

CONSTITUTION OF THE FACULTY OF
COLLEGE OF EDUCATION
CALIFORNIA STATE UNIVERSITY, STANISLAUS

Adopted: May 23, 1988
Last Amendment: May, 2008

ARTICLE I

Section 1.0 Name

The name of the organization shall be the Faculty of the California State University, Stanislaus, College of Education, hereafter referred to as the College.

Section 2.0 College Faculty

- 2.1 The College Faculty shall consist of the dean and full-time professors, associate professors, assistant professors, and lecturers, as well as Faculty Early Retirement Program (FERP) professors. Membership on the Faculty of the College shall not lapse because of leaves of absence. Temporary appointees for summer session or extension work shall not be members of the College Faculty. The University Academic Senate will define membership on the Faculty in all matters of appeal and in special cases not determined by class and rank.

Section 3.0 Voting Membership

- 3.1 Members of the College Faculty have the right to vote in College and departmental elections as specified by the University Constitution of the General Faculty and the collective bargaining agreement.
- 3.2 Administrators shall not vote on matters for which they may subsequently render a decision.

ARTICLE II

Section 1.0 Meetings

Meetings of the Faculty of the College must be called at least once during the fall and the spring semester of each academic year; may be called by the Dean of the College; may be called by the Executive Committee of the College; may be called by a petition signed by at least twenty-five percent (25%) of the voting membership of the Faculty of the College; shall be conducted according to Robert's Rules of Order; and shall be presided over by the Speaker of the College.

Section 2.0 Quorum

The quorum shall consist of over forty percent of the voting membership of the Faculty of the College.

Section 3.0 Committees

The composition, charge, and election procedures for all Faculty of the College committees shall be specified in the Bylaws.

ARTICLE III

Section 1.0 Responsibilities of the Faculty of the College

The Faculty of the College shall recommend College policies to the Dean regarding the following: (a) faculty and administration appointments; (b) faculty promotions, dismissals, retentions, leaves of absence; (c) curriculum and instruction; (d) library; (e) research; (f) student affairs, admissions, retentions, and graduation; (g) resource allocation; (h) academic and professional matters including ethics; (i) degrees and credentials; (j) awards; and (k) other appropriate matters relating to the welfare of the College.

The Faculty of the College reserves the right to direct the Speaker to express sentiments of the Faculty of the College independent of actions taken by the Dean of the College. Nothing in this paragraph shall be construed as to abridge the individual faculty member's right to speak out on matters of professional interest.

Decisions are subject to established policies and regulations of the Legislature, the Trustees, and relevant agreements with exclusive representatives under the auspices of Higher Education Employee Education Act (HEERA), and the concurrence of the President of the University.

Section 2.0 Responsibilities of the Dean of the College

The Dean of the College shall be the official spokesperson for the College and shall approve and support, or formally disapprove, within twenty (20) working days after receiving formal notice of a departmental or College action of the faculty; adhere to, develop, and promote the practice of shared governance; support, maintain, and improve the general welfare of the College in other appropriate matters; and administer the faculty contract.

ARTICLE IV

Section 1.0 Officers of the College

Officers of the Faculty of the College shall be the Speaker of the College, Speaker-elect of the College, the Clerk of the College, the chair of the Curriculum Committee, chair of the Graduate Committee, and the University Senators elected from the academic units of the College.

Section 2.0 Terms of Office

The terms of office for all elected officers shall be three years, except for Speaker who shall serve one year as Speaker-elect and two years as Speaker, beginning immediately following election, at the first regularly scheduled meeting after completion of spring elections. A Speaker-Elect shall be elected at the end of the first year of the term of the Speaker.

Section 3.0 Elections

The College shall employ a process for the election of the following officers. The positions of (a) Speaker, (b) Speaker-elect, (c) chair of the Curriculum Committee, (d) chair of the Graduate Committee and (e) Clerk are open only to tenured or tenure-track faculty of the voting membership of the College who have a minimum of two years of full-time experience at CSU Stanislaus. Election procedures shall be specified in the Bylaws.

ARTICLE V

Section 1.0 Adoption of the Constitution

The Constitution shall be adopted by secret mail ballot by two-thirds of the voting membership of the Faculty of the College, with the approval of the Dean of the College.

Section 2.0 Amendments

Amendments to this Constitution may be proposed in two ways: 1) by a petition signed by at least twenty-five percent (25%) of the voting membership of the Faculty of the College or 2) be approved by a majority of the Executive Committee. Proposed amendments shall be adopted by secret ballot by two-thirds of the ballots cast by the voting membership of the Faculty and with the approval of the Dean of the College to become part of the Constitution.

The Constitution should be reviewed annually in light of any University constitutional and contractual changes.

BYLAWS OF THE COLLEGE OF EDUCATION

The Bylaws are subordinate to the provisions of the Constitution adopted on May 23, 1988, and to any subsequent amendments of the Constitution.

Section 1.0 Members of the Executive Committee

1.1 The Speaker of the College shall:

- (a) call and preside at meetings of the Faculty of the College and the College Executive Committee
- (b) speak for the Faculty of the College in representing faculty recommendations
- (c) represent the Faculty on all advisory councils and committees of the Dean, of the College, and of the University when faculty representation is requested

1.2 The Speaker-Elect of the College shall:

- (a) succeed to the office of Speaker
- (b) assist the Speaker and shall assume the responsibilities of the office in the Speaker's absence

1.3 The Clerk of the Faculty of the College shall:

- (a) exercise general supervision over the taking and keeping of minutes of College and Executive Committee meetings and distribute minutes of these meetings within ten academic workdays following the meeting
- (b) prepare the agenda for meetings of the College as directed by the Executive Committee.
- (c) give notice of meetings of the Faculty of the College to all members
- (d) keep records of recommendations made by the Faculty of the College
- (e) serve in the absence of the speaker-elect

1.4 The Chair of the Curriculum Committee shall:

- (a) chair the Curriculum Committee and
- (b) provide leadership in carrying out the charge of the committee

1.5 The Chair of the Graduate Committee shall:

- (a) chair the Graduate Committee
- (b) provide leadership in carrying out the charge of the committee

1.6 The University Senators shall:

- (a) represent the College in matters of concern to the University Senate

- (b) keep the Faculty of the College informed of Senate deliberations and actions by means of written memoranda and/or oral reports in departmental meetings
- (c) serve as a communication link between the University, College, and Departments in matters affecting College programs and operations

1.6 Proxies

Proxies for all governance shall be recognized only when that proxy is a member of the same academic department (if the officer was elected/appointed as a representative of a department). In the event that an absentee representative does not designate, in writing, a proxy from his/her department, the department itself may select the proxy. In the case that an officer of the College is elected *at large* by the College faculty, that officer may in his/her absence designate a proxy from the College faculty at large.

Section 2.0 Meetings of the College

- 2.1 A regular meeting of the Faculty of the College shall be called at least once during the fall and the spring semesters of each academic year.
- 2.2 The agenda for such meetings shall be stipulated in the call and shall be distributed in advance of the meeting to all Faculty members. Items may be added to the end of the agenda by a majority of those voting, but cannot be taken out of order except by a two-thirds vote of those voting.
- 2.3 The meeting place of the Faculty of the College shall be determined by the Executive Committee.
- 2.4 The time of special meetings of the Faculty of the College shall be determined by the Executive Committee. Special meetings shall be held within five working days after valid petition for such a meeting has been made.
- 2.5 At least a five working-day notice of all meeting of the Faculty of the College shall be given to its members.
- 2.6 An absentee faculty member may choose to designate, in writing, another faculty member of the College to serve as a proxy. Such a proxy shall specify the meeting, the specific topic, and a specific and/or general vote of affirmation or opposition. A faculty member may hold no more than one proxy.
- 2.7 A vote by secret mail ballot may be called for by a majority of the individuals present at any meeting of the College.

Section 3.0 Committee Structure of the College

- 3.1 All committees and functions not specifically addressed in the Constitution and Bylaws are reserved to the Departments. A faculty member is prohibited from serving as the Chair of two or more committees when one committee is charged with the review of policies and recommendations of the other committee(s).

3.2 Executive Committee

The Executive Committee of the College shall consist of the Speaker of the College, the Speaker-elect of the College, the Clerk of the College, the Chair of the Curriculum Committee, Chair of the Graduate Committee, University Senators and Department Chairs. The Dean of the College shall serve as an ex-officio, non-voting member of the Executive Committee. The Chair of the Executive Committee shall be the Speaker of the College. If there is a Speaker-elect, he or she will act in the Speaker's absence. If there is no Speaker-elect, the Clerk will chair the meeting in the Speaker's absence. If there is no Clerk, the Chair of the Curriculum Committee shall chair the meeting in the Speaker's absence.

College Executive Committee shall:

- (a) advise the Dean regarding the conduct of College business, and carry out such additional duties as the Faculty of the College may assign
- (b) develop and distribute the agenda, after consultation with the Dean
- (c) appoint non-elected members of standing and ad hoc committees of the College and make committee appointments utilizing the widest possible representation of affected-class candidates in order to ensure "good faith" efforts toward implementation of affirmative action
- (d) coordinate the nomination of candidates for offices of the College Faculty and for elective committees of the College Faculty
- (e) conduct all College Faculty elections
- (f) act for the Faculty of the College, except that in addressing the Chancellor, the Trustees, or other appropriate bodies on matters of policy it shall distinguish whether it is expressing the position of the Faculty of the College or the position of the College Executive Committee alone. This authority shall be exercised only when a situation arises requiring resolution before the next meeting of the Faculty of the College is feasible. In any case, the Executive Committee shall report via the minutes such action to the Faculty of the College for information and/or action at the first meeting following the action
- (g) address issues regarding professional concerns of the College Faculty including, but not limited to, academic freedom, professional ethics, and faculty morale so as to enhance faculty development. Confidential matters involving individual faculty rights are to be addressed through appropriate University processes
- (h) interpret the Constitution and Bylaws with reference to all policies, procedures, and actions of the College Faculty and its Committees
- (i) review and recommend policies including those first reviewed and recommended by the Curriculum Committee, and the Graduate Committee
- (j) review policies and procedures regarding the determination of need for and allocation of resources with the dean of the college
- (k) appoint an ad hoc committee with representatives from each department to conduct an annual review of the dean for the first three years of a dean's tenure and every three years thereafter. The purpose of the review is to provide the dean and university administrators with constructive feedback. The ad hoc committee will solicit input and compile information from the College of Education faculty and will submit a final report to the Executive Committee.

3.3 Curriculum Committee

The Chair of the Curriculum Committee shall be elected at large by the voting membership of the Faculty of the College. One member of the Committee shall be elected at large by the voting members of the College. Each department shall select one of its members to serve on the Committee. The Dean of the College shall be a non-voting ex officio member.

The Curriculum Committee shall:

- (a) review educational policies regarding curriculum and make recommendations to the Dean of the College.
- (b) review other appropriate curricular and resource issues referred by the Executive Committee or the Dean
- (c) forward policy recommendations to the Executive Committee prior to recommending to the Dean
- (d) review and approve course and program proposals prior to recommending to the Dean

3.4 Graduate Committee

The Chair of the Graduate Committee shall be elected at large by the voting members of the faculty of the College. One member of the committee shall be elected at large by the voting members of the College. Each department with graduate programs shall select one of its members to serve on the Committee .

The Graduate Committee shall:

- (a) review and recommend graduate policies and procedures
- (b) review other appropriate graduate issues referred by the Executive Committee or the dean
- (c) forward policy recommendations to the Executive Committee prior to recommending to the dean
- (d) review and approve course and program proposals related to the graduate core prior to recommending to the Curriculum Committee
- (e) review and recommend the scheduling and staffing of graduate core courses consistent with the current Memorandum of Agreement Regarding the Graduate Core

3.5 Other Standing and Ad Hoc Committees

Other standing and ad hoc committees, with at least one member coming from each of the departments, may be established by the Executive Committee as necessary to conduct the business of the College. For those holding joint appointments within the College, the nominee shall declare for the purpose of stating on the election ballot his/her department of representation.

Section 4.0. Committee Procedures and Rules

Standing committees under these College Bylaws are sub-committees of the College Faculty and are entrusted with the task of evaluating and developing programs, policies, and procedures, and submitting recommendations. Members of committees represent the entire College rather than reflect the special interests of subdivisions of the College. The following procedures apply to all committees:

- (a) Unless otherwise indicated, a committee is free to establish its own rules and procedures and may recommend to the Faculty of the College changes in its structure or function. Time and place of meetings are to be announced and normally be open to all members of the College Faculty
- (b) Materials dealing with personnel cases or with matters deemed by a designated committee to be of a privileged nature shall be open only to members of that designated committee or as requested by the person concerned
- (c) A committee may utilize the services of others for resource purposes. It may create its own sub-committees. All decisions and voting privileges are to be exercised only by official committee members
- (d) A majority (fifty percent plus one) of the voting members) of a committee shall constitute a quorum
- (e) Each committee is to meet as often as necessary to conduct its business upon the call of the chair. If a committee member is absent from two consecutive scheduled meetings without prior notification, the chair may request that the Executive Committee declare the seat vacant. A replacement is to be made in accordance with the established procedures governing that committee
- (f) Except for matters requiring confidentiality, each committee is to distribute, following its meeting, a report to the College Faculty of actions taken and those pending
- (g) Unless otherwise specified, Roberts Rules of Order will prevail

Section 5.0. Nominations, Elections, and Appointments

The election of all officers and committee chairs shall be held prior to May 1st of each year by secret ballot of the voting membership of the College and shall be conducted according to Robert's Rules of Order unless otherwise specified in this Constitution and Bylaws.

[Election for the Speaker-Elect shall occur one year prior to the beginning date of the term of office as Speaker.]

The person who receives the most votes cast shall be elected to the position. In the case of a tie, there shall be a run-off election.

In the event of a vacancy of office, a special election shall be held to complete the term, following the procedures outlined in this section.

The College Executive Committee shall conduct elections and shall:

- (a) obtain preferences for committee membership from each faculty member
- (b) strive to distribute committee assignments broadly

- (c) determine eligibility
- (d) publish a slate of nominees
- (e) provide for additional nominees via petition of twenty percent (20%) of the voting membership of the Faculty
- (f) determine eligibility of any additional nominees
- (g) oversee the election process
- (h) announce the results. (Only the number of total votes cast for a candidate and the total votes cast for all candidates combined shall be communicated to the candidate upon his/her request)

Section 6.0 Amendment of the Bylaws

Proposed amendments to the Bylaws shall be determined by secret ballot and requires a majority of the ballots cast by the voting membership and with the approval of the Dean of the College.

Adopted May 23, 1988
Amended October 1990
Amended September 1991
Amended November 1993
Amended April 1994
Amended October 1997
Amended May 2000
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Amended May 2008