

CALIFORNIA STATE UNIVERSITY, EAST BAY

—DESIGNATION CODE: 2010-11 BEC  
9revised  
DATE SUBMITTED: April 5, 2011

TO: The Academic Senate  
FROM: The Executive Committee of the Academic Senate  
SUBJECT: Proposal to hold an election to modify the Constitution and Bylaws to change the membership of the Senate and Executive Committee  
PURPOSE: For approval by the Academic Senate

**ACTION**

REQUESTED: That the Academic Senate approve the ExCom proposal to place the proposed modification of the Constitution and Bylaws on a **university-wide ballot**; amendments would be effective upon the approval of the regular faculty on an upcoming ballot.

**BACKGROUND**

INFORMATION: At several meetings, the Executive Committee discussed the benefits of including the university's chief academic officer (Provost) as a member of the Senate and Executive Committee, which is the case on many other campuses. Changing the President to an Ex-officio non-voting member is also common and is based on the fact that the President has the power for final approval on most matters approved by the Senate and does not usually vote during meetings anyway. This amendment was approved at the ExCom meeting on 4-5-11. As this action would not be effective until after a special election, and we are beginning a transition period to a new president, it was deemed a good time to propose such a revision, as it is not based on incumbency. Line numbers and outline designators will be revised after the election, as needed.

The following sections of the constitution apply to the proposed special election:

**ARTICLE X**  
**AMENDMENTS TO THE CONSTITUTION**

1. **SECTION 1:** The University Faculty may vote to amend this Constitution in an election in
2. which a majority of the regular members vote. An amendment shall be
3. adopted by the University Faculty when two-thirds of the members voting
4. approve the amendment. The University Faculty shall not delegate the power
5. to amend this Constitution except in *pro forma* cases provided for in Section 5
6. of this Article.
7. **SECTION 2:** An amendment of the Constitution shall become a part of the Constitution
8. when the University Faculty has voted to amend and the President of the
9. University has ratified the amendment.
10. **SECTION 3:** An amendment to this Constitution may be proposed by:
11. A. the Academic Senate, by a two-thirds majority vote of those voting;
12. B. the President of the University; or
13. C. five percent (5%) of the Regular Members of the University Faculty.

**Proposed Amendments:****Constitution - ARTICLE V  
THE ACADEMIC SENATE**

10. **SECTION 2:** The membership of the Academic Senate shall include:
11. A. the President of the University, as an ex-officio, non-voting member;  
 B. the Provost and Vice President of Academic Affairs, as an ex-officio, voting member;
12. B. the representatives of the University in the Academic Senate of the  
 13. California State University;
14. C. twenty-five (25) members elected by and from the Colleges of the Univer-  
 15. sity, distributed in proportion to the number of Regular Members in the  
 16. Colleges, provided that every College shall have at least one member in the  
 17. Academic Senate;
18. D. ten (10) members-at-large, elected by and from the Regular Members of  
 19. the University Faculty;
20. E. one (1) member elected by and from faculty who has achieved emeritus/  
 21. emerita status, in accordance with Article VIII of the Bylaws of the  
 22. University Faculty;
23. F. four (4) members elected by and from the University lecturers, in  
 24. accordance with Article IX of the Bylaws of the University Faculty;
25. G. two (2) members elected by and from the Student Services electorate, in  
 26. accordance with Article X of the Bylaws of the University Faculty;
27. H. one (1) staff member selected-in accordance with Article XI of the  
 28. Bylaws of the University Faculty;
29. I. seven (7) members selected from among undergraduate or graduate  
 30. students, in accordance with Article XII of the Bylaws of the University  
 31. Faculty;
32. J. the chair of each standing committee of the Academic Senate; and  
 33. K. the immediate past-chair of the Academic Senate.
34. Members of the Academic Senate, except emeriti, lecturers, Student  
 35. Services, Staff and student members, shall be Regular Members  
 36. of the University Faculty.

**BYLAWS - ARTICLE IV****OFFICERS OF THE ACADEMIC SENATE AND THE EXECUTIVE COMMITTEE**

- SECTION 5** The Officers of the Academic Senate, the President of the University (as an ex-officio non-voting member), the Provost and Vice President of Academic Affairs(as an ex-officio voting member):
13. **Executive** immediate Past Chair of the Academic Senate, Academic Senators of the  
 14. **Committee** California State University, and five persons elected by the Academic  
 15. Senate from among its members shall serve as the Executive Committee of the  
 16. Academic Senate. The Committee shall supervise the work of the Senate and  
 17. prepare the agenda for its meetings. In considering a submission for the  
 18. agenda of the Senate, the Executive Committee may place it on the agenda or  
 19. make appropriate referral. If the Executive Committee makes any revision in  
 20. form or in substance before placing an item on the agenda, the nature and

21. extent of the revisions shall be reported to the Senate and to the originator.