

# Constitution of the Faculty Association and Bylaws of the Faculty Senate

Wharton County Junior College

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## PREAMBLE

The members of the faculty of Wharton County Junior College, recognizing their role in promoting excellence in higher education and aware of the responsibilities and rights this role entails, establish this Constitution and Bylaws to provide a formal, institutionally recognized avenue and voice for that role. The Faculty Association advances the welfare of the College in general and the faculty in particular, contributes to the principles and practices of shared governance within the College, and provides a formal voice to the Administration and, as appropriate, the Board of Trustees.

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## ARTICLE I. FACULTY ASSOCIATION

### Section 1.0: Purpose

1.1 The Faculty Association exists to promote and maintain conditions so that all members of the faculty may fulfill their professional responsibilities to the utmost.

1.2 The Faculty Association provides a formal, institutionally recognized voice of the faculty for expressing interests, concerns, and positions on matters related to academics and faculty welfare.

### Section 2.0: Membership

2.1 Membership by appointment/employment. All employees in the instructional divisions of the College whose primary contractual responsibility is teaching are members of the Faculty Association by virtue of their employment.

2.1.1 Full-time faculty are full members with voting privileges.

2.1.2 Part-time and emeritus faculty are associate members who may attend and participate in discussions but do not vote and may not hold Senate office.

2.1.3 Division Chairs may attend Faculty Association meetings, participate in discussions, and vote in the Association but, because of their close ties to College administration, may not serve as members of the Faculty Senate.

2.2 The Faculty Association is the sole judge of its own Constitution, membership, representatives, activities, and voting privileges, except where superseded by statute, Board policy, or these Bylaws.

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## **ARTICLE II. REPRESENTATIVE GOVERNANCE: THE FACULTY SENATE**

### **Section 1.0: Establishment and Status**

1.1 The Faculty Senate is the representative body of the Faculty Association and is established and maintained pursuant to Texas Education Code §51.3522 and Board policy.

1.2 The Senate is advisory only and may not exercise final decision-making authority on any matter. It represents the faculty and advises the Administration and any system administration on matters related to the general welfare of the institution. Statements or reports using the College's official seal, trademark, or College-funded resources must relate directly to the Senate's advisory duties.

### **Section 2.0: Composition and Size**

2.1 The Faculty Senate shall consist of no more than twenty-one (21) members.

2.2 Division representation. Each academic Division shall have at least two representatives: a. One appointed by the President of Wharton County Junior College; and b. One elected by the faculty of the Division, with the option for an additional elected representative (for a total of up to two elected representatives per Division) at the discretion of the Division's faculty, subject to the overall cap in §2.1.

2.3 Eligibility. Members of the Faculty Senate must be full-time faculty employees of the College.

2.4 Ineligibility of Division Chairs. Because of their close ties to the College administration, Division Chairs may not serve as members of the Faculty Senate, though they retain Faculty Association rights provided in Article I.2.1.3.

2.5 At the beginning of each election cycle, the Faculty Senate Secretary shall announce open Senate seats by Division.

2.6 Interested faculty members shall submit a written Statement of Interest to the Faculty Senate Secretary that includes the candidate's Division.

2.7 If the number of interested candidates from a Division does not exceed the available elected seats for that Division, those candidate(s) shall be declared elected by acclamation.

2.8 If the number of interested candidates from a Division exceeds the available elected seats for that Division, the Faculty Senate Secretary shall distribute secret ballots to all eligible faculty within that Division and oversee the election.

2.9 The candidate(s) receiving the highest number of votes shall be seated as the Division's representative(s).

2.10 If no faculty member from a Division submits a Statement of Interest by the close of the filing period, the Division Chair shall appoint a full-time faculty member from that Division to serve the term.

### **Section 3.0: Officers**

3.1 Officers of the Senate are the President (Presiding Officer), Vice President (Associate Presiding Officer), and Secretary.

3.2 Officers are appointed by the President/CEO from among the Senate's membership.

3.3 Duties: a. The President presides over Senate meetings and represents the Senate in official communications with College and system administration. b. The Vice President assists the President and acts when the President is absent. c. The Secretary records and maintains minutes and attendance, ensures timely posting of required materials, and maintains the Senate's official archive.

### **Section 4.0: Terms of Service**

4.1 Appointed members serve one-year terms, renewable up to six consecutive terms. After six consecutive terms, they may be reappointed only after a two-year hiatus. Appointed members serve at the discretion of the President.

4.2 Elected members serve two-year staggered terms so that approximately half are elected each year; an elected member may be reelected only after a two-year hiatus.

4.3 Terms of service shall normally begin during the week of Convocation prior to the first day of classes each fall semester, and run for two (2) consecutive years. For the inaugural Senate beginning in Spring 2026, initial elected terms may be adjusted to 1.5 years to transition to the regular election cycle. The Senate may also adopt procedures to establish staggering of terms during the first election cycle to ensure continuity.

4.4 Vacancies are filled by the same method as the original selection and shall be for the remainder of the unexpired term.

### **Section 5.0: Removal**

5.1 A Senate member may be removed for failing to conduct responsibilities within Senate parameters, failing to attend Senate meetings (missing three consecutive meetings), or similar

misconduct, upon recommendation of the Provost/Chief Academic Officer and approval by the President/CEO. Only faculty employed and in good standing with the Wharton County Junior College may serve on Faculty Senate.

5.2 Service on the Senate is an additional duty of employment without compensation; expenses may be reimbursed only if incurred on behalf of and approved by the College.

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## **ARTICLE III. MEETINGS AND PROCEDURES**

### **Section 1.0: Meetings of the Faculty Association**

1.1 The Faculty Association meets at least twice each academic year, usually in conjunction with Convocation during the first week of each long semester.

1.2 Special Association meetings may be called by the Senate; by petition of ten members of the Association; or at the request of the College President and/or the Chief Academic Officer to the Senate President. Notice of at least five working days shall be provided to all campuses, except in emergencies.

1.3 The agenda for regular Association meetings shall be sent to members at least three working days in advance. Action items should be submitted to the Senate Secretary at least five working days prior; non-action items may be added on a time-available basis.

1.4 Minutes are taken by the Senate Secretary; draft minutes shall be circulated to the Senate as soon as practicable (generally within five business days), then approved at the next Senate meeting; approved Association minutes are posted on the College intranet and archived per Article VIII.

1.5 Quorum—Association. A quorum exists when 51% or more of Association members are present (only required for Association votes).

1.6 Voting—Association. Voting may be by written ballot or show of hands as determined by the Senate President (or designee).

### **Section 2.0: Meetings of the Faculty Senate**

2.1 The Senate meets regularly during the academic year, ordinarily monthly and typically one week prior to Board of Trustees meetings, or as otherwise scheduled by the Senate President.

2.2 Open meetings. All Senate meetings at which a quorum is present shall be conducted in a manner open to the public and in accordance with procedures prescribed by the President/CEO.

2.3 Livestream. If more than 50% of Senate members are in attendance, the Senate shall broadcast live video and audio of the meeting over the Internet.

2.4 Posting requirements (7-day rule). Not later than the seventh day before a Senate meeting, the following shall be posted to the WCJC website: a. An agenda with sufficient detail to indicate items for discussion or vote; and b. Any curriculum proposals reviewed by the Senate that will be discussed or voted on.

2.5 Attendance records. The names of members in attendance must be recorded at any meeting at which the Senate conducts business related to: a. A vote of no confidence regarding an institution or system administrator; or b. Policies related to curriculum and academic standards.

2.6 Quorum—Senate. The Senate adopts 51% of seated members as its quorum for business.

2.7 Agenda & materials—Senate. The Senate Secretary ensures agendas and supporting materials are distributed to Senators and posted in compliance with §2.4.

2.8 Minutes—Senate. The Senate Secretary ensures minutes and attendance records are prepared and posted publicly on the WCJC website after approval.

2.9 Parliamentary authority. Robert's Rules of Order shall govern Association and Senate meetings where not inconsistent with these Bylaws or procedures formally adopted by the Association or Senate.

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## **ARTICLE IV. SENATE COMMITTEES AND REPRESENTATION**

### **Section 1.0: Senate Committees**

1.1 The Senate may establish standing or ad hoc committees as necessary to carry out its work.

1.2 The Senate President may charge committees, receive reports, and place items on the Senate agenda.

### **Section 2.0: Faculty Representation on College-wide Committees**

2.1 At the request of the Administration, the Senate may appoint faculty representatives to College-wide committees, with attention to equitable representation across Divisions.

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## **ARTICLE V. ROLE IN GOVERNANCE**

### **Section 1.0: Areas of Participation**

1.1 Faculty participate in the development, review, and application of policies and regulations through the Senate and other procedures agreed upon by the Senate, the Chief Academic Officer, and the President of the College.

## **Section 2.0: Regulations Review Process**

2.1 All policies, procedures, and guidelines governing the operation of the College are compiled in the WCJC Regulations Manual and made available to the College community.

2.2 Prior to finalization and inclusion in the Regulations Manual, drafts of proposed regulations should be offered to the faculty for comment and reaction through the Faculty Senate.

2.3 Following Senate action, the Senate President transmits recommendations to the Chief Academic Officer and represents faculty perspectives in appropriate administrative venues.

## **Section 3.0: Shared Governance Principle**

3.1 WCJC is governed under the principle of shared governance, in which the governing board retains ultimate authority and responsibility for institutional oversight, financial stewardship, and policy implementation, while providing appropriate consultation with faculty, administrators, and stakeholders on academic policy and institutional operations.

3.2 Shared governance may not be construed to diminish the governing board's authority to make final decisions or to obstruct, delay, or undermine necessary institutional reforms or serve as a mechanism for advancing ideological or political agendas.

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## **ARTICLE VI. OFFICERS' ROLES (FACULTY SENATE)**

### **Section 1.0: President (Presiding Officer) (Appointed by the WCJC President)**

1.1 Organizes and presides at meetings of the Senate and, when appropriate, the Association; represents the faculty in communications with Administration and the Board; directs Senate business, including agenda setting and committee charges; serves as spokesperson for the Senate and, as appropriate, the Association; attends and represents the faculty at Administrative and Board of Trustee meetings as appropriate.

### **Section 2.0: Vice President (Associate Presiding Officer) (Appointed by the WCJC President)**

2.1 Supports the President; assumes duties in the President's absence; assists with meeting logistics, distribution of materials, and representation in meetings with Administration and the Board; attends and represents the faculty at Administrative and Board of Trustee meetings in the absence of the President (Presiding Officer), as appropriate.

### **Section 3.0: Secretary (Appointed by the WCJC President)**

3.1 Serves as official record keeper; compiles and distributes minutes; maintains archives; manages correspondence; prepares ballots when required; and ensures timely posting of agendas, minutes, curriculum proposals, and attendance records consistent with Article III.

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## **ARTICLE VII. VOTES OF CONFIDENCE AND NO-CONFIDENCE**

### **Section 1.0: Scope**

1.1 The Faculty Association or the Senate may initiate votes of confidence or no-confidence concerning executive members of the Administration (President, Vice Presidents, Deans) or Senate officers.

### **Section 2.0: Nature of Votes**

2.1 Votes regarding administrators are advisory only and non-binding on WCJC Administration

2.2 Votes regarding Senate officers are advisory to the President/CEO, who appoints Senate officers; the outcome shall be forwarded to the President/CEO for consideration.

### **Section 3.0: Process (two-step)**

3.1 Step 1 (Initiation). At any regular or specially called meeting with quorum, any member may move for a vote of confidence/no-confidence, stating the rationale. Upon second, the body conducts an anonymous ballot to Continue Proceedings / Do Not Proceed. A majority in favor moves the process forward.

3.2 Within seven (7) days, the rationale is provided in writing to the individual; the individual has seven (7) days to respond in writing to the Senate. (The response period may be waived in confidence votes.)

3.3 Step 2 (Final vote). A follow-up meeting is held no sooner than ten (10) and no later than fourteen (14) days from the initial motion. Following discussion, the body votes by anonymous ballot; adoption requires a two-thirds majority of members present.

3.4 Frequency limit. No more than one no-confidence vote concerning the same administrator may occur in a calendar year.

3.5 Attendance recording. Names of members in attendance must be recorded for any no-confidence vote.

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## **ARTICLE VIII. RECORDS, ARCHIVES, AND TRANSPARENCY**

### **Section 1.0: Senate Public Posting**

1.1 Consistent with Article III, the Senate shall publicly post agendas, minutes, curriculum proposals, and attendance records on the College website, meeting the seven-day advance posting rule for agendas and curriculum proposals.

## **Section 2.0: Association Records**

2.1 Approved minutes of Association meetings are posted on the College intranet and included in the administrative packet for the next Board meeting as appropriate.

## **Section 3.0: Archive**

3.1 The Senate Secretary maintains an archive of minutes, committee reports, and appropriate materials in accordance with College policy and Texas law.

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## **ARTICLE IX. FREEDOM OF ASSOCIATION**

Nothing in this Constitution and Bylaws shall limit the rights of faculty members to freedom of association as protected by the U.S. Constitution and the Texas Constitution. (SB 37 alignment.)

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## **ARTICLE X. AMENDMENTS AND INTERPRETATIONS**

### **Section 1.0: Amendments**

1.1 Amendments to these Bylaws may be proposed by the Senate or by petition of at least 25% of Senate members.

1.2 Amendments require approval by a majority of the Senate and ratification by the President/CEO and the Board of Trustees.

### **Section 2.0: Interpretations**

2.1 The Faculty Senate resolves differences in interpretation of these Bylaws, subject to applicable law and Board policy.

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## **RATIFICATION**

Upon approval by the Faculty Senate and ratification by the President/CEO and the Board of Trustees, this Constitution of the Faculty Association and Bylaws of the Faculty Senate supersede the previous Faculty Association/Faculty Council Constitution and any prior bylaws.

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**APPENDIX A. Divisions for Representation (maintained by the Senate Secretary)**

The list of academic Divisions used for Senate representation shall be maintained and published by the Senate Secretary, reflecting current College organization.