Dean of Graduate Studies, College/Library Deans, and the programs

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undergoing review; examining, reviewing, and reporting to the Senate with regard to the progress and outcomes of program self-assessment and planning processes, as conducted by programs undergoing PEP review; and making recommendations to the Senate regarding the outcomes of these review processes. In addition the committee shall make recommendations to the Senate regarding revisions and amendments to PEP policies and procedures. In pursuit of these duties, the committee may create ad hoc subcommittees.

Article 6.12: Promotion and Tenure Committee (PTC)

The Promotion and Tenure Committee shall consist of six tenured full professors and one tenured full librarian drawn from the eligible faculty. One member shall be elected from the eligible tenured faculty by the eligible faculty in each of the divisions of Mathematics & Sciences, Arts & Humanities, and Social Sciences in the College of Arts and Sciences, the College of Business Administration, the College of Education, and the Library. The eligible faculty shall elect at-large the additional tenured faculty member. When Student Services Professionals - Academic Related (SSPs-AR) are under review, an SSPIII-AR faculty member will be elected by the eligible SSPs-AR to the P&T Committee for the SSP-AR review only.

Article 6.12.1: Promotion and Tenure Committee Duties

The committee shall be charged with implementing its duties in accordance with the Faculty Personnel Procedures for Promotion, Tenure, and Retention and the Collective Bargaining Agreement (CBA) and to make recommendations to the Provost and Vice President for Academic Affairs on retention, tenure, and promotion.

Article 6.13: Student Affairs Committee (SAC)

The Student Affairs Committee shall consist of six members drawn from the eligible faculty. The eligible faculty in each College/Library shall elect a representative from the eligible faculty of the College/Library to serve as a member of the committee. The eligible faculty shall elect two additional faculty members at-large from among the eligible faculty. The committee shall include as ex-officio, non-voting members the Vice President for Student Affairs or a designee, and the faculty athletic liaison. Two student members appointed by the Associated Students Incorporated shall also be non-voting members of this committee.

Article 6.13.1: Student Affairs Committee Duties

The Student Affairs Committee shall provide advice and recommend policy on all student issues including but not limited to policies and procedures related to academic environments, student government, student diversity, student organizations or activities, athletics, student discipline and welfare, student research competition, lottery grants, and matters concerning admissions, retention, advising, and commencement. In pursuit of these duties, the committee may create ad hoc subcommittees.

Article 6.14: University Curriculum Committee (UCC)

The University Curriculum Committee shall consist of seven faculty members drawn from the eligible faculty. The eligible faculty of each College/Library shall elect representatives from the eligible faculty to serve as members of the committee as follows: one faculty member each from the divisions of Mathematics & Sciences, Arts & Humanities, and Social Sciences in the College of Arts and Sciences, one faculty member each from the College of Business Administration, the College of Education, and the Library. The eligible faculty shall elect at-large one additional faculty member.

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The membership of the University Curriculum Committee shall also include as non-voting members the Associate Vice President for Academic Affairs--Academic Programs, the Executive Director of Enrollment Services, and the Chair of the General Education Committee or designee. One student representative appointed by the Associated Students Incorporated shall also be a non-voting member of this committee.

Article 6.14.1: University Curriculum Committee (UCC) Duties

The University Curriculum Committee shall have general oversight of all issues related to the review of proposed curriculum. The committee shall review proposals for new and revised curricula, courses, and degree programs, and teacher preparation programs and it shall make recommendations to the Senate regarding their approval. Through the review of proposed curriculum, the committee is charged with oversight for the academic soundness and quality of the curriculum. As directed by the Senate, the committee shall review articulation agreements with community colleges for consistency with established graduation requirements. The UCC, in collaboration with the Dean of Extended Studies, shall originate and review proposals affecting Extended Studies. In pursuit of these duties, the committee may create ad hoc subcommittees.

Article 7: Parliamentary Authority and Rules

In all cases not provided for by other provisions, the most recent edition of Robert's Rules of Order, Newly Revised, shall govern the conduct of business of the Senate and its Standing Committees.

Article 7.1: Voting

All decisions of the Faculty or the Academic Senate, their committees and subcommittees, shall be made by majority vote except where parliamentary procedure or the Constitution and the Bylaws specify otherwise.

Article 8: Amendments of the Constitution and Bylaws

The Constitution and Bylaws of the University Faculty and Academic Senate may be amended in accordance with this article.

Article 8.1: Initiation

Amendments to this Constitution and Bylaws can be initiated by a majority of the Academic Senate; by the Executive Committee of the Academic Senate; by the Nominations, Elections, Appointments and Constitution Committee (NEAC); by a petition to NEAC signed by at least twenty percent of the members of the eligible faculty; or by the President.

Article 8.2: Notice

NEAC shall distribute copies of successfully initiated amendments to this Constitution and Bylaws to the eligible faculty at least ten academic days in advance of any referendum for approval.

Article 8.3: Referendum

A referendum to consider approval of a successfully initiated amendment shall be conducted by NEAC within twenty academic days after successful initiation. Voting shall be anonymous.

Article 8.4: Adoption of Amendments

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In order for an amendment to this Constitution and Bylaws to become effective, more than one-half of the eligible faculty must vote in the referendum, and the amendment must receive a favorable vote of at least two-thirds.

Article 8.5: Amending Title Changes in the Constitution and By-Laws

Title changes of committees or personnel listed in the Constitution and By-Laws may be made to the Constitution by the Executive Committee of the Academic Senate, upon recommendation from the Nominations, Elections, Appointments and Constitution Committee without the referendum process noted in Article 8.4.

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5/12/08

Endnotes

1. Disputes shall be resolved by the Executive Committee of the Academic Senate.
2. MPP, addressing the employment rights, benefits, and conditions of The CSU employees designated as 'management' or 'supervisory' under the HEERA. The Calif. Code of Regulations, Title 5.Education.Division 5: Board of Trustees of The CSU, Article 2.2: Management Personnel Plan uses definitions as specified in HEERA. Supervisory and managerial employee work assignments are described in HEERA.
3. HEERA California Codes, Government Code, Section 3580.3 "Supervisory employee...With respect to faculty or academic employees, any department chair, head of a similar academic unit or program, or other employee who performs the foregoing duties primarily in the interest of and on behalf of the members of the academic department, unit or program, shall not be deemed a supervisory employee solely because of such duties; ... Employees whose duties are substantially similar to those of their subordinates shall not be considered to be supervisory employees.
4. HEERA California Codes, Government Code, Section 3560-3562.1. Definitions: Section 3562 (1) - "managerial employee means any employee having significant responsibilities for formulating or administering policies and programs. No employee or group of employees shall be deemed to be managerial employees solely because the employee or group of employees participate in decisions with respect to courses, curriculum, personnel and other matters of educational policy. A department chair or head of a similar academic unit or program who performs the foregoing duties primarily on behalf of the members of the academic unit or program shall not be deemed a managerial employee solely because of those duties."
5. CBA 2002 contract, Article 20, Workload: Administrator as used in the CBA refers to an employee serving in a position designated as management or supervisory in accordance with HEERA. The CBA provides further definitions of faculty.

"The primary professional responsibilities of instructional faculty members are: teaching, research, scholarship, creative activity; and service to the University, profession and to the community. The performance of instructional responsibilities extends beyond duties in the classroom and includes such activities as: preparation for class, evaluation of student performance, syllabus preparation and revision, and review of current literature and research in the subject area, including instructional methodology. Research, scholarship and creative activity in the faculty member's field of expertise are essential to effective teaching. Mentoring students and colleagues is another responsibility that faculty members are frequently expected to perform.

The assignment of a librarian may include, but shall not be limited to, library services, reference services, circulation services, technical services, online reference services, teaching in library subject matter, service on system-wide and campus committees and task forces and activities that foster professional growth, including creative activity and research.

The assignment of Counselor faculty may include, but shall not be limited to, individual counseling, group counseling, consultation and referral, intern training and supervision, teaching, service on system-wide and campus committees and task forces and activities that foster professional growth, including creative activity and research.

Faculty members have additional professional responsibilities such as: advising students, participation in campus and system-wide committees, maintaining office hours, working collaboratively and productively with colleagues, and participation in traditional academic functions."