



Resolution 24-25/01
First Reading: October 18, 2024
Second Reading: November 26, 2024
Vote (For/Against/Abstain): 17/0/0

Resolution to Revise the Constitution and Bylaws of the Faculty Senate

Whereas the [Faculty Senate Constitution and Bylaws](#) (Policy Number AS 01-005) prescribe a predominantly advisory role to faculty;

Whereas the current Constitution and Bylaws do not fully empower the Faculty Senate to exercise legislative authority over its own Constitution and Bylaws, as is customary in shared governance models at peer institutions; and

Whereas the current Faculty Senate Constitution and Bylaws include the phrase, “To the extent that authority derives from powers granted to the Faculty Senate through its recognition by the President,” which implies that the Senate’s authority is contingent on administrative recognition rather than rooted in the academic responsibilities of the faculty, and thereby creates a misalignment with shared governance models of peer institutions such as Cal Poly San Luis Obispo; and

Whereas the Faculty Senate’s current, cumbersome mechanisms for Bylaws revisions are no longer viable given the timeline for integration and governance restructuring;

Therefore Be it Resolved that the current Introduction to the Cal Maritime Faculty Senate Constitution and Bylaws be revised to better reflect the shared governance models of peer institutions; and

Resolved that the Faculty Senate add language to the introduction that explicitly 1) clarifies that *faculty* establish the constitution for our own governance, 2) clarifies that the Faculty Senate serves both a *legislative* function in academic matters and an *advisory* function in broader institutional decisions, and 3) is empowered to amend its bylaws for its own governance; and

Resolved that the Faculty Senate replace the existing Introduction with the following text:

Introduction

1. Preamble

We, the faculty of California State University Maritime Academy, in order to meet our academic responsibilities, hereby establish this Constitution of the Faculty for our governance. The responsibilities of the faculty, the powers necessary to fulfill those

responsibilities, and the collegial form of shared governance are based on historic academic traditions that have been recognized by the people of the State of California through their legislature.

Joint decision making and consultation between the administration and the General Faculty have been recognized by the legislature of the State of California as the long-accepted manner of governing institutions of higher learning and are essential to the educational missions of such institutions. In order to participate fully in the process of joint decision making and consultation with the administration, the Faculty Senate is empowered to exercise all legislative and advisory powers on behalf of the faculty.

Faculty serve both a **legislative function in academic matters** and an **advisory function in broader institutional decisions**. In their legislative role, the Faculty hold primary responsibility for governance decisions in academic matters, such as curriculum development, academic standards, methods of instruction, research, and faculty status, including appointments, tenure, and promotion, and “aspects of student life that relate to the educational process.”¹ ([AAUP FAQs on Shared Governance](#)).

2. Definitions

- a. The Faculty Senate of the California State University Maritime Academy (hereafter referred to as “The Faculty Senate”): a representative senate with members elected to represent the Faculty.
- b. Faculty: all tenured, probationary, and full and part-time lecturers on a one or three-year contract not bearing an MPP (Management Personnel Plan) position on the campus.
- c. Lecturers: all full and part-time lecturers on a one or three-year contract not bearing an MPP (Management Personnel Plan) position on the campus.
- d. Academic departments: any department/unit that offers credit-bearing courses taught by Faculty (eg. the Library).

3. Powers and Responsibilities

- a. The membership of this organization remains at all times in possession of the authority and power of this organization. By constitutional provision, the Faculty Senate delegates authority to its duly elected Executive Committee and to other sub-units that the Executive Committee may designate on behalf of the Senate. These sub-units may take the form of (a) Standing Committees, (b) Ad hoc committees, (c) Task Forces or (d) individual agents.
- b. The Faculty Senate, collectively, or through its designated sub-units, shall be empowered to participate in the governance of the California State University Maritime Academy. In order to participate fully in the process of joint decision-making and consultation with the administration, the Faculty Senate is empowered to exercise all legislative and advisory powers on behalf of the General Faculty.
 - i) Legislative powers shall include all educational matters that affect the General Faculty (e.g., curricula, academic personnel policies, academic standards). When the President disapproves Senate legislation, s/he shall inform the Senate in writing within sixty days

¹ AAC&U FAQ on Shared Governance <https://www.aaup.org/programs/shared-governance/faqs-shared-governance>

from the date of transmittal of the compelling reasons for disapproval.

ii) Advisory powers shall include, but not be limited to consultation on budget policy, administrative appointments, determination of campus administrative policy, university organization, and facilities use and planning. This power shall be exercised by means of direct recommendations to the President of the Academy concerning the formulation, revision, adoption, or review of policy and procedures of the California State University Maritime Academy. The authority of the Faculty Senate shall not include those areas specifically identified under the laws of the State of California as belonging to the exclusive representatives of designated Collective Bargaining Units.

- c. The Faculty Senate's power shall be exercised in a manner, and to an extent, that is consistent with the provision of state and federal laws and with the regulations of the Trustees and Chancellor of the California State University.
- d. By self-limiting ordinance, the Faculty Senate binds itself not to abridge the academic freedom of any of its members or of any group of its members by its own action or that of its sub-units.
- e. All policies and procedures adopted by the President that either have not been initiated by the Faculty Senate or have not been the subject of formal consultation with the Executive Committee of the Faculty Senate, shall be reported to the Executive Committee for its information.

4. Amendments to the Faculty Senate Constitution and Bylaws

- a. The Faculty Senate is empowered to adopt bylaws for its governance.
- b. Amendments to this Constitution or its Bylaws may be initiated by the Executive Committee, or a written request signed by 10% of the Faculty.
- c. The Executive Committee shall conduct a vote by the Senate membership on all proposed amendments to either the Constitution or its Bylaws. An amendment is ratified by an affirmative vote by a majority of all members of the Senate, or by 60% of those actually voting, whichever is smaller.
- d. Within 60 calendar days, the President shall respond to the Senate with one of the following responses: 1) support the proposed amendment and direct staff to immediately update all documentation, 2) acknowledge the proposed amendment and direct staff to immediately update all documentation, or, 3) disapprove of the proposed amendment and include justification. If no response is received within the 60-day window, the Senate may direct staff to immediately update all documentation.

And be it further resolved that the Faculty Senate distribute this resolution to the Cal Maritime Office of the President, Executive Dean, Deans, and Department Chairs.