
Appendix C

BY-LAWS OF ACADEMIC SENATE OF THE COLLEGE OF SAN MATEO

Article I

NAME The name of this body shall be the Academic Senate of College of San Mateo, hereinafter referred to as the Senate. The Senate shall elect a Governing Council from its membership, hereinafter referred to as the Council.

SENATE MEMBERSHIP AND DUES Consistent with Title 5 of the California Administrative Code, Section 53200, and in accordance with Section 53202.d, all full-time and part-time faculty in the College are members of the Senate with all rights and responsibilities thereunto. Administrators, classified staff, and students are not members of the Senate. Consistent with Title 5, Section 13532, the Senate may call upon its members for payment of professional dues; however, professional dues are not to be a condition of eligibility for membership in the Senate. As dues are voluntary contributions, they may be expended on items for which taxpayers' dollars cannot be spent; dues may be used to support approved Senate projects and functions.

Article II

PURPOSE The Academic Senate has been established in accordance with Education Code Section 70902(b)(7), which calls on the Board of Governors to enact regulations to ensure the right of faculty, as well as staff and students, to participate effectively in district and college governance. It further ensures the right of Academic Senates to assume primary responsibility for "making recommendations in the areas of curriculum and academic standards."

The Council, as the representative of the Academic Senate, shall make recommendations regarding academic and professional matters to the District Academic Senate, the College and District administration, the Board of Trustees, and to other appropriate individuals and bodies. The Board of Trustees shall ensure the right of the Senate to assume primary responsibility with respect to academic and professional matters, including exercise of the authority to appoint faculty to committees or groups dealing with academic and professional matters as specified in Title 5, Section 53203(f), and full participation in collegial consultation processes. The Council shall inform the Senate and the District Academic Senate of current issues and hold meetings for discussion and shall uphold all designated responsibilities pertaining to Senate rules and regulations as determined by State laws.

Academic and professional matters, as summarized from Title 5, Section 53200, include the following policy development matters:

1. Curriculum, including establishing prerequisites.
2. Degree and certificate requirements.
3. Grading policies.
4. Educational program development.
5. Standards or policies regarding student preparation and success.
6. College governance structures, as related to faculty roles.
7. Faculty roles and involvement in accreditation processes.
8. Policies for faculty professional development activities.
9. Processes for program review.
10. Processes for instructional planning and budget development.
11. Other academic and professional matters as mutually agreed upon.

The Senate has the primary responsibility for making recommendations in academic and professional matters, while Government Code Section 3540 et seq. Rodda Act) establishes the right of exclusive bargaining agents to negotiate hours, wages, and working conditions. Title 5, Section 53204 states, "Nothing in this subchapter shall be construed to impinge upon the due process rights of faculty, nor to detract from any negotiated agreements between collective bargaining representatives and district governing boards. It is the intent of the Board of Governors to respect agreements between academic senates and collective bargaining representatives as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to academic senates pursuant to these regulations." The Senate recognizes the interests of both groups on issues with both academic and working conditions implications.

Article III

MEMBERSHIP & QUORUM FOR MEETINGS Governing Council shall consist of Senate members, who may be either full- or part-time faculty members, elected from instructional divisions, library faculty, and Student Services faculty.

Instructional divisions with 16 or more members shall elect and be represented by two Council members. Instructional divisions with 15 or fewer members shall elect and be represented by one Council member. Library faculty shall elect and be represented by one Council member. Student Services faculty shall elect and be represented by one Council member.

One representative to the Council may be chosen by the Student Senate to represent the students, according to the Student Senate's own criteria for selection. This member shall not be considered a member of the faculty, as defined in Article I, but shall have an advisory vote on Council. It is the responsibility of the Senate to assure that students, staff, and administrators participate effectively in the development of recommendations on matters that affect them, as specified in Title 5, Section 51023.7 and Section 52023.5.

A quorum for a meeting of the Senate shall be 10% of all members of the Senate. A quorum for a meeting of the Council and all Senate committees shall consist of 6 of the Council's or committee's faculty members.

Article IV

ELECTION AND TERMS OF COUNCIL MEMBERS The election of Council members shall be conducted each year within their divisions. The election shall be completed at least four weeks before the end of the spring semester.

In each division, it is the responsibility of the senior Council member to see that elections are completed to replace outgoing Council members.

Council members shall serve for a two-year term beginning on the day of the last Council meeting of the semester in which the election was held. In cases of multiple representation from one Division, an attempt shall be made to stagger the terms.

Vacancies on the Council shall be filled at the time of the regular election. To be elected to fill an unexpired term, a candidate must satisfy the provisions of Article I.

Article V

ELECTION, TERMS, & DUTIES OF OFFICERS The officers of the Council shall be the following: President, Vice President, Secretary, Treasurer, and Immediate Past President. Officers, with the exception of the Immediate Past President, shall be elected by secret ballot from within and by the membership of the Senate. The election must be completed at least four weeks before the end of the semester. The term of the office shall be one year. These officers of the Council shall be officers of the Senate.

The President shall call all meetings of the Senate, the Council, and Executive Committee; prepare agendas for meetings of the Senate and Council; preside at all meetings of the Senate, Council, and Executive Committee; become familiar with the By-Laws of the Senate and with parliamentary procedure as set forth in Robert's; be an ex-officio member of all faculty committees herein specified; suggest policies and plans for faculty and special committees; appoint the Senate delegate to the Academic Senate for California Community Colleges if the Vice President is unable to attend, which delegate shall serve subject to the approval of Council; establish and maintain liaison with the Presidents of the Academic and Faculty Senates of the other colleges in the San Mateo County Community College District and with the collective bargaining agent; be held responsible for the work of the Senate; attend all regular and special meetings of college and district shared governance councils, college budget and planning committees, and the San Mateo County Community College District Board of Trustees.

The President may act on behalf of the Senate when prior consultation with Council is not feasible, but only with the advice and consent of the Executive Committee, and all such actions shall be subject to review by Council at its next meeting.

The Vice President shall serve as assistant to the President in all duties of the President, and shall serve as President in the absence of the President. The Vice-President (or the appointed designee) shall serve as the Senate delegate to the Academic Senate for California Community Colleges plenary sessions and shall attend all regular and special meetings of the college shared governance council and of college budget and planning committees. The Vice President shall serve as a member of the Executive Committee.

The Secretary shall keep a record of the proceedings of each Senate, Council, and Executive Committee meeting; maintain the files of the Senate; be responsible for carrying on the correspondence pertaining to the affairs of the Senate as directed by the President; prepare for distribution minutes of all actions taken by Council; publish at the beginning of the academic year a roster of all committees herein specified, including Council, indicating divisions represented and expiration of terms. The Secretary shall serve as a member of the Executive Committee.

The Treasurer shall receive all monies belonging to the Senate; sign orders and pay out the monies of the Senate; keep an itemized list of receipts and expenditures; arrange for an audit of the books; make a written report at the last regular meeting of the Council in the academic year; and be responsible for preparing all documents required by the U.S. Internal Revenue Service. The Treasurer shall serve as a member of the Executive Committee and, if possessing the requisite expertise in institutional finances, shall serve on college and district budget and planning committees.

The Immediate Past President, who will assume office automatically after leaving the office of President unless there is an impediment to service, shall carry out such duties as are assigned by the President. In the case of impediment to service (such as no longer being a faculty member at the college) or resignation from the position, the Council may either name someone else to the position or leave it vacant. If the President is re-elected, the Immediate Past President will remain in office unless there is an impediment to service or resignation from the position.

The Nominating Committee shall consist of the past Academic Senate Presidents of terms immediately preceding the current one. Vacancies on the Nominating Committee may be filled by appointment of the President, subject to approval of Council. The report of the Nominating Committee shall be submitted to the Council at a regular meeting of the Council. This meeting shall be held at least two weeks prior to the spring election. Additional nominations may be made from the floor. The President shall be responsible for giving notice of the election to the members of the Academic Senate within ten instructional days of the meeting.

Elections shall be held by secret ballot. These ballots will be returned to and tabulated by a three-person ad hoc Tellers Committee appointed by the President, subject to the approval of Council. Interested faculty are invited to witness the counting of the ballots. The ballots will be available for inspection for two weeks following the election.

Article VI

MEETINGS All meetings of the Council and of Senate Committees shall be open meetings consistent with the Brown Act, California Government Code, Sections 54950-54962.

Regular meetings of the Council shall be held at least once a month during the academic year. The time, date, and place of such meetings shall be published prior to each meeting; Brown Act regulations require 72 hour notice of regular meetings. Members of the Senate may attend any meeting of the Council.

Meetings shall be conducted in accordance with Robert's Rules of Order, Revised.

The President must place an item on the agenda of the Council meeting **(a)** at the request of any Council member or **(b)** on receipt of a signed, written request to the President by at least 10 members of the Senate.

The agenda for each Council meeting shall be delivered for posting at each Division at least 2 instructional days prior to such a meeting, and mailed at the same time to all Council members and Senate committee chairpersons.

The Council may not take action on any matter not on the agenda unless by a two-thirds vote of members present it declares that matter to be an emergency matter. The minutes of the Council meetings shall be distributed to all members of the Senate, administrators, and classified staff as soon as possible after each meeting.

Special meetings of the Senate or Council may be called in the following ways: **(a)** by the President, **(b)** on petition of a majority of the Council, **(c)** on petition of 50 members of the Senate. No business other than that for which special meetings are called shall be transacted at such meetings.

Article VII

RECOMMENDATIONS The Council is authorized to make recommendations on behalf of the Senate subject to the following provisions:

- (a)** The Council may, on its own judgment and in its own initiative, refer to the Senate any matter affecting the welfare of the college community.
- (b)** The Council may, on its own judgment and in its own initiative, forward recommendations to the Administration or the Board of Trustees, with respect to academic and professional matters.

- (c) If 50 members of the Senate so request in a petition delivered to the President of the Senate within three weeks of distribution of the official minutes in which any resolution has been passed by Council, that resolution shall be submitted to a referendum by secret ballot or to formal consideration at a meeting of the whole Senate.
- (d) On matters on which the Board of Trustees or the administration intends to act when the college is not in regular session, the Council, after a special meeting, may make recommendations to the Board of Trustees or the administration. The President of the Senate shall inform the Senate of all such recommendations. If the President of the Senate receives within three weeks of those recommendations a petition signed by 50 members of the Senate objecting to any recommendation made to the Board of Trustees, the Council shall be required to submit the disputed recommendation(s) to the Senate for ratification.
- (e) Nothing herein shall prohibit the President of the Senate from addressing the Board of Trustees as a representative of the Senate on any matter within the purview of the Senate so long as the President does not make unauthorized recommendations on behalf of the Senate.
- (f) Outside of the regular school calendar, the President may act on behalf of the Council, provided the President is following established Senate policies and reporting regularly to the Executive Committee.

Article VIII

AMENDMENTS Amendments to the Bylaws may be made by a simple majority affirmative vote of those Senate members voting, provided copies have been sent to members of the Senate at least two weeks preceding the balloting.

Article IX

COMMITTEES Committees may be created at the discretion of the Council. The Council shall appoint the faculty members to any committee requiring Senate membership or representation as granted in Title 5 Section 53203(f).

Committees shall operate, consistent with established procedures, within the strictures indicated below:

The Executive Committee shall consist of the officers of the Council: the President, Vice President, Secretary, Treasurer, and Immediate Past President. It shall serve as a steering organization performing routine tasks for the Senate and shall give, in the absence of specific instructions from the Council, its advice and consent to proposed actions of the President of the Senate.

Elected Permanent Faculty Committees shall be elected from the same constituent bodies as representatives to Council and according to the same formula, as described in Article IV of these Bylaws. Representatives shall serve two years. Each committee shall include appropriate members of the college administration, classified staff, and students as members; the charter of each committee shall specify whether non-faculty members have voting privileges. Each committee shall elect a chair from among its voting members at its last regular meeting of the academic year, such chair to serve for the following year. The chair of each committee, or the chair's designee, shall keep the Council informed of the committee's actions. There shall be the following elected, permanent committees:

1. Committee on Instruction shall advise the Vice President, Instruction, and make recommendations to the Board concerning curriculum, instructional courses and programs, and instructional procedures, including program review. Committee on Instruction provides for two student representatives with voting privileges. In addition, the Committee on Instruction may establish subcommittees on library, distance education, and other instructional matters as it deems necessary.

2. Student Development Committee shall advise the Vice President, Student Services, and make recommendations to the Board on student matters such as attendance, standards, probation, and student grievances; student outreach and admission policies, financial aid, registration procedures, counseling and support services; student equity; the bookstore; and other relevant matters. The Matriculation Advisory Committee shall be drawn from the membership of the Student Development Committee.
3. Professional Personnel Committee shall advise the Vice Presidents and District Flex Day Coordinator on planning and implementation of faculty development activities for Flex Day.
4. Library Committee advises the Vice President, Instruction, the Library Director, and the Board concerning library policies and procedures, including such issues as appropriate collection strategies, circulation issues, intended audience for library resources, and bibliographic instruction. The committee fosters communication among the library, the Senate, and the larger college community.

Standing Faculty Committees shall be as follows:

1. KCSM Committee shall advise the administrator directly responsible for KCSM concerning the use of the television and radio stations and their facilities as educational resources.
2. Instructional Technologies and Resources Committee shall advise the President of the College and the District Instructional Technologies Committee on academic and professional matter which affect college and district policies on instructional technologies and resource allocation for said technologies.

Article X

REMOVAL OF AN OFFICER Any officer of the Council may be removed from office by a motion made by an officer of the Council which is properly seconded and passed by a two-thirds vote of those officers of the Council casting votes in a secret ballot. A proposal to remove an officer must appear on the agenda established prior to the meeting in which it will be considered. Replacement of an officer will be made according to Article VI of this Constitution.

A vote to recall any officer of the Council may be initiated by a petition signed by 50 members of the faculty and presented to the Executive Council.

The recall vote will take place by secret ballot of the Senate within three weeks. A two-thirds vote of the valid ballots cast will be required to recall any officer of the Council. Replacement for a recalled officer of the Council will be made according to Article V, unless more than three vacancies are created, in which case a special election will be initiated within three weeks.