



THE FACULTY SENATE KAPI'OLANI COMMUNITY COLLEGE

CONSTITUTION

April 22, 2016

The name of this body is "The Faculty Senate of Kapi'olani Community College," hereafter referred to as the "Senate." The Senate shall provide a formal independent organization through which the faculty of Kapi'olani Community College shall participate in the governance and policy-making determination of the College and shall promote communication among the faculty, staff, students, administration, and the University of Hawai'i Board of Regents.

ARTICLE I. PURPOSE OF THE SENATE

Section 1. Purpose of the Senate

The Senate is the duly authorized organization in accordance with BOR Policy 1.210 to speak for the faculty of Kapi'olani Community College on academic policy matters. The Senate is responsible for considering policies, positions, and actions that pertain to the individual or collective role of the faculty.

Section 2. Definition of "Policy"

"Policy," under this Constitution, means a general rule for the conduct of the College, its faculty, its student body, or its administration so far as the rule affects all matters related to the following:

- A. The mission, strategic planning, and directions of the college;
- B. Curriculum and instruction;
- C. Academic support and student support;
- D. Budget;
- E. The evaluation of faculty and administrators;
- F. The canon of professional ethics, rights, and responsibilities; and
- G. Other matters which affect the general quality of the College.

Section 3. Additional Responsibilities

The Senate may accept other responsibilities as requested by the Chancellor of the College, the President of the University of Hawai'i, the Vice President for Community Colleges, the Board of Regents, or other appropriate faculty organizations external to the College.

ARTICLE II. PROCEDURES OF THE SENATE

Section 1. Bylaws

- A. The Senate Bylaws (hereafter referred to as "Bylaws") provide procedures for operation of the organization, details on membership requirements, and information on other topics that the Senate deems necessary to fulfill its responsibilities.
- B. The Bylaws shall be reviewed every five (5) years or as deemed necessary by the Senate.
- C. An amendment to the Bylaws shall be submitted in writing by any Senate member to the Chair.
- D. Approval of amendments to the Bylaws shall follow voting guidelines stated in Article II, Section 2.C. of this Constitution.
- E. Amendments shall take effect upon written approval by the Chancellor.
- F. The Senate shall maintain a chronological list of amendments as a permanent addendum to the Bylaws document.

Section. 2. Meetings

- A. Conduct
Parliamentary procedure shall be governed by a simplified version of Robert's Rules of Order, Revised, which is an addendum to the Bylaws. In the event of procedural conflict, the Senate Constitution shall be the final authority.
- B. Open Deliberation
All matters of the Senate shall be decided by a vote after an opportunity for open deliberation is provided. All Senate general meetings are open to the campus.
- C. Quorum and Voting
 - 1. All official actions require a quorum (50% of its membership).
 - 2. A majority vote (>50%) of the members present is required for any action with the exception of removal of Senators, Committee members, and Committee Chairs, which require a supermajority vote ($\geq 66\%$).
 - 3. The Chair shall vote only to break a tie.
 - 4. Voting within Senate Standing and Ad Hoc Committees as well as the Executive Committee shall follow these same guidelines.

Section 3. Notification Prior to Senate Actions

A proposed action shall be placed on an agenda available to the Senators at least five (5) working days prior to Senate consideration of the action.

Section 4. Communication of Senate Actions to the Electorate

Actions and the draft of the minutes of Senate meetings shall be made available to the electorate within seven (7) working days after each meeting.

ARTICLE III. COMPOSITION OF THE SENATE

Section 1. Membership of the Senate

- A. Unit Representation
 - 1. The Senate shall be composed of a single faculty representative from each Unit as recognized by the College.

2. These Units shall be listed in the Bylaws.
3. New Units shall obtain immediate representation upon recognition by the College.

B. Eligibility for Unit Representation

1. A faculty member must be a member of the Electorate in order to be eligible to represent their Unit.
2. The Electorate is composed of:
 - a. Faculty who have a full-time or full-time temporary appointment to the College;
 - b. Part-time or temporary faculty who average half-time or more over an academic year.

C. Determination of Unit Affiliation

1. A faculty member's Unit affiliation shall be determined by either of the following:
 - a. The Unit in which the individual is employed;
 - b. The Unit where more than 50% of the individual's work activities are conducted.
2. Faculty with equal responsibility to more than one Unit shall select a Unit for affiliation at the beginning of the academic year.

Section 2. Selection of Senators

Procedures for selecting Senators shall be stated in the Bylaws.

Section 3. Responsibilities of Senators

The responsibilities of Senators shall be stated in the Bylaws.

Section 4. Term of Office

- A. A Senator's term of office shall be two (2) academic years, beginning in the fall semester.
- B. Further guidelines for a Senator's term of office shall be stated in the Bylaws.

Section 5. Removal of Senators

- A. A Senator shall be removed from office by a supermajority vote ($\geq 66\%$) of the Senate.
- B. Reasons and procedures for removal of a Senator shall be stated in the Bylaws.

ARTICLE IV. ORGANIZATION OF THE SENATE

Section 1. Executive Committee

- A. The Executive Committee is a subcommittee drawn from the Senate membership to manage the Senate's communications and operations.
- B. It shall consist of the following Senate Officers:
 1. Chair;
 2. Vice-Chair;
 3. Secretary;
 4. Two (2) At-Large Members elected from the Senate.
- C. The following procedures and guidelines shall be stated in the Bylaws:
 1. Terms and Replacement of the Senate Officers;
 2. Election of the Executive Committee;

3. Responsibilities of the Senate Officers;
4. Responsibilities of the Executive Committee.

Section 2. Elections Committee

The Elections Committee, a subcommittee drawn from the Senate membership, is responsible for conducting Executive Committee elections and special votes involving the electorate. Membership and responsibilities shall be stated in the Bylaws.

Section 3. Standing Committees

- A. Standing Committees exist to help the Senate carry out its purpose.
- B. They are tasked by and report directly to the Senate.
- C. Their responsibilities and procedures shall be stated in the Bylaws.
- D. Membership of all Standing Committees shall include one faculty representative from each Unit.
- E. Terms of office and responsibilities as well as replacement and removal procedures of committee chairs and members shall be stated in the Bylaws.

Section 4. Ad Hoc Committees

Procedures governing Ad Hoc Committees shall be stated in the Bylaws.

ARTICLE V. SENATE ACTIONS

Section 1. Procedures for Bringing Matters Before the Senate

- A. Action Requests
 1. These are requests for Senate action on matters of policy as defined in Article I, Section 2 of this Constitution;
 2. They can be submitted by any member of the electorate as defined in Article III, Section 1.B.2 of this Constitution;
 3. The Senate Executive Committee shall review incoming action requests and recommend to the Senate the appropriate course of action.
- B. Referrals
 1. These are initiated via official communication channels by the Chancellor or any of the other entities listed in Article I, Section 3 of this Constitution.
 2. Before formulating College policy as defined in Article I, Section 2 of this Constitution, the Chancellor, or any of the other entities listed in Article I, Section 3 of this Constitution, shall use the referral process to seek the advice of the Senate.
 3. All policies, as defined in Article I, Section 2 of this Constitution, promoted or established without prior consultation of the Senate are subject to review by the Senate.
 4. The Senate Executive Committee shall review incoming referrals and recommend to the Senate the appropriate course of action.

Section 2. Transmission of Senate Actions to the Chancellor

- A. Recommendations and resolutions approved by the Senate shall be:
 1. Prepared in writing by the Chair in consultation with the Executive Committee;
 2. Signed by the Chair and another member of the Executive Committee;

3. Transmitted to the Chancellor or to other appropriate entities
- B. The Chancellor shall forward to the appropriate entities recommendations or other formal communications that require approval by the Vice President of Community Colleges, President of the University of Hawai'i, or the Board of Regents.

Section 3. Report of Action Taken on Recommendations and Resolutions

- A. The Chancellor shall, in writing, inform the Senate of his or her actions regarding recommendations and resolutions submitted by the Senate.
- B. The Chair shall monitor and report the status of recommendations and resolutions to the Senate.

Section 4. Review of Chancellor's Response to Senate Resolutions and Recommendations

The Senate can request further justification or clarification from the Chancellor regarding his or her response.

ARTICLE VI. AMENDMENTS TO THE CONSTITUTION

Section 1. Proposing Amendments to the Constitution

- A. Amendments to this Constitution shall be proposed by a petition of at least one-third (1/3) of the electorate as defined in Article III, Section 1.B.2 of this Constitution or a supermajority ($\geq 66\%$) of all Senators;
- B. Proposed amendments shall be transmitted by the Senate Chair to the electorate for discussion.

Section 2. Voting on Amendments

- A. Faculty meeting the criteria of membership in Article III, Section 1.B.2 of this Constitution are eligible to vote on proposed amendments.
- B. Within three (3) weeks of providing the proposed amendments to the electorate, a vote shall be held.
- C. The Senate Chair, Executive Committee, and Elections Committee shall supervise voting on the proposed amendment(s).
- D. Votes shall be cast by secret ballot.
- E. A favorable vote of a majority ($>50\%$) of the electorate votes cast shall constitute approval of the proposed amendment(s).

Section 3. Implementation of Amendments

- A. All amendments approved under the provisions of Article VI, Section 2 of this Constitution shall be sent to the Chancellor for approval.
- B. Upon approval by the Chancellor, amendments shall become a permanent part of the Constitution.

ARTICLE VII. RELATION OF THE CONSTITUTION TO OTHER AGREEMENTS

Any agreement negotiated by the Board of Regents with a duly authorized bargaining agent under Act 171, Chapter 89 of the Hawai'i Revised Statutes, shall supersede any conflicting provisions of this Constitution. Policies of the Board of Regents, not superseded by such negotiated agreement, shall supersede provisions of this Constitution. If any provision of the Constitution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the said document which can be given effect without the invalid provision or application, and to this end the provisions of the Constitution are severable.

ARTICLE VIII. IMPLEMENTATION OF THE CONSTITUTION

This Constitution shall take effect upon favorable vote of a majority (>50%) of the electorate voting in a balloted election and approval by the Chancellor.

CERTIFICATION

This constitution was ratified on May 15, 2016 by the electorate as defined in Article III, Section 1.B.

This constitution was approved on July 1, 2016 by Susan Inouye, Faculty Senate Chair and on July 4, 2016 by Interim Chancellor Louise Pagotto.

Date

Chancellor

Date

Faculty Senate Chair

Date