

Faculty Senate Constitution

ARTICLE I. NAME

Section 1. The name of this body is “The Faculty Senate of American Samoa Community College,” hereafter referred to as the “Senate.”

ARTICLE II. PURPOSE, POWERS, PROCEDURES

Section 1. Purposes of the Senate

A. The purpose of the Senate is to provide a formal organization through which the faculty of American Samoa Community College (ASCC or “College”) can participate in the governance and policy-making determination of the College and to promote communication among the faculty, staff, students, administration, and the Board of Higher Education. It shall consider such policies, positions, and actions as they pertain to the individual or collective role of the faculty.

Section 2. Powers

A. The Senate has the power to participate in the governance and policy-making determination of the College in accordance with process and procedures set forth in this Constitution.

B. The Senate shall adopt bylaws as are necessary to carry out its purposes, powers and responsibilities.

C. The Senate may accept any powers and responsibilities delegated to it by law and by the Board of Higher Education.

D. The Senate shall present its written views and recommendations directly to the Board of Higher Education or to such regularly established channels as the electorate, the president of the college, and the Board of Higher Education shall agree.

E. The Senate shall be available to act as a consultative body both to the president of the college and to the Board of Higher Education in any matter affecting the conduct and welfare of the college. The Senate shall be responsible for conducting any meetings necessary for carrying out its responsibilities, as specified in this constitution or its bylaws.

Section 3. 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 any of the following:

- A. The mission, vision and goals of the College;
- B. The nature and scope of its education curricula;
- C. Standards of teaching, scholarship, and services;
- D. Personnel policies and academic freedom;

- E. Budget;
- F. Community Relations

Section 4. Additional Responsibilities

The Senate may accept other responsibilities as assigned by the President of the College, and the Board of Higher Education.

Section 5. Rules and Guidelines

The Senate will make rules, regulations, and bylaws, as the Senate deems necessary for fulfilling its responsibilities.

Section 6. Open Deliberation

All matters of the Senate will be decided by the vote of the Senate after an opportunity for open deliberation is provided.

Section 7. Quorum and Voting

The quorum of the Senate will be one-half (1/2) of its membership, at least eight. A majority of the quorum present at voting will be required for the adoption of all policies or positions. The Senate Chair will vote only to break a tie. Voting on Senate committees will follow these same guidelines.

Section 8. Notification of the Senate Prior to Senate Actions

The Senate may take no action unless the action has been placed on an agenda available to the Senators at least 5 working days prior to the day on which the action is to be taken or where the Faculty Senate deems it an emergency.

Section 9. Communication of Senate Actions to the Electorate

Actions and minutes of the Senate and Senate committees will be made available to the electorate within 7 working days.

ARTICLE III. COMPOSITION OF THE SENATE

Section 1. Membership on the Senate

The Senate will be composed of representatives from the Academic Units of the College as recognized by the Senate. Academic Units are defined as Instructional Units. The current Academic Units are listed below. The composition of the Senate will reflect only current Academic Units, as recognized by the Senate and a new Unit will obtain immediate representation.

A. Instructional Units

ACADEMIC DEPARTMENTS

1. Agriculture Community Natural Resources (ACNR)
2. Army Reserve Officers Training Corps (ROTC)
3. Business
4. College Accelerated Preparatory Program (CAPP)
5. College and Life Planning
6. Computer Science
7. Criminal Justice
8. Fine Arts
9. Health and Human Services
10. Languages and Literature
11. Mathematics
12. Nursing
13. Physical Education
14. Samoan Studies
15. Science
16. Social Science
17. Teacher Education
18. Trade and Technical

B. Representation on the Senate

Senate membership shall consist of a single representative from each of the current Academic Units as recognized by the Senate.

C. Determination of Unit Affiliation

A faculty member's Academic Unit affiliation will be determined by either of the following:

- 1) the Academic Unit in which the member is employed, or
- 2) the Academic Unit where more than 50% of the member's work activities are conducted.
- 3) In cases when a member has equal responsibility to more than one Academic Unit, the member will select a Unit for representation.

Section 2. The Electorate

The following members of the College are eligible to vote and to serve on the Senate under this Constitution:

- A. Instructional Faculty who has a full-time appointment to the College; or full-time temporary appointment;
- B. Part-time or temporary Instructional Faculty who teach half-time or more equivalent credits in one semester or who teach half time or more equivalent credits per semester when averaged over a two-semester teaching appointment;

Section 3. Term of Office

- A. A Senator's term of office is two years, beginning with the first Senate meeting in August of the Fall Semester. A Senator may not serve more than two full consecutive terms without the approval of the Senate or as their department deems fit.
- B. After serving two full consecutive terms (4 semesters), a member may be reelected to the Senate or as the department deems fit;
- C. If a Senator is unable to complete a term, a replacement will be elected by that Senator's Academic Unit to complete the term;
- D. Senators can send a substitute to represent their Unit at a meeting.

Section 4. Removal from the Senate

- A. By a majority vote of the Senate, a Senator may be removed from office upon failure to attend three consecutive meetings of the Senate without a valid excuse.

Section 5. Election of Senators

- A. Academic Units will hold elections for Senators and committee memberships before the first Faculty Senate meeting in August.
- B. Academic Units will determine the method for selecting their representatives.

ARTICLE IV. ORGANIZATION OF THE SENATE

Section 1. Officers of the Senate

Officers of the Senate will be the Chair, Vice-Chair, and Secretary. Officers will serve in these positions for two years.

Section 2. Senate Executive Committee

- A. The Senate Executive Committee will consist of the Chair, Vice-Chair, the Secretary, and two at-large members elected from the Senate for a term of two years;
- B. Members of the Senate's Standing Committees will be selected by the Academic Units;
- C. Membership of the Senate's Ad hoc Committees will be determined by the Senate according to needs and responsibilities of the Committees.

Section 3. Election of the Executive Committee

- A. The election will occur as a separate meeting immediately following adjournment of the first Senate meeting in August.
- B. Members of the Elections Committee will prepare a slate of candidates for Chair, Vice-Chair, Secretary, and two at-large members of the incoming Executive Committee. Members of the incoming Senate may nominate additional candidates;
- C. The Election Committee will conduct the election;
- D. Election will be secret ballot;
- E. New and continuing members of the Senate are eligible to vote. Outgoing members of the Senate will not vote in the election.
- F. Following the election, the new Senate will assume responsibilities for the Senate.

Section 4. Responsibilities of Senate Officers

- A. Chair. The Chair will have the following responsibilities:
 - 1) Schedule and preside at all meetings of the Senate and at all meetings of the Executive Committee;
 - 2) Serve as an ex-officio member of all Standing Committees;
 - 3) Represent the Senate at meetings of the Administration;
 - 4) Appoint, after due consideration with the Executive Committee, a convener for initial meetings of all Standing Committees listed in this Constitution;
 - 5) Establish, in consultation with the Executive Committee, ad hoc committees for matters not under the jurisdiction of Standing Committees;
 - 6) Appoint chairs and members of ad hoc committees;
 - 7) Make all Senate documents, minutes, and resolutions available to the faculty
- B. Vice-Chair. The Vice-Chair will have the following responsibilities:
 - 1) In the absence of the Chair, assume the office of the Chair with all the duties of said office;
 - 2) Serve as liaison between all Standing Committees and the Executive Committee;
 - 3) Ensure that the Academic Units elect their Senators by the first Faculty Senate meeting in August;
 - 4) Convene initial meeting of Senate Standing committees and monitor appointments, and membership of Standing Committees.
- C. Secretary. The secretary will have the following responsibilities:
 - 1) Record the minutes of the Senate meetings and prepare them for distribution;
 - 2) Record the minutes of the Executive Committee meetings and prepare them for distribution;
 - 3) Serve as the presiding officer in the absence of the Chair and the Vice-Chair;

Section 5. Responsibilities of the Executive Committee

The Executive Committee will have the following responsibilities:

- A. Prepare the agenda, with necessary background material, for each meeting of the Senate;
- B. Coordinate the efforts of the various committees of the Senate;
- C. Conduct inquiries and investigations, including necessary pre-Senate meetings, on matters initiated by the Executive Committee or referred to the Executive Committee;
- D. Report any actions that the Executive Committee takes between Senate meetings to the Senate;
- E. Prepare recommendations and resolutions for submission to the President and to other bodies of the college.

Section 6. Responsibilities of Senators

Senators will have the following responsibilities:

- A. Attend all Senate meetings or provide a substitute;
- B. Report Senate actions and information to their Academic Units;
- C. Vote on Senate actions representing their Academic Units;
- D. Serve on Ad-hoc committees as designated by the Senate Chair;
- E. Introduce and recommend actions from their Academic Units.

ARTICLE V. COMMITTEES

The Standing Committees of the Senate are tasked by the Senate, and report to the Senate.

Section 1. Membership and Chairs of Standing Committees

- A. Membership of all committees, except the Faculty Student Relations Committee, and the Elections Committee, shall be composed of one representative from each Academic Unit as defined in Article II, Section 1;
- B. The term of office of the members of the Standing Committees will be two consecutive years. Academic Units can elect the same representative for additional terms;
- C. If a committee member is unable to complete a term, the member's Academic Unit will select another representative to fill the remainder of the term;
- D. Chairs of Standing Committees will be elected by the Committee members for a term of one year. Chairs can be reelected for additional terms. In the event that a committee fails to elect a chair, the Faculty Senate Chair will appoint one.
- E. Members can send a substitute to represent the unit at a committee meeting;
- F. A member may be removed from the committee upon failure to attend three consecutive meetings by a majority vote of the committee;

G. Standing Committee chairs may be removed from the committee upon failure to carry out their duties by a majority vote of the Senate.

Section 2. Frequency of Meetings

Committees will meet a minimum of once per month during the academic year. The committee Chair will submit to the Senate a year-end report of committee activities.

Section 3. The Standing Committees

A. Admission, Academic Standards and Graduation Committee

This committee has the following duties:

- 1) Review and recommend admission and graduation policies;
- 2) Review and recommend policies on academic standards;
- 3) Review and recommend registration procedures and policies;
- 4) Fulfill other related duties as assigned by the Senate.

B. Budget Committee

This committee has the following duties:

- 1) Review the campus budget annually;
- 2) Advise the Senate regarding budget development and fund allocations;
- 3) Fulfill other related duties as assigned by the Senate.

C. Curriculum Committee

The quorum of this committee shall be 3/4 of its faculty membership. This committee has the following duties:

- 1) Prepare guidelines for curriculum development;
- 2) Review courses, policies, and procedures;
- 3) Use curriculum guidelines to review and make recommendations to the Senate on:
 - a. Degree requirements;
 - b. Program proposals;
 - c. Course proposals;
 - d. Course modifications and deletions;
 - e. Other matters related to curriculum.

D. Elections Committee

This committee shall be composed of a least four members of the Senate appointed by the Senate Chair.

This committee has the following duties:

- 1) Conduct Executive Committee elections;
- 2) Conduct elections of the amendments to the constitution;
- 3) Report election returns to the Senate and Electorate;
- 4) Maintain records of elections;
- 5) Fulfill other related duties as assigned by the Senate.

E. Evaluation Committee

This committee has the following duties:

- 1) Review and recommend evaluation procedures and policies for faculty;
- 2) Conduct reviews of the administration as needed;
- 3) Fulfill other related duties as assigned by the Senate.

F. Faculty Student Relations Committee

This committee shall be composed of a faculty member from each Academic Unit (Article II, Section 1) and two students appointed by the Student body representing the Students of American Samoa Community College. This committee has the following duties:

- 1) Facilitate communication between faculty, staff, students and administration;
- 2) Coordinate selection of the Excellence in Teaching award (the winner from two years ago serves as the chair and the winner from last year shadows) and other awards as assigned;
- 3) Develop recommendations for policies concerning the following:
 - a. Student grievances;
 - b. Disciplinary problems;
 - c. Other areas concerning student/faculty/administration relationships;
 - d. Submit recommendations to administration for faculty and students to serve on grievance and disciplinary committees;
 - e. Fulfill other related duties as assigned by the Senate.

G. Professional Rights and Responsibilities Committee

This committee has the following duties:

- 1) Review and recommend issues regarding professional ethics;
- 2) Review and recommend issues regarding professional rights and responsibilities
- 3) Fulfill other related duties as assigned by the Senate.

Section 4. Ad Hoc Committees

- A. When an ad hoc committee is established, the charge of the ad hoc committee will determine its size, composition, purpose, duration, and the frequency of its reports.
- B. The Senate Chair will select the Chair of the ad hoc committee.

Section 5. Attendance of Administration at Committee Meetings

As determined by committees, appropriate members of the Administration may be invited to attend committee sessions to provide resource information.

ARTICLE VI. TRANSMITTING SENATE ACTIONS

Section 1. Transmission of Recommendations and Resolutions to the President of the College

A. A written report of action taken by the Senate will be prepared by the Executive Committee, signed by the Chair and another member of the Executive Committee, and transmitted to the President or other appropriate parties.

B. The President will forward recommendations or other formal communications that require approval by the Board of Higher Education as appropriate.

Section 2. Report of Action Taken on Recommendations and Resolutions

The President will inform the Senate of actions in writing with regard to recommendations and resolutions submitted by the Senate within ten working days.

Section 3. Reference of Policy Matters to the Senate

A. The President, in advance, will seek the advice of the Senate in formulating College policy;

B. All policies promoted or established without the consultation of the Senate are subject to review by the Senate.

Section 4. Senate Response to Other Documents Being Developed by the Board of Higher Education

As appropriate, the Senate will send comments directly to the Board of Higher Education when they are developing policies for the College.

ARTICLE VII. AMENDMENT OF THE CONSTITUTION

Section 1. Proposing Amendments

A. Amendments may be proposed by petition from no fewer than 25 members of the electorate. The Senate may also propose amendments.

B. Proposed amendments will be transmitted to the Executive Committee, which will circulate the proposed amendments to the electorate for discussion.

Section 2. Voting on Amendments

A. Three weeks after providing the proposed amendments to the electorate, the Elections Committee will supervise voting on the proposed amendments.

B. A favorable vote of a majority (i.e., more than 50 percent) of those voting will constitute approval of the proposed amendments.

Section 3. Implementation of Amendments

A. All amendments approved under the provisions of Article VI, Section 2 of this Constitution will be sent to the President of the College who will transmit the amendments to the Board of Higher Education.

B. Upon approval by the President, amendments will become a permanent part of the Constitution.

ARTICLE VIII. RELATION OF THE CONSTITUTION TO OTHER AGREEMENTS

Any agreement negotiated by the Board of Higher Education with a duly authorized bargaining agent under the laws of the Territory of American Samoa, will supersede any conflicting provisions of this Constitution. Policies of the Board of Higher Education, not superseded by such negotiated agreement, will 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 IX. IMPLEMENTATION OF THE CONSTITUTION

This constitution shall take effect upon favorable vote of a majority (i.e. more than 50%) of those voting, in a balloted election and approval by the Board of Higher Education.

ARTICLE X. RECALL, INITIATIVE AND REFERENDUM

The mechanism for recall, initiative and referendum is a faculty senate action request form to be prepared by the executive committee and submitted to the Electorate for vote.



AMERICAN SAMOA
COMMUNITY COLLEGE

Saili le Atamai

FACULTY SENATE

May 21, 2021

To: Dr. Rosevonne Makaiwi-Pato
President, ASCC

APPROVED/ DATE

6/15/21

RETURNED WITH EDITS/ DATE

RECEIVED/ DATE

RE: FACULTY SENATE CONSTITUTION RESUBMISSION

Madam President,

On behalf of the American Samoa Community College faculty body and its electorates, the Faculty Senate is resubmitting for your review and approval for adoption, the Faculty Senate Constitution as attached.

We look forward to an expedited process. The affixed signatures as follow therefore affirms representation of the general faculty body and its academic units with this review and resubmission:

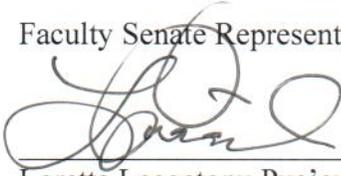
Faculty Senate Officers

Jude "Jayleen" Chun
Faculty Senate Chairperson
Language Literature Department
Juliet Fung Chen Pen
Faculty Senate Secretary
Computer Science Department

Faculty Senate Representatives

Ionatana Faasavalu
ACNR Division
Dr. Kamo Koloi
CAPP Department
Utumoe Alefosio
Criminal Justice Department

Faculty Senate Representatives:



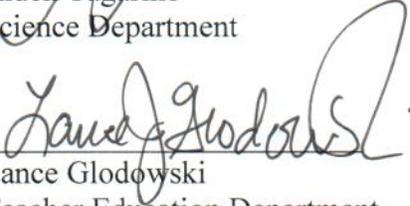
Loretta Leagatonu Pua'auli
Fine Arts Department



Sinaita'aga J. Mose
Mathematics Department



Alden Tagarino
Science Department



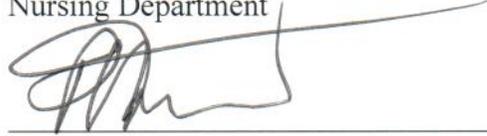
Lance Glodowski
Teacher Education Department



Derek Helsham
Health & Human Services Department



Ann Longnecker
Nursing Department



Pio "Bernie" Tavai
Social Science Department