

# Paradise Valley Community College Faculty Association Constitution Amended April 2008

## Name

The name of this organization will be the Paradise Valley Community College (PVCC) Faculty Association represented by the Paradise Valley Community College Faculty Senate, hereinafter referred to as the PVCC Faculty Senate. The Senate is a member of the Maricopa County Community College District (MCCCD) Faculty Association represented by the Faculty ~~Executive Council~~Faculty Executive Council, ~~hereinafter referred to as the Executive Council~~Faculty Executive Council (FEC), ~~hereinafter referred to as the~~

## Preamble

We hold that the governing of the Maricopa County Community Colleges, of which Paradise Valley Community College is a part, is the joint responsibility of the Governing Board, the district and local administrations, and the faculties of the colleges. In order to promote the full participation of the faculties in the determination of educational policy and the execution of that policy, the adoption of this Constitution establishing a Paradise Valley Community College Faculty Senate is hereby ordained.

## Code of Ethics

Members of the PVCC Faculty Senate are expected to abide by the following Code of Ethics:

Members of the PVCC Faculty Senate, like all faculty members, have a responsibility to maintain standards of personal integrity and professionalism in teaching and scholarship. Members of the PVCC Faculty Senate also assume additional responsibilities for representing the interests of their constituencies as well as the interests and values of the PVCC faculty and the MCCCD faculties as a whole. Senate representatives are concurrently representatives of their faculty constituencies and members of the PVCC Faculty Senate and members of the MCCCD Faculty Association with responsibility to safeguard the welfare and effectiveness of the PVCC Faculty Senate as well as the MCCCD Faculty Association.

Respect for and adherence to the policies and procedures of the PVCC Faculty Senate as well as the ~~Executive Council~~Faculty Executive Council, ~~hereinafter referred to as the Executive Council~~ is essential to the effective balancing of the multiple responsibilities assumed by each Senate representative. Conflicts of interests and ideas are inevitable in an enterprise as complex as this one, but such conflict does not diminish the expectation that Senate representatives will meet their responsibilities with full regard for professional, collegial, and democratic values to which the PVCC Faculty Senate and the ~~Executive Council~~Faculty Executive Council, ~~hereinafter referred to as the Executive Council~~ are committed.

## Purposes

The primary functions of the Senate shall be to:

1. Serve as a communication channel among the PVCC Faculty, the PVCC Administration, the ~~Executive Council~~Faculty Executive Council, Inc., the MCCC Administration, and the MCCC Governing Board.
2. Serve as an arbiter of professional rights and responsibilities for PVCC Faculty.
3. Serve as the exclusive representative of PVCC Faculty to the PVCC Administration, the ~~Executive Council~~Faculty Executive Council, Inc., the MCCC Administration, and to the MCCC Governing Board with respect to academic and professional matters.
4. Select representatives to serve on administrative councils and on coordinating committees of Paradise Valley Community College and the Maricopa County Community College District.
5. Participate in the formation and implementation of education policies for Paradise Valley Community College and the Maricopa County Community College District.

**Article I: Definition of Faculty**

Faculty, as used in this Constitution, means full-time ~~provisional~~probationary and appointive members as defined by the current Residential Faculty Policies.

**Article II: Eligibility**

**Section 1.** Only faculty members who are recorded by the Treasurer as having paid or formally pledged the current annual assessment for support of the Senate and the MCCC Faculty Association on or before the MCCC Faculty Association membership deadline shall be eligible to vote in the election of Senators, in the election of the President-Elect, in amending the Senate Constitution, and other issues directed to the Faculty Association. Faculty members hired after the MCCC Faculty Association membership deadline are exempt from the membership deadline for that year of hire; if these faculty pay the membership fee as determined by the MCCC Faculty Association, they shall be eligible to vote in the election of Senators, in the election of the President-Elect, in amending the Senate Constitution, and other issues directed to the PVCC Faculty Association.

**Section 2.** Senator positions and the position of President-Elect can be sought and held only by faculty who have met the membership deadline and have completed one full semester on campus. Faculty hired after the MCCC Faculty Association membership deadline and who join the association may not serve on the Senate until they have completed one full semester on campus.

**Article III: Composition**

The number of Senators shall be equal to the number of academic divisions plus the President-Elect and the President.

**Article IV: Elections**

**Section 1.** ~~Election~~ Process for selection of Division Senators: Each division shall ~~designate a senator from its eligible number~~ be represented by its selected senator.

- a. Selection Process: Each division shall determine the process by which they select their division senator.
- b. Division Senator selection shall be completed between April 1 and April 30 of each year.
- c. Faculty officially assigned to a division and who meet the criteria described in Article II, Section 1 shall be eligible to select their respective Division Senator.

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**Section 2.** Election Process of President-Elect: A Nomination/Election committee as described in Article XVIII, Section 3 shall conduct the election of the President-Elect. The Nominee receiving a simple majority of the votes cast by the membership will be elected.

a. Election Process

1a. In the case that no candidate receives a simple majority, a run-off election shall be held between the two candidates receiving the most votes.

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2b. Should the run-off election produce a tie, a second run-off election will be held.

3e. In the event a second run-off election produces a tie, the Faculty Senate shall by secret ballot vote to select the President-Elect. The selection of the President-Elect by the Faculty Senate shall be by absolute majority.

4d. If there is only one nominee for President-Elect, the ballot shall provide the choice of either a "yes" vote to elect the nominee and a "no" vote to reject the nominee. Under this one-nominee scenario, the nominee must receive a simple majority of "yes" votes cast. Failure to acquire a simple majority of "yes" votes will result in another election.

~~**Section 3.b.** Election Date(s): The election of Division Senators and the President-Elect shall be completed between April 1 and April 30 of each year. The election of Senate Officers shall be completed between May 1 and May 31 each year.~~

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~~**Section 4c.** Voter Eligibility: All Faculty who meet the criteria described in Article II, Section 1 shall be eligible to vote in the President-Elect election. Faculty officially assigned to a division and who meet the criteria described in Article II, Section 1 shall be eligible to select their respective Division Senator.~~

d. President-Elect Election Procedure:

1. The Nomination/Election Committee chair will send a nomination announcement the Friday before the nomination period.

2. The nomination period will be open for one week starting on Monday the last week in March and will close the following Sunday at midnight.

3. The Nomination/Election Committee chair will notify the Faculty Senate and faculty of the nominees the first week in April

4. The nominees will be invited to attend the April Senate meeting and may conduct a forum during the first week in April.

5. The Nomination/Election Committee will verify each nominee is a Faculty Association Member and will prepare ballots the first week in April.

6. The Nomination/Election Committee will distribution ballots to faculty mailboxes the Monday morning of the second week in April.

7. The voting period will be the second week in April (Monday – Friday).

8. The Nomination/Election Committee will count votes the third week in April (Preferably no later than Wednesday).

9. The Nomination/Election Committee will announce the winner after the votes have been counted.

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#### **Article V: Senators--Term of Office**

**Section 1.** Members of the Senate shall serve terms of two years. The terms shall be arranged so that one-half of the membership is elected annually.

**Section 2.** There shall be no limitation on the number of terms which Senators may serve; however, they may serve only two terms consecutively.

#### **Article VI: Vacancies**

**Section 1.** Vacancies in Senator or Senate Officer positions shall be declared by the President upon direction of the Senate, or when a Senator or Senate Officer has been absent from official meetings of the full Senate three (3) consecutive times or four (4) times during the academic year. Absences resulting from official school business are not counted.

**Section 2.** Should a vacancy be declared for a Senator, the division shall designate a new representative from its eligible number who will complete the term of his or her predecessor. Subsequently, this faculty member would be eligible to serve his or her own two terms consecutively as a Senator.

**Section 3.** Should a Senator vacancy resulting from a sabbatical leave or leave of absence be declared, the division shall designate a Senator pro tem from its eligible number.

**Section 4.** Should a vacancy be declared for the office of President, the following shall occur:

A. The President-Elect shall serve out the President's term and shall serve his or her duly elected term.

B. A President-Elect shall be elected. A Nomination/Election Committee as described in Article XIX, Section 3 shall conduct an election in accordance with Article IV, Section 3.

**Section 5.** Should a vacancy be declared for the office of President-Elect, a President-Elect shall then be elected from among the senators. A Nomination/Election Committee as described in Article XIX, Section 3 shall conduct the election in accordance with Article IV, Section ~~2~~<sup>3</sup>.

**Section 6.** Should a vacancy be declared for an officer of the Senate other than the President or President-Elect, the following shall occur:

A. The division shall designate a new representative from its eligible number who will complete the term of his/her predecessor.

B. The officer shall then be elected from among the Senators by a simple majority of the Senators present at the next meeting of the Senate.

#### **Article VII: Resolution of Conflict Between a Senator and His/Her Constituents**

**Section 1.** Resolution of conflict between a Senator and his/her constituents. In the event that one-half (50%) of eligible faculty (as defined in Article II) in a division request removal of their Senator, the PVCC Senate shall be responsible for recommending an equitable resolution.

**Section 2.** Resolution of conflict between a Senate Officer and his/her constituents. In the event that one-quarter (25%) of eligible faculty (as defined in Article II) request the removal of a Senate Officer, the PVCC Senate shall be responsible for recommending an equitable resolution.

**Section 3.** Process for removal of Senator or Senate Officer. If the resolution recommended by the PVCC Senate is not acceptable to the parties involved, the following process shall prevail:

A. Senators: Shall be removed by a two-thirds (66.7%) vote of eligible faculty (as defined in Article II) in the respective division.

B. Senate Officers: Shall be removed by a two-thirds (66.7%) vote of all eligible faculty (as defined in Article II).

#### **Article VIII: Officers**

Officers. The officers of the Senate shall include, but shall not be restricted to, a President, a President-Elect, a Secretary, and a Treasurer.

The office of the Secretary shall receive a monthly stipend for the duties as outlined in Article XI Section 4 with that office to be determined by the Senate.

#### **Article IX: Election of Officers**

**Section 1. President-Elect Election**

A. The President-Elect shall be elected between April 1 and April 30 of each year.

B. A Nomination/Election Committee as described in Article XVIII, Section 3 shall conduct an election in accordance with Article IV, Section ~~23~~.

**Section 2. Other Officers Election.** Following the election of President-elect and before the end of the spring semester, officers of the Senate shall be elected from among the Senators by the senators as follows:

A. The Nominee receiving a simple majority of the votes cast will be elected.

B. In the case that no candidate receives a simple majority, a run-off election shall be held between the two candidates receiving the most votes.

**Article X: Terms of Office**

**Section 1.** The term of office for all officers other than President and President-Elect shall begin immediately upon election.

**Section 2.** All officers shall be elected for a term of one year.

**Section 3.** All officers, except for the President and President-elect, shall be eligible for re-election to the same office consecutively.

**Section 4.** The outgoing President shall be eligible for election to any electable office.

**Section 5.** In the event a special election for any officer is necessary, the newly elected officer shall take office immediately and serve the unexpired term of the predecessor.

**Article XI: Officers' Duties**

**Section 1.** President. The President shall:

A. Preside at all meetings of the Senate and all meetings of the Senate Executive Committee.

B. Serve on the ~~Executive Council~~ Faculty Executive Council, Inc. and the Executive Committee of the Executive Council, Inc., Council of Presidents, and any appointed Faculty Association committee assignment.

C. Serve or appoint a designee to serve on college-wide committees such as those related to strategic planning, budget, and President's ~~Cabinet~~ Leadership Team as they now exist or may be established.

D. Appoint members to serve on all ~~s~~Special ~~c~~Committees subject to the approval of a simple majority of the Senate.

- E. Be a member, ex-officio, of all committees except the Nomination/Election Committee and the Professional Rights and Responsibilities Committee.
- F. Have the right to call special meetings of the Senate Executive Committee and of the Senate
- G. Be the official spokesperson for the Senate.
- H. Be responsible for communication between the Senate and other groups or individuals.
- I. Maintain appropriate correspondence files ~~and financial records~~.
- J. Call a general faculty meeting once each semester and call others when needed.
- K. Review the proposed Senate budget.
- L. The President of the Senate shall vote on issues brought before the Senate only as necessary to break a tie vote among the Senators.

**Section 2.** President-Elect. The President-Elect shall:

- A. Perform executive duties as may be assigned by the President or the Senate Executive Committee.
- B. Preside in the absence of the President.
- C. Serve on the ~~Executive Council~~ Faculty Executive Council, ~~the~~
- D. Write and submit ~~to the Senate by the first Senate meeting of the fall semester~~ a year-end report summarizing major Senate activities and actions for the previous academic year.
- E. Assume the office of the President the next term (summer).
- F. The President-Elect shall have no vote on matters before the Senate unless the President-Elect is serving in the absence of the President.

**Section 3.** Secretary. The Secretary shall:

- A. ~~Keep Records~~ the minutes of the meetings of the Senate.
- B. ~~Be responsible for~~ Prepare a written report to the faculty ~~at large~~ Senate, concerning the activities and actions of the Senate, following each meeting of the Senate.
- C. Maintain a record of the results of every vote taken by the Senate, noting the number of votes cast for and against each proposition.
- D. Maintain the PVCC Senate web site.

**Section 4.** Treasurer. The Treasurer shall be responsible for:

- A. Collection of ~~assessments monies to be channeled to the Senate or Faculty Association.~~
- B. Maintenance of all financial records.
- C. Preparation of periodic financial reports and the annual financial report to the Faculty Association.
- D. ~~Submission Deposit of~~ the district association ~~dues stipend.~~
- E. ~~Serving as the membership chairperson~~ Assist in the collection of membership dues.

**Article XII: Executive Committee**

The Executive Committee shall be composed of the officers of the Senate. It shall act to prepare the priority agenda for Senate meetings and to recommend actions to the Senate.

**Article XIII: Delegates**

**Section 1.** The Senate shall select from its number representatives to administrative councils as they now exist or may be established.

**Section 2.** The President and the President-elect shall serve on the ~~Executive Council~~ Faculty Executive Council. ~~Additional~~ allowed representatives to the ~~Executive Council~~ Faculty Executive Council shall be elected from among the Senators by the senators as follows:

- A. The Nominee receiving a simple majority of the votes cast will be elected.
- B. In the case that no candidate receives a simple majority, a run-off election shall be held between the two candidates receiving the most votes.

**Article XIV: Meetings**

**Section 1.** The Senate shall meet at least once monthly during the academic year or more often at the call of the President or by request of the Executive Committee.

**Section 2.** Senate meetings shall be open to faculty members only; however, the President or Senate members may invite non-faculty members in for official business.

**Section 3.** Faculty members may participate at any time as non-voting members.

**Article XV: Quorum**

A simple majority of the elected Senate shall be considered a quorum.

**Article XVI: Procedures**



In all matters of internal functioning not otherwise covered by the Constitution, the Senate shall be governed by Robert's Rules of Order.

#### **Article XVII: Executive Sessions**

**Section 1.** By unanimous vote of the Senators, the Senate may resolve itself into an executive session where only Senators may be present.

**Section 2.** In executive session, no record shall be kept of debate, except that which is ordered by the Senate, and no Senator shall reveal the nature of executive proceedings to any person without the permission of the Senate.

**Section 3.** No recommendations either to the administration or to the trustees of the District shall be enacted during executive sessions.

#### **Article XVIII: Committees**

##### **Section 1. Standing Committees**

There shall be no standing committee of the Senate other than the Executive Committee.

##### **Section 2. Special Committees**

A. Special committees may be established by simple majority approval of the Senate.

B. The size, purpose, and membership of special committees shall be determined or modified by the Senate.

C. Membership on special committees is not limited to members of the Senate.

##### **Section 3. Nomination/Election Committee**

A. A Nomination/Election Committee composed of at least three non-officer Senate members and/or non-Senate Faculty Association members shall be established by February 15th of each year or before if necessary to fill vacancies.

B. The President-Elect, Secretary, and the Treasurer of the Senate shall select the members of this Nomination/Election Committee.

~~C. The Nomination/Election Committee shall draft procedures for the nomination and election process to be approved by the Senate at the March Senate meeting.~~

CD. The Nomination/Election Committee shall be responsible for administering the election of the President-Elect.

#### **Article XIX: Joint Committees**

**Section 1.** None of the above provisions shall restrict or limit the power of the Senate to propose or participate in joint committees involving the Governing Board, the District administration, the local administration, other colleges in the District, or the students of Paradise Valley Community College. The nature and extent of participation of Senate members on the joint committees shall be determined by the Senate as need or opportunity arises.

**Section 2.** Special committees may be designated by the Senate to represent the Senate in joint committee activities.

**Section 3.** Regular reports of the progress of joint committees shall be made to the Senate.

**Section 4.** Recommendations of a joint committee shall be referred to the Senate for approval; otherwise, such recommendations shall not imply the concurrence of or be binding upon the Senate.

#### **Article XX: Agenda**

The administrative head of the college, any member of the Senate, or ten percent of the members of the PVCC Faculty Association may place an item on the agenda of the Senate by signed written notice or electronic mail to the President of the Senate. The President shall provide the faculty with an agenda one week in advance of all meetings except the executive sessions.

#### **Article XXI: Privileges and Responsibilities**

**Section 1.** The Senate shall of its own determination concern itself with any academic and professional matters which it deems important to the welfare of the college or to the enlightened self-interest of the faculty.

**Section 2.** The Senate shall advocate and support faculty rights in exercising its primary responsibilities for such matters as curriculum, subject matter and methods of instruction, faculty status (including appointments, evaluations, and dismissals), and those aspects of student life which relate to the educational process.

**Section 3.** The Senate, on behalf of the faculty, shall actively participate, directly or through its representatives, in the determination of policies and procedures governing salary increases, fringe benefits, sabbaticals, and general conditions of employment.

**Section 4.** The Senate shall, on behalf of the faculty, participate in the selection and reassignment of administrators of the college, bringing its recommendations to the attention of the Chancellor and the Governing Board of the District.

**Section 5.** The Senate shall work jointly with administration officials on the appointment of faculty members to administrative committees and to extra-curricular responsibilities.

**Section 6.** The Senate shall not be required to accept, represent, sponsor, or defend any action or grievance, or negotiate on behalf of any members of the faculty who

shall not have paid their assessed membership dues prior to the MCCC Faculty Association membership deadline of each year.

#### **Article XXII: Referenda**

**Section 1.** The Senate may request the administrative head of the college to call a general faculty meeting for consideration of matters of general faculty interest.

**Section 2.** The Senate may request the advice of the PVCC Faculty Association membership or of the entire PVCC Faculty through written ballot or other communication.

**Section 3.** On petition of ten percent of the total PVCC Faculty Association membership or on demand of one-third of the Senators, any matter considered by the Senate must be referred to the PVCC Faculty Association membership for a vote by secret ballot.

**Section 4.** A PVCC Faculty Association meeting shall be called by the President upon presentation to him or her of a petition signed by ten percent of the PVCC Faculty Association membership. The President shall call the meeting within three days of the receipt of the petition.

**Section 5.** The procedure for voting on any action other than an election shall be determined by the Executive Committee with approval by the Senate.

#### **Article XXIII: Recommendations**

Recommendations of the Senate shall be forwarded through regularly established administrative channels. However, the Senate may, after consultation with the administration, present its views and recommendations directly to the Governing Board.

#### **Article XXIV: Finances**

**Section 1.** Faculty members will be asked to pay an annual membership fee, the amount to be determined by the ~~requirements of the Senate and~~ MCCC Faculty Association budgets.

**Section 2.** Faculty hired after the MCCC Faculty Association membership deadline are exempt from the membership deadline for that year of hire; therefore, if these faculty pay the membership fee as determined by the MCCC Faculty Association, they enjoy all the rights of membership but may not serve on the Senate until they have completed one full semester on campus.

#### **Article XXV: Amendments**

This Constitution ~~may shall~~ be amended by a simple two-thirds vote of votes cast of ~~by~~ PVCC Faculty Association members, ~~present at any general or special PVCC Faculty Association meeting called for the purpose or of those returning a written ballot provided that~~ the proposed amendment (s) shall have been presented in writing to each member at least one week preceding the voting.

#### **Article XXVI: Ratification**

This Constitution shall become effective by a majority of votes cast of the ~~total~~ Senate by ~~secret ballot in a meeting or by written ballot submitted to the total~~ faculty. Ratification process will be overseen by the Senate Secretary and at least one non-officer senator as elected by the Senate.

Amendment History:

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