

# A. Definitions Proposal

## Principle A.1 - Definitions of Individuals

The committee proposes that the Constitution and Bylaws have consistent, unambiguous classifications for all individuals for whom specific rights and responsibilities are assigned such as voting, eligibility to serve in a given capacity, and so forth. Individuals will thus be defined as:

1. Tenure-track Faculty - a faculty individual on a tenure-track but not yet granted tenure
2. Tenured Faculty - a faculty individual granted tenure
3. FERP Faculty - a retired tenured faculty individual participating in the faculty early retirement program
4. PRTB Faculty - a tenured faculty individual on partially reduced time base
5. Emeriti Faculty - a tenured faculty individual who has been granted emeritus or emerita status
6. Lecturer Faculty - a part-and full-time faculty individual who is appointed off the tenure-track (this includes a coach, counselor, etc. who is not tenure-track but considered faculty in the CBA); a graduate student who is also a Lecturer Faculty is not part of this classification
7. Student services professional - a CSUEB employee classified as SSP III or higher
8. Faculty MPP (University Regular and College Regular Faculty Management Personnel Plan employee) - the President, VicePresidents, academic Associate Vice Presidents, Deans and Associate Deans
9. Non-Faculty MPP - an MPP employee not included in classification 8.
10. Staff - a permanent, full-time employee of the California State University, East Bay, excluding any individual in classifications 1-9.
11. Student (eligible for participation in governance as a senator or standing committee member)
  - a. a matriculated undergraduate student currently enrolled in a minimum of 12 units, with a 2.0 GPA or higher, and who has enrolled in a minimum of 24 units in the current and prior semester
  - b. a graduate and classified post-baccalaureate student (Ed.D., joint Ph.D., master's, educational credentials or certificate) currently enrolled in a minimum of 8 units, with a 3.0 GPA or higher, and who has enrolled in a minimum of 16 units in the current and prior semester
  - c. this classification includes any undergraduate and graduate student who is temporarily employed by the university as a part-time Lecturer Faculty or other employee.

## Background A.1 - Definitions of Individuals

It should be possible to encounter a descriptor for a classification of individual in the Constitution and ByLaws and with certainty know who it refers to. It should be obvious and unequivocal which classification applies to any individual in the University community - students, staff, and faculty - in order to grant them the rights and responsibilities that the classification commands within the governance structure of CSUEB.

There are many individuals referred to in the Constitution and ByLaws (and also in the Policies and Procedures of the Senate Standing Committees) using a plethora of terms that make their identity, even if otherwise clear in terms of classification, ambiguous. The various terms used to describe individuals are included in this [Google Doc](#) in all their various permutations (e.g. capitalized, lower case, etc.). The Constitution and ByLaws need to be amended whole cloth to replace all terms referring to individuals with an agreed, standardized and unambiguous definition.

The individuals currently referred to in the Constitution and ByLaws using various terms and who appear unambiguous in their identity but require consistent use of a single term are:

- Tenure-track Faculty - faculty on a tenure-track but not yet granted tenure
- Tenured Faculty - faculty granted tenure
- FERP Faculty - tenured faculty participating in the faculty early retirement program
- PRTB Faculty - tenured faculty on partially reduced time base
- Emeriti Faculty - tenured faculty who have been granted emeritus or emerita status
- Lecturer Faculty - part-and full-time faculty who are appointed off the tenure-track (these include coaches, counselors, etc. who are not tenure-track but are considered faculty in the CBA)
- Student services professionals - CSUEB employees classified as SSP III or higher

The individuals currently referred to in the Constitution and ByLaws using various terms who appear as ambiguous in their identity and thus require clearer definition and/or sub-division, and selection and use of a single term for each are:

- Student - students come in various guises - undergraduate, graduate, full-time, part-time, unclassified post-bacc, post-graduate certificate - and students can also simultaneously be lecturers or staff (note they are all on the state-side)
- Staff - staff can be full-time or part-time and can be permanent, probationary, or temporary. Similarly administrators (Management Personnel Plan MPP) are technically staff and SSP III employees are also staff but have been previously singled out as a separate classification of individuals with their own constituency.

- Administrator/MPP - Deans and Associate Deans are administrators but are also tenured faculty. Are all administrators MPP and are all MPP administrators - we have around 130 of them? Some MPP are academic (faculty e.g. Provost) and some are non-academic (e.g. VP Administration and Finance). But multiple non-academic MPPs have the equivalent status of Tenured Regular Faculty and are included in the University Regular Faculty constituency along with Tenure-track Faculty, Tenured Faculty, etc. (e.g. the VP for Student Affairs - see [Regular Faculty](#)).

The above three types of individuals should be separated out to map to the differing rights and responsibilities they have in governance so that they can be aligned with constituencies in which their membership confers those rights and responsibilities:

- It should be clear which guises of students are classified as such for governance purposes i.e. with eligibility to serve or vote in shared governance
- It should be clear which employees are considered staff eligible to serve or vote in shared governance - i.e. which non-student, non-faculty, non-SSP III, and non-administrator employees are eligible to participate in various capacities and functions of shared governance
- It should be clear which individuals are administrators and in which classification so that they may be differentiated from staff and faculty for the purpose of determining membership of constituencies and hence given the appropriate rights and responsibilities in shared governance

## **Principle A.2 - Definitions of Constituencies**

The committee proposes that the Constitution and ByLaws have consistent, unambiguous definitions of all constituencies to which given classifications of individuals belong for eligibility and voting purposes. The following definitions will be used.

1. the University Regular Faculty - Current Constitution Definition - all Tenure-track Faculty, all Tenured Faculty (including Deans and Associate Deans), all MPP academic administrators granted the equivalent status (tenure and retreat rights) as Tenured Faculty, and all FERP and PRTB Faculty active (i.e. teaching) in a given semester
2. the College Regular Faculty - Current Constitution Definition - all University Regular Faculty who are members of a College (four constituencies) or the University Libraries (one constituency) - this includes the College Deans, Associate Deans and University Librarian
3. the Department Regular Faculty - Current Constitution Definition - all College Regular Faculty who are appointed to a full-time, teaching service area administered by the Department at an instructor rank of Assistant, Associate or Full Professor

4. the Student Services Professionals Electorate - Current Constitution Definition - all employees with the classification SSP III or higher
5. the Emeriti Faculty Electorate - Current Constitution Definition - those individuals who upon retirement, were a tenured regular member of the faculty who had a minimum of twelve years of full-time service to the University or, on the basis of exceptional contributions had been recommended by their academic department or division for emeriti status and were approved by the President
6. the Lecturer Faculty - Current Constitution Definition - all contingent faculty with academic status including lecturers, coaches, counselors and so forth as listed in the CBA
  - a. the Lecturer Faculty Electorate - Current Constitution Definition - those Lecturer Faculty who have a time base of 0.5 or higher
7. the Staff Electorate - all permanent, full-time employees of the California State University, East Bay who are not classified as student services professionals, faculty or MPP employees
8. the Student Electorate - as determined by ASI (governed by their Associated Students Election Code)

## **Background A.2 - Definitions of Constituencies**

It should be possible to encounter a definition of a constituency in the Constitution and ByLaws and with certainty know which classification of individuals are its members. It should be obvious and unequivocal which individual, based on their classification, has membership in that constituency. It must also be clear from the definition which constituencies are exclusive - i.e. where individuals may only be members of one constituency in this category, and which are not - i.e. constituencies that are comprised of a sub-set of constituencies in which classifications of individuals can be members at more than one level.

There are many constituencies referred to in the Constitution and ByLaws (and also in the Policies and Procedures of the Senate Standing Committees) using a plethora of terms that make their identity, even if otherwise clear in terms of their membership, ambiguous. The various terms used to describe constituencies are included in this [Google Doc](#) in all their various permutations (e.g. capitalized, lower case, etc.).

Constituencies currently referred to in the Constitution and ByLaws using various terms and which are unambiguous but require consistent use of a single term are:

- University Regular Faculty<sup>1</sup> - all Tenure-track Faculty, all Tenured Faculty (including Deans and Associate Deans), all MPP academic administrators granted the equivalent status (tenure and retreat rights) as Tenured Faculty, and all FERP and PRTB Faculty active (i.e. teaching) in a given semester (this last category - active FERP and PRTB is for the purpose of defining eligibility to vote and serve on committees in a given semester)<sup>2</sup>.
- College Regular Faculty<sup>3</sup> - a subset of University Regular Faculty - all the above who are members of a College (four constituencies) or the University Libraries (one constituency) with the exception of the MPP academic administrators
- Department Regular Faculty<sup>4</sup> - a subset of the four Colleges' Regular Faculty - all of the four Colleges' Faculty, with the exception of their Dean and Associate Dean(s), are members of a Department Regular Faculty - Tenure-track and Tenured Faculty are appointed to a full-time, teaching service area administered by the Department at an instructor rank of Assistant, Associate or Full Professor and by virtue of their membership in that Department Regular Faculty constituency, become part of the College Regular Faculty constituency and thus part of the University Regular Faculty constituency
- Lecturer Faculty - all contingent faculty with academic status including lecturers, coaches, counselors and so forth as listed in the CBA (i.e. who are not a Tenure-track Faculty, Tenured Faculty, Emeritus/a Faculty, PRTB Faculty, or FERP Faculty<sup>5</sup>)
- Lecturer Faculty electorate - those Lecturer Faculty who have a time base of 0.5 or higher - this is a defined constituency for determining the ability to vote or to serve in some

---

<sup>1</sup> Note that Tenure-track and Tenured Faculty are by definition full-time unless they are FERP and PRTB - faculty who are on professional or other approved leave do not lose their status as University Regular Faculty according to the Constitution and ByLaws (see Article I Section 3 of the ByLaws).

<sup>2</sup> The Constitution first denotes Department Regular Faculty (Article II), then College Regular Faculty (Article III), then University Regular Faculty (Article IV) although clearly, Department is nested in College which is nested in University, along with the Library Regular Faculty who have the status of College Regular Faculty. In choosing to present Department, then College, then University in Articles II-IV of the ByLaws this leaves an undefined entity in Article IV Section 2 - "and other individuals holding tenure in an academic department" - it is not clear who these individuals are. This organization structure also makes the Department the fundamental organizing unit of the community.

<sup>3</sup> Although we have some faculty who have joint appointments and/or whose teaching obligations are split between Colleges, Article III Section 1 of the Constitution states that no faculty member shall be a member of more than one College Regular Faculty.

<sup>4</sup> Although we have some faculty who have joint appointments and/or whose teaching obligations are split between Departments, Article II Section 1 of the Constitution states that no faculty member shall be a member of more than one Department Regular Faculty.

<sup>5</sup> Lecturer Faculty are not, therefore, members of the College Regular Faculty, or Department Regular Faculty (this is explicitly stated in Article II Section 2, Article III Section 2) and therefore, are also not members of the University Regular Faculty (they are not included in the list of members in Article IV Section 2). They may, along with other professional members of the University (though the exact meaning of that term is not defined in the Constitution and ByLaws), be granted Special Member status of a College (and presumably the University Libraries which has the status of a College) and a Department to take part in the affairs of these constituencies, which includes voting in elections that are not expressly confined to University Regular Faculty). Special members are not regular faculty.

capacity in University shared governance. Note that students who are also contingent faculty are excluded from this constituency (Article IX Section 2)

- Student Services Professionals - all employees with the classification SSP III or higher - these are the electorate for their SSP representative
- Emeriti Faculty - those individuals who have achieved emeritus or emerita status, according to Article I, Section 4, of the Faculty Bylaws (*Upon retirement, a tenured regular member of the faculty who has a minimum of twelve years of full-time service to the University or, on the basis of exceptional contributions has been recommended by their academic department or division and approved by the President, shall be granted emeriti status*).

Constituencies currently referred to in the Constitution and ByLaws using various terms but which appear ambiguous in their identity and require consistent use of a single term are:

- Students - the Constitution and ByLaws refers to students but does not make it clear, with respect to GPA and unit completion and enrollment requirements, whether it refers to undergraduate or graduate students. It is also not clear why the specified number of units (minimum of 7 in a given semester or 14 for the prior 12 months) are chosen for eligibility to serve in governance capacities (Article XII Section 1). Lecturers who are also graduate students are classed as students. But what happens when employees are enrolled in courses - are they both students and staff?
- Staff - the Constitution and ByLaws refers to staff for the purposes of governance as being “Every permanent staff employee of California State University, East Bay, excluding MPP employees and anyone already represented in an electorate is eligible to serve as a Staff member representative” (Article XI Section 1). However, these “staff” do not have standing as an electorate and are not engaged in selecting their own representatives - this is inconsistent with procedures for other constituencies and should be rectified by creating a staff council constituency with a defined classification of individuals with membership<sup>6</sup>
- Administrators/MPP - which individuals are considered part of this constituency and for what purpose - voting, committee membership and so forth? MPP is a personnel classification and means Management Personnel Plan - if the classification and categorization of administrator could be more clearly defined, then constituencies could be more clearly defined within the Constitution and ByLaws and lists could be maintained of eligibility.

---

<sup>6</sup> If staff are also students can they vote in student elections that elect student representatives to the Senate (Article XII Section 1)?