Constitution
of the MiraCosta College Faculty Assembly

*This document shall become effective one month after the election of FA leaders.
**At that time, the process of creating Bylaws may begin. The initial set of Bylaws must be completed by the FA Executive Committee by September 1, 2014. The initial set of Bylaws are subject to a vote of the full Faculty Assembly (after that initial vote, Bylaws are created and/or revised by the process described below).

Article I - Name and Purpose

The MiraCosta College Faculty Assembly (FA) is hereby established:

1. To advance the general welfare of the college, its staff, and students by providing an opportunity for continuous study and action on problems of the profession, promoting professional attitudes and conduct among members, and encouraging cooperation between the college and community;
2. To be the exclusive employee organization for all full-time faculty members;
3. To represent members in matters relating to employment conditions and employer-employee relations, including but not limited to, wages, benefits, workload, and other terms and conditions of employment;
4. To support quality education throughout the MiraCosta College District by promoting effective communication regarding employment conditions among the MiraCosta faculty, staff, administration, and trustees;
5. To employ the most effective and ethical means available in order to establish negotiation priorities and working conditions agreements with the district that are fair and equitable for all FA members;
6. To promote agreements that are consistent with the professional needs of faculty and with the district’s commitment to maintaining the highest quality of education for our students, and that take into consideration the varied interests of a diverse faculty, staff, administration, and board of trustees;
7. To maintain open, transparent, and inclusive processes among FA members while honoring the confidentiality of negotiations, and the personal privacy of individual FA members;
8. To establish and maintain a productive, collegial relationship with the Academic Senate intended to produce consensus between the two bodies when deliberating appropriate lines of authority in relation to matters that involve both working conditions and areas of academic and professional matters as defined by AB 1725 and district policy.

Article II – Membership of Faculty Assembly

As per policies established by the MiraCosta College Board of Trustees, all full-time faculty members of the MiraCosta Community College District are members of the MiraCosta College Faculty Assembly.
Article III – Faculty Assembly Council

Section A: Executive Committee

The Council shall be headed by a five (six when an Immediate Past President is serving) member Executive Committee, elected by the full Faculty Assembly.

Section B: Members

The Faculty Assembly Council shall include the five elected members of the Executive Committee, along with a minimum of 13 additional members to be appointed by the FA President in consultation with other Executive Committee members and the Academic Senate President. In selecting appointees the FA President and the Executive Committee shall, to the extent that it is possible, appoint faculty in such a manner as to represent the full diversity of faculty in relation to characteristics such as (but not limited to) job type, gender identity, and ethnicity.

Section C: Ex-Officio Members

The Faculty Assembly President, in consultation with other Executive Committee members and the Academic Senate President, may appoint additional, temporary, ex-officio (non-voting) members when Council identifies a need for collaboration with the Academic Senate in addressing working condition issues that overlap with areas of Academic Senate primacy. The terms of Ex-Officio members will be limited in duration to one year (and may be less), but reappointments may occur as appropriate.

Section D: Amendments

Amendments to this Constitution shall be enacted by a vote of the Faculty Assembly in accordance with Article VIII, Section A of this Constitution.

Section E: Bylaws

The Bylaws of the Faculty Assembly shall be enacted by the Council and amended in accordance with Article VIII, Section B of this Constitution.

Section F: Authority

The Council shall have authority to make all policies, rules, regulations, and Bylaws of the Assembly in a manner consistent with the provisions of this Constitution.

Section G: Expenditures

Expenditures of any funds made available to the Faculty Assembly shall be authorized at the recommendation of the FA President with the consent of a majority of the Executive Committee.

Section H: Meetings

Council meetings shall be scheduled no less than once each calendar month of the regular academic year and at other times at the discretion of the FA President.
Article IV - Executive Committee

Section A: The Executive Committee shall consist of all FA officers: the FA President, Vice President, two Executives, Ombudsperson, and the Immediate Past President (when applicable). Each of these individuals will serve as elected representatives in accordance with the FA Bylaws. Authority, responsibilities, and terms of office shall be enumerated in the Bylaws.

Section B: Executive Committee meetings shall be scheduled no less than once each calendar month of the regular academic year and at other times at the call of the President.

Article V - Negotiating Team

1. Established on an as-needed basis to conduct formal negotiations between the FA and the MiraCosta Community College District.

Article VI - Committees

1. The FA Executive Committee may create such committees as it shall deem appropriate. The purposes, functions, constituencies, and terms of membership for permanent committees shall be specified in the Bylaws.

2. Committee chairs shall be appointed by the FA President with the consent of a simple majority of the Executive Committee. With the consent of a simple majority of the Executive Committee the President may remove the chair of a committee.

Article VII - Constitutional Amendments

Section A: Amending the Constitution

1. Amendment of Constitution Introduction

Amendments to this Constitution may be proposed by a majority vote of the Council or by a petition signed by at least twenty percent (20%) of the Faculty Assembly members and presented to the Faculty Assembly President.

2. Posting of Constitutional Amendments

Proposed amendments shall be distributed to all members via campus mail or email at least two (2) weeks prior to the election.

3. Election Procedure

The Council shall call a special election for the purpose of voting on amendments within thirty (30) days of their proposal unless the regular annual election falls within this period, in which case the amendments shall be voted on simultaneously with the regular election.
Votes for constitutional amendments shall be held by secret ballot. Electronic voting is acceptable, so long as it remains secret. A 60% majority vote in the affirmative of the members who vote shall be necessary for the adoption of an amendment.

If adopted, each amendment shall include the date of adoption.

An amendment to the Constitution shall become effective immediately upon its adoption, unless otherwise provided in the amendment.

Section B: Amending the Bylaws

1. Introduction

Creating or changing Bylaws requires a 60% majority vote in the affirmative of the voting Faculty Assembly Council members, a quorum being present.

2. Election Procedure: Council Amendments

Motions to create or to change existing Bylaws may be made by any member of the Faculty Assembly and must be proposed in writing to the Faculty Assembly Council.

Written motions to amend bylaws must be accompanied by a petition including the motion and including the signatures of a number of Faculty Assembly members equal to 5% of the current, total membership of the Faculty Assembly. Upon receipt of such motions, the Faculty Assembly President shall place the item on the agenda for the next, regularly scheduled meeting of the Faculty Assembly Council. All motions must be discussed at an open meeting of the Faculty Assembly Council and may not be voted upon until the following Council meeting. Council members must be notified in writing of all motions with respect to Bylaws in advance of debate or a vote on them.

An amendment to the Constitution shall become effective immediately upon its adoption, unless otherwise provided in the amendment.

3. Election Procedure: Full Assembly Amendments

Any member of the Faculty Assembly Council may make a motion requiring that an amendment to the bylaws occur through a special election of the full FA membership. If such a motion receives the support of a simple majority of the Faculty Assembly Council members, the amendment will be subject to a vote of the full Faculty Assembly. Approval will require a simple majority vote in the affirmative for adoption.

An amendment to the Bylaws shall become effective immediately upon its adoption, unless otherwise provided in the amendment.

Section B: Rules

1. Rules governing the operational activities of the Faculty Assembly Council may be established, removed, or modified the Council in accordance with the Bylaws.