

# CONSTITUTION

OF THE CLASSIFIED SENATE

LOS MEDANOS COLLEGE

CONTRA COSTA COMMUNITY COLLEGE DISTRICT

NOVEMBER 04, 2016

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## PREAMBLE

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The Classified Staff of Los Medanos College is confident and apt to participate fully in the governance of the College and the District in accordance to the College Participatory governance Model and the mandates of AB 1725. The full realization and actualization of the personal, philosophical and educational goals of the Staff and of the Institution require the formation of a Classified Senate as an organizational and coordinating structure.

This Constitution now fulfills the remainder of the requirements of Position Paper 90/91-1, which codified the Classified Senate and Classified Senate Council. These bodies will now be governed by their Constitution and any subsequent amendments.

The levels of cooperative growth and community enrichment possible among the members of the College community will be equal to the breadth of vision and depth of fearlessness the individuals are willing to achieve. This Constitution provides the framework for contact and coordination among all Classified Staff and with Faculty, Managers and Students. Each of us can now begin the work of building around that framework to create a fulfilling environment for us all and an actualization of our sense of family and group purpose.

# Article I

## Title

Section 1. This organization shall be known as the Classified Senate.

# Article II

## Purpose

Within the LMC governance structure, the Classified Senate shall be the vehicle:

Section 1. To empower the Classified Staff with a formal representative voice in determining institutional policies, procedures and regulations.

Section 2. To provide the President of the College with recommendations and views on matters affecting the conduct, welfare and growth of the College.

Section 3. To enable the Classified Senate, through the participatory governance structure and representation on District-wide bodies, to address the *Governing Board of Contra Costa Community College District*, which from here forward will be called CCCCD Governing Board, with recommendations and views on matters affecting the conduct, welfare, and growth of the College.

Section 4. To promote communication and mutual understanding among the Classified Staff, Faculty, Management, Students, CCCCD Governing Board, and other interested persons having to do with the conduct, welfare, and growth of the College.

## Article III

### Senate Membership

Section 1. The Classified Senate shall be a senate of the whole. All Classified Staff at Los Medanos College are members. A Classified Staff member is one who has been hired by the Contra Costa Community College District as part of the “classified service” (Ed. Code 88003) to fill a permanent classified position

Section 2. In special instances the Classified Senate may make specific interpretations as to who may be members on a temporary or permanent basis. This person must hold a permanent or interim position within Los Medanos College.

Section 3. Any person who is a member of the classified staff, as described in Article IV, Section 1, is eligible to vote.

Section 4. It is the general intent and spirit of the Classified Senate to represent its electorate which consists of employees as described in Section 1.

Section 5. Confidential and Supervisory employees of the District are encouraged to bring topics of concern to the Senate without prior approval. The Senate may represent the concerns of this group for the benefit of the college community.

## Article IV

### Council Eligibility

Section 1. Any person who is a member of the Classified Senate may be a member of the Classified Council, referred to hereafter as the Council.

## Article V

### Council Election Procedures

Section 1. The Council shall consist of nine (9) regular elected members, including one Council President, one Vice President, a Secretary (Treasurer) and one Vice President of the bargaining unit, all elected from the members of the Classified Senate. Council members shall serve for a term of two (2) calendar years from the first Council meeting following their election.

Section 2. A vacancy or upcoming vacancy on the Council will be announced to the Classified Staff in writing and at a general meeting at least ten (10) days in advance of voting. Members seeking election or re-election will submit their names to the Election Committee designated by the Senate Chair or President.

Section 3. Confidential ballots will be sent out to all Classified Senate members, collected, and tallied under the supervision of the Election Committee. The results will be announced to the community in writing and verbally at the next regular meeting.

Section 4. While serving on an election committee, members cannot run for a Senate office.

Section 5. The Council member including officers shall be elected by a majority vote of the Classified Senate Membership except for the bargaining unit Vice President. The President shall serve for the duration of her/his current term on the Council. Upon re-election of a Council member serving as President, or election of new member to replace the current President on the Council, a new Presidential selection shall be conducted.

## Article VI

### Organization

Section 1. The Council President shall be the Chair of the Senate, who shall serve in honorary functions, and also as a spokesperson for the official opinion of the Classified Staff. The President may delegate these duties.

Section 2. The Senate and the Council shall meet and determine their own organizational needs as necessary to conduct business and daily operations providing these actions do not conflict with the Articles of this Constitution.

Section 3. The Senate and the Council may adopt by-laws and/or special provisions to establish rules of procedure for implementing the intent and purpose of this Constitution.

Section 4. The Senate may create, define, and limit the powers and duties of standing committees. The Senate and Council may form special committees as they deem necessary.

Section 5. If a vacancy occurs due to resignation, recall, death, etc., the Chair shall proceed within ten (10) days in accordance with Article V to fill the unexpired term. The Chair may delegate this responsibility to expedite the filling of the temporary position.

## Article VII

### Procedures

Section 1. Any member of the College community (staff, faculty, management, students, and community residents) may recommend an item be placed on the agenda by a written signed notice given to the Senate President or any current Council member.

Section 2. The President of Los Medanos College, the Chancellor, and the Trustees shall have a standing invitation to all Classified Senate meetings for the purpose of presenting matters of importance to the Senate.

The first agenda item of each regularly scheduled Senate meeting shall be held open for the President's use as needed to apprise the Senate of issues of importance to the College. The Chancellor, President or Trustees will not be required to give prior notice to be placed on the Senate's agenda.

Section 3. The Senate and the Council shall meet on a regularly scheduled basis. The Senate and the Council shall set meeting times and frequencies which best meet the needs of the Classified Staff, ensure consistency and continuity of the organization, and promote accessibility to the campus community.

Section 4. Special meetings of the Classified Council may be called at the Chair's discretion, when requested in writing by a majority of the Council members.

Section 5. Any three (3) members of the Council may request a meeting of the Senate if they feel the Council's actions or inactions require Senate consideration. The Chair must call such meetings and announce the purpose. The meeting must be called within ten (10) calendar days of the request.

Section 6. The Senate and Council shall keep accurate minutes and make reports of all meetings and actions. This information will be accessible to all. This information shall be regularly updated and kept on file in the Classified Senate Office, or with the Senate President and will be made available on the website.

Section 7. All current and newly elected Council members shall receive an orientation binder/packet that contains information such as the Classified Senate Constitution, information regarding California Community College Classified Senate, Brown Act, Robert's Rules of Order and other information pertinent to the roles and responsibilities of the Senate.

Section 8. A quorum of the Council membership must be present in order to conduct a Senate meeting. A quorum is a simple majority of the Council membership.

Section 9. All meetings and committees shall be governed by the Brown Act and conducted according to Robert's Rules of Order. All decisions should be by consensus, but ultimately by the vote of a majority of the Senate members present.

## Article VIII

### Powers, Concerns and Responsibilities

Section 1. The Classified Senate shall of its own determination concern itself with each or all, but not limited to, the following clauses. This section in no way limits the bargaining agent where authorized by statute. The Senate shall transfer appropriate topics of concern to the bargaining agent as necessary with or without recommendations.

Clause 1. Professional standards and concerns such as: rights, responsibilities, minimum job qualifications, job requirements, professional competence and educational needs.

Clause 2. Professional personnel policies such as: recruiting, selecting, evaluations, assignments, work load, promotion, retention of competent staff, classified staff development and job training.

Clause 3. Academic policies such as: curriculum, admissions, records, special honors, retention of students, articulation, matriculation, and accreditation, etc.

Clause 4. Student policies and procedures such as: conduct, discipline, activities, special services, general needs, registration, evaluation, fees, and requirements, etc.

Clause 5. Educational, business, and other operational expenditures such as: state funding, budget planning, long and short term planning, capital outlay, general fund allocation, and utilization.

Clause 6. Staffing needs and support such as: staff utilization, growth needs, and FTE.

Clause 7. Instructional, student and Administrative Support Services such as: library, audio-visual, instructional facilities, grounds, computer and network, maintenance and use of facilities.

Clause 8. Instructional philosophy and student needs such as: college goals, mission, objectives, effects upon students and staff, community relations and program evaluation.

Clause 9. Campus decisions and actions affecting students and staff such as: instructional, administrative and daily operation of the college.

Clause 10. District and local planning.

Clause 11. District and college-wide committee representation (by classified staff)

Clause 12. District and local communication activities such as: procedures to enhance understanding, cooperation, and quality of life among all members of the college community.

Section 2. It shall be the responsibility of the Classified Senate, through the Classified Senate President and/or Vice President, to express its views and recommendations to the College President.

Section 3. It shall be the responsibility of the Classified Senate, through the Classified Senate President, Vice President or order of succession, after due consideration, to express the official opinion of the Classified Staff to the Contra Costa Community College District.

Due consideration shall require:

Clause 1. Polling by secret ballot

Clause 2. Obtaining a majority vote of the voting classified staff

Clause 3. Notifying the College President prior to officially presenting the Senate's opinion before the CCCC CD Governing Board.

Section 4. It shall be the responsibility of the Classified Senate, through the Classified Senate President, Vice President or order of succession, to express its views and recommendations to the President's Council, or any other group, individual, or college governance body as needed.

Section 5. It shall be the responsibility of the Classified Senate President, Vice President, or order of succession, to express the views and recommendations of the Classified Senate to all Classified Staff and keep them informed of its actions and current issues.

Section 6. It shall be the responsibility of the Classified Council to make all appointments of volunteers for membership on District and College committees, task forces and groups. If more

than one person volunteers for a given position, members shall submit a letter of intent. The Classified Senate shall then choose among them.

Section 7. The President, Vice President or order of succession shall attend all CCCCDD Governing Board meetings. The Classified Senate President may delegate this duty to a Classified Senate member if the officers are unable to attend.

Section 8. The Council shall act as a consultative body to the President of the College on any matter affecting the conduct, welfare, and growth of the College, staff and students.

Section 9. The Classified Senate may raise funds for scholarships special events, activities and expenses as deemed necessary. The Senate shall determine the appropriate use of these funds.

## Article IX

### Amendments and Recall

Section 1. The Constitution may be amended by initiative procedure only.

Clause 1. A petition to amend the Constitution shall be signed by at least twenty percent (20%) of the Classified Staff, or shall be signed by two-thirds (2/3) of the Council members, and shall be presented to the Senate Chair.

Clause 2. Upon receipt of the petition, the Council shall distribute the proposed amendment to the entire Classified Staff and open it to discussion on the Classified Senate floor at the next scheduled meeting.

Clause 3. If approved by two-thirds (2/3) of the Classified Staff casting ballots, the amendment shall take effect immediately following the balloting.

Clause 4. Results of the balloting shall be announced in writing to the community within five (5) calendar days after the election.

Section 2. Classified Council members may be recalled by their constituents for reasons of due cause including, but not limited to: (a) excessive unexcused absences from meetings (b) non-participation in the assigned duties of a Council member (c) non-representation of staff concerns and or (d) misconduct.

Clause 1. A petition to recall a Classified Council Member shall be signed by at least twenty percent (20%) of the Classified Staff or shall be signed by two-thirds (2/3) of the Council members.



Clause 2. The Council shall distribute a copy of the recall petition to the entire Classified Staff. At the next scheduled Classified Senate meeting the initiator of the petition shall have the right to offer evidence to support the petition, and the person being recalled shall have the right for rebuttal.

Clause 3. A written ballot shall be issued in order to recall a Classified Council member. If approved by two-thirds (2/3) of the Classified Staff casting ballots, the recall shall take effect immediately following the balloting.

Clause 4. Results of the balloting shall be announced in writing to the community within five (5) calendar days after the election.

Clause 5. Within ten (10) calendar days of recall, the Council shall proceed, according to Article V, Sections 2 and 3, to fill the vacancy.

Section 3. The Constitution will stand as approved unless modified by amendments. If any portion is found in violation of Local, State or Federal law, it will be the responsibility of the Council to amend that portion to attain compliance, rather than to declare void the whole Constitution. The Council shall use the amendment procedures in Article IX to fulfill this responsibility.

## Article X

### Ratification Procedures

Section 1. After initial approval at a Senate meeting, this Constitution shall be distributed to all of the Classified Staff. The proposed Constitution shall be an agenda item at the next two (2) Senate meetings for discussion. With the final approval of the Senate, after due consideration, this Constitution shall be voted on, by secret ballot, by all of the Classified Staff.

Section 2. The Council shall be responsible for the distribution, collection, and tallying of ballots. If three-fourths (3/4) of all of the Classified Staff approve, the Constitution shall take effect immediately.

## Appreciation

The Los Medanos Classified Senate would like to thank:

**The Members of the Constitution Committee:** Demetria Lawrence, Diane Ahlborn, Kathy Cullar, Sandi Schmidt, Jamila Stewart.

**Deep Appreciation:** To Bob Kratochvil, President of Los Medanos College.

**Proof-reading and Suggestions:** The entire Classified Senate

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The Classified Senate is grateful for the Governing Board of Contra Costa Community College District; Helen Benjamin, Chancellor; Bob Kratochvil, President of Los Medanos College; Linda Kohler, Classified Senate President; the students of Los Medanos College; the Administration and Faculty, with whom we look forward to realizing the cooperative benefits of participatory governance.

Amended on 10/07/2016

Ratified on 11/04/2016

*Historical annotation: Original Constitution was ratified on December 16, 1991.*