TO: The Academic Senate

FROM: Faculty Affairs Committee (FAC)

SUBJECT: Proposed Changes to the Faculty Constitution and Bylaws regarding Lecturer Representation on the Academic Senate

PURPOSE: For Action by the Academic Senate

ACTION REQUESTED: That the Academic Senate Approve the Proposed Changes to the Faculty Constitution and Bylaws regarding Lecturer Representation on the Academic Senate to be put before the University Regular faculty for approval; effective in the academic year following approval by the University Faculty in a university-wide election

Article V, of the Constitution states:

SECTION 2: The membership of the Academic Senate shall include:

F. two (2) four (4) members elected by and from the University lecturers, in accordance with Article IX of the Bylaws of the University Faculty;

The Bylaws states:

ARTICLE IX

REPRESENTATION OF LECTURERS IN THE ACADEMIC SENATE

1. SECTION 1 In Spring Quarter, the Executive Committee shall request the secretary of the Academic Senate to arrange for the election of two (2) four (4) at-large lecturer

3. Members members of the Academic Senate. The lecturer electorate is defined as those individuals who have annual appointments of half-time or more, except for CSUEB graduate students, as defined by Article XII, Section 1 of the Faculty Bylaws. A lecturer representative will serve a one-year term and may serve for four consecutive terms.

8. SECTION 2 The nomination and election of lecturer representatives shall be completed by May 15 and the results of the election shall be certified to the Faculty Marshal, who will announce them to the University. The term of each person elected shall begin on June 15.

12. to the The Executive Committee of the Academic Senate shall make nominations, assuring that there are at least three nominees for the two positions five nominees for the four positions to be filled, and shall process additional nominations received by petition. Each person nominated shall have given his/her written consent to having his/her name appear on the ballot. In conducting the nominating process, the
Executive Committee shall follow these procedures:

A. Not less than ten academic days before the scheduled election, the Executive Committee shall publish a preliminary list of nominees.

B. For a period of five academic days after the publishing of the preliminary list, the Executive Committee shall accept nominating petitions from the lecturers. A petition to nominate must bear the signatures of the nominee and three other lecturers. Each petition shall be forwarded to the Executive Committee through the Office of the Academic Senate.

C. After the last day for nomination by petition, the Executive Committee shall confirm the eligibility of each nominee. Each eligible lecturer shall be allowed to vote for two candidates. Voting shall be in accordance with Article VI, Sections 4 and 5 of the Faculty Bylaws.

D. If two or more candidates from the same College have been nominated, the Executive Committee shall limit to one the number of representatives that may be elected from each College, except when there is an insufficient number of candidates from other Colleges to fill the vacant offices.

E. If a vacancy occurs in the representation of the lecturer electorate, the Executive Committee shall appoint a member of the lecturer electorate to fill the vacancy for the remainder of the term.

BACKGROUND INFORMATION: The Faculty Affairs Committee received a referral from the Senate Chair to review the membership of the Academic Senate, as a proposal for having more lecturer representation was brought before the Senate late last year.

At its meeting on December 6, 2006, FAC voted to propose to the Senate and Faculty expanding the Lecturer representation on the Senate from 2 to 4, with one from each College.

At the committee there was sentiment that it should be simply worded "one from each college," however, the above proposal was deemed cleaner and more readily understood, with the same effect (note Section 2 D, which prescribes no more than one per College unless there is no one running from a College).

According to Article IX of the Constitution, "Amendments to the Bylaws of the University Faculty shall be made by the University Faculty by a majority vote in an election in which a majority of the Regular Members cast votes." The Constitution is silent about how such amendments are proposed, but Amendments to the Constitution may be proposed by "A. the Academic Senate, by a two-thirds majority vote of those voting; B. the President of the University; or C. five percent (5%) of the Regular Members of the University Faculty."

It is hoped that this would be approved by the Senate with enough time to place the proposed changes on the Winter University-wide ballot for approval by the regular faculty. If passed, the Spring Lecturer elections would then be under the new rule.