

**Yuba College
Academic Senate**

**Constitution
and
By-Laws**

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CONSTITUTION

ARTICLE I - LEGAL BASIS FOR AN ACADEMIC SENATE

SECTION 1 - Title V

The Yuba College Academic Senate of the Yuba Community College District was established so that the faculty may have a formal and effective procedure for participating in the formation of college and District policies relative to academic and professional matters. (California Education Code, Sections 70900-70902; California Code of Regulations, Title V: Sections 53200-53206)

SECTION 2 - Powers Vested in the Faculty

All powers and responsibilities granted in the Academic Senate Constitution shall be vested in the faculty acting through the Academic Senate.

ARTICLE II - PURPOSE

SECTION 1 - Academic Senate Purpose

The Academic Senate shall be the recognized representative of the faculty to the administration and governing board of the Yuba College Community District in matters concerning academic and professional issues, and shall participate in the formation and revision of college and district policies and procedures in all matters of an academic and professional nature. (California Education Code, Sections 70900-70902; California Code of Regulations, Title V: Sections 53200-53206)

The purpose of the Academic Senate shall be to:

- Promote the general welfare of Yuba College and the faculty
- Work toward the development and improvement of professional standards
- Provide for continuous study of faculty and college problems
- Represent the faculty in making recommendations to the administration and the Board of Trustees with respect to academic and professional matters (as set out in Section 2 – The 10 + 1)

SECTION 2 - The 10 + 1

A. The Academic Senate shall have **primary responsibility** for the following (Board-Senate Agreement, 1993 and California Code of Regulations, Title V: Sections 53200-53206):

1. Curriculum, including establishing prerequisites and placing courses within disciplines
2. Degree and certificate requirements
3. Grading policies

B. The following items shall require **mutual agreement** between the Academic Senate and the Board of Trustees (Board-Senate Agreement, 1993):

1. Educational program development

2. Standards or policies regarding student preparation and success
3. District and college governance constitutions, as related to faculty roles
4. Faculty roles and involvement in accreditation processes, including self-study and annual reports
5. Policies for faculty professional development activities
6. Process for program review
7. Process for institutional planning and budget development, and
8. Other academic and professional matters as are mutually agreed between the Governing Board and the Academic Senate.

ARTICLE III - MEMBERSHIP QUALIFICATIONS

SECTION 1 - Academic Senate Membership

- A. Membership in the Academic Senate shall consist of those individuals employed by the Yuba Community College District who meet the following definition of “faculty.”

“Faculty” means those employees of a community college who are employed in positions that are not designated as supervisory or management for the purpose of Section 3540 of the California Government Code, and for which minimum qualifications for hire have been specified in the regulations of the Board of Governors, adopted pursuant to Section 87356 (a) of the California Education Code. Faculty include, but are not limited to, instructors, librarians, counselors, community college health services professionals, disabled student programs and services professionals, and individuals employed to perform a service that, before July, 1, 1990, required non-supervisory, non-management certifications qualifications. Persons who do not meet the above definition are not eligible for membership to the Academic Senate.

- B. An adjunct faculty member is eligible for membership only if currently employed by the district or if that person has a “return right” in the following semester.

SECTION 2 - Ineligibility

If a member of the Academic Senate becomes ineligible for membership, that person will no longer continue to be a member of the Academic Senate and the vacancy shall be filled as provided by the By-Laws.

ARTICLE IV - COMPOSITION AND OFFICERS

SECTION 1 - Composition

The Academic Senate shall be composed of the elected President of the Academic Senate and twelve faculty members elected to staggered three-year terms.

SECTION 2 - Academic Senate Areas of Representation

- A. Group 1 (Full-time Faculty Only):
One Representative from each of the following Representative Areas:
- Science and Technology, Administration of Justice, and Business and Career Technical Education

- Life Science and Allied Health
- Mathematics and Physical Science
- Fine Arts and Social Science
- Health, Physical Education, and Students Service
- Language Arts, Library, and Learning Assistance Center
- Lake Campus and its affiliated FTES sites

B. Group 2 (Full-time Faculty Only):

- Four At-Large Senators

C. Group 3 (Adjunct Faculty Only):

- One At-Large faculty from the Marysville Campus and its affiliated FTES sites
- One At-Large faculty from the Lake Campus and its affiliated FTES sites

D. Group members shall nominate from their own group. If a Representative Area chooses not to elect a representative, that position will become an at-large position and the person elected to this at-large position will represent all full-time faculty members. Only area Senators by the means set forth in the By-Laws will be seated.

SECTION 3 - Officers

The officers of the Academic Senate shall include a President, a Vice-President and a Secretary. The officers' terms, election procedures, and duties are set forth in the By-Laws. The officers of the Academic Senate will constitute the Executive Committee.

ARTICLE V - DUTIES AND RESPONSIBILITIES

SECTION 1 - Meetings

The Academic Senate shall have regular and special meetings as herein provided.

SECTION 2 - Quorum

A majority of the Academic Senate shall constitute a quorum, which shall be sufficient to transact business.

SECTION 3 - Minutes

The Academic Senate shall keep minutes of the proceedings of each meeting. Copies of the minutes shall be made available to all faculty.

SECTION 4 - Committees

The Academic Senate may create and maintain committees and authorize such to perform any duty within the scope of the Academic Senate's power.

SECTION 5 - Recommendations to the Board

The Academic Senate shall present its written and oral views and recommendations to the Governing Board through regularly established channels. However, the Academic Senate, after consultation with the Administration, may present its view directly to the Governing Board. The Governing Board shall consider such views and recommendations. (California Code of Regulations, Title V: Sections 53200-53206)

SECTION 6 - Committee Appointments

The Academic Senate shall appoint faculty to all committees under its purview.

SECTION 7 - Faculty Training

The Academic Senate shall make certain that faculty appointed to its committees receive adequate training in order to effectively represent the Academic Senate.

SECTION 8 - Committee Reports

The Academic Senate shall require regular reports from committee members.

ARTICLE VI - AMENDMENTS

SECTION 1 - Amendment Proposal

The Academic Senate and/or members of the faculty may propose amendments to the Yuba Community College Academic Senate Constitution and By-Laws.

BY-LAWS

ARTICLE I - DUTIES OF OFFICERS AND SENATORS

SECTION 1 - Officers of the Academic Senate

There shall be a President, a Vice-President, and a Secretary of the Academic Senate. Only full-time faculty members are eligible for the office of President and Vice-President. The officers shall constitute the Executive Committee.

SECTION 2 - Election of the President

The President of the Academic Senate shall be elected at-large from the membership of the full-time faculty.

SECTION 3 - Election of the Vice-President

Each year in May, the Academic Senate shall nominate, from its membership, including Senators-elect, the Vice-President for a one-year term. The nomination shall be subject to confirmation by a majority of the Academic Senate.

SECTION 4 - Election of Secretary

Each year in May, the Academic Senate shall nominate, from its membership, including Senators-elect, the Secretary for a one-year term. The nomination shall be subject to confirmation by a majority of the Academic Senate.

SECTION 5 - Terms

- A. The president may serve for a term of two academic years with a maximum of two consecutive terms. If a person wishes to run for President after serving two consecutive terms, he or she will be eligible to be President after one term out of office.
- B. The Vice-President and the Secretary shall serve for a term of one academic year.
- C. Non-officers shall serve for a term of three years.

SECTION 6 - President's Duties

The President of the Academic Senate shall:

- Preside at all regular meeting of the Academic Senate
- Preside at all meetings of the Faculty called by the President or by the Academic Senate
- Assign Senators or other faculty to college committees and Academic Senate responsibilities subject to confirmation by the Academic Senate
- Attend, or have a Senate representative attend, all regular meetings of the Governing Board. The Vice-President should first be asked to attend in the President's absence. If the Vice-President is unavailable, then another member of the Senate should be asked
- Represent the Academic Senate in all "major governance" committees if the Academic Senate has not already appointed a person to represent it at such meetings. The President should regularly attend all "major governance" committees, especially when major academic and professional matters are under

discussion. The Academic Senate shall determine which committees are to be defined as “major governance” committees

- Serve as an ex-officio member of all Academic Senate committees
- Prepare and distribute agendas for all Academic Senate meetings
- Ensure that Academic Senate business is carried forward from previous Academic Senate meetings in a timely manner
- Vote in all matters requiring action
- Implement decisions of the Academic Senate and supervise administration of Academic Senate business
- Nominate a committee of at least three members for nominations and elections (hereinafter called the Election Committee), subject to approval by the Academic Senate
- Be the sole official spokesperson for the Academic Senate

SECTION 7 - Vice-President’s Duties

The Vice-President shall:

- Assume the duties of the President, if the President is absent or incapacitated, until such a time as determined by the Academic Senate
- Shall regularly attend “major governance” committees as assigned
- Accompany the President to all major governance meetings. If the Vice-President is unavailable for a particular meeting, another member of the Senate or a faculty representative should be asked

SECTION 8 - Secretary’s Duties

The Secretary shall:

- Keep minutes of all meetings, including attendance of Senators, and make them available to all faculty members
- Keep the official records of the Academic Senate
- Assume the duties of the President if both the Vice-President and the President are absent

SECTION 9 - Senators’ Duties

Senators shall:

- Attend Academic Senate meetings regularly
- Inform constituents about Academic Senate issues
- Present relevant Academic Senate issues in division meetings
- Serve on Academic Senate sub-committees

SECTION 10 - Ineligibility or Resignation

- A. If the President resigns or becomes permanently incapacitated, the Academic Senate shall determine whether to hold a new election or have the Vice-President serve the remainder of the term of the Presidency until the time of the regular new elections before the first week of February of the spring term. After the election of the new President, the new President will immediately assume the role of President of the Academic Senate.

- B. A Senator shall become ineligible for a position on the Academic Senate when he or she no longer meets the definition of “faculty” as set forth in the Constitution.

ARTICLE II - MEETINGS

SECTION 1 - Meetings

- A. The Academic Senate shall hold regular meetings at least once every month during the academic year (September through May).
- B. An agenda for each regular meeting shall be posted at least 72 hours before the meeting containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. The agenda shall also specify the time and location of the meeting and be posted in a location that is freely accessible to members of the public. (Sec. 549542.2, California, Government Code - Brown Act).

SECTION 2 - Special Meetings

Special meetings of the Academic Senate may be held for regular or special business matters, but 24-hour notice, as required by the Brown Act, must be given to all Academic Senators, full-time and adjunct faculty, setting forth the date, time and place. The special meetings shall be called by the president upon the written petition of at least three members of the Academic Senate, or ten per cent of the members of the faculty, or at the discretion of the President.

SECTION 3 - Closed Sessions

All Academic Senate closed sessions shall be conducted in accordance with Section 54956.7 (Closed Session) of the California Government Code (Brown Act).

SECTION 4 - Tenure Hearings

Tenure hearings are closed personnel sessions of the Academic Senate and are to be held prior to February 15.

SECTION 5 - Procedures

All Academic Senate meetings shall be conducted in accordance with generally accepted parliamentary procedures.

ARTICLE III - ELECTIONS

SECTION 1 - Election of the President

- A. The Election Committee shall follow the procedures below in conducting the elections:
1. Set and advertise the dates for nominations and elections
 2. Issue secret ballots
 3. Ensure that each faculty member casts only one vote and ensure that all faculty members in the representative group are given the opportunity to vote
 4. Secure the ballot box and tally ballots in the presence of at least two members of the committee

5. Report the results of the election in writing to the President of the Academic Senate
- B. The election of the President shall take place no later the end of the first week of February to allow time to schedule the release time for the President.
- C. The newly elected President shall take office at the last Academic Senate meeting of the academic year.

SECTION 2 - Nomination and Confirmation of Vice-President

After the election of the President, the Academic Senate shall nominate a Vice-President from the membership of the Academic Senate including Senators-elect. The Academic Senate shall vote by secret ballot to confirm or not to confirm the nominations by a simple majority vote. If the nominee is not confirmed this process will continue until the Academic Senate confirms a Vice-President.

SECTION 3 - Election of Area Representative Senators

- A. By no later than February 15, the Election Committee shall notify the faculty regarding those representative areas which are eligible to elect a member from within their area to serve on the Academic Senate.
 - Any faculty wishing to serve may self-nominate.
 - Any faculty member may nominate a peer with the consent of the nominee.
- B. Members of the representative area shall determine how to select a nominee and shall supply the Election Committee with the name of the faculty member elected by March 1.
- C. If a representative area does not submit a nominee, that position shall be declared an at-large position and the person elected will represent all faculty.
- D. The Election Committee will then schedule at-large elections using the approved election process. Should faculty members be on leave or on sabbatical during the time of elections, they may notify the Election Committee on their desire to participate.

SECTION 4 - Election of At-Large Representatives

- A. If it has been determined that one or more at-large seats are available on the Academic Senate for the next term, the Election Committee will notify faculty by March 5.
- B. Names of nominees may be submitted until March 30.
 - Any faculty wishing to serve may self-nominate.
 - Any faculty member may nominate a peer with the consent of the nominee.
- C. The Election Committee shall set and advertise the dates for nominations and elections.
- D. The nominee(s) receiving the majority of the votes shall be designated as Senator(s) elect. In the absence of a majority nominee, a run-off between the candidates with most votes will be held. A majority of the votes cast is required for election.

SECTION 5 - Election of Adjunct Representative

- A. If it has been determined that one or more adjunct seats are available on the Academic Senate for the next term, the Election Committee will notify faculty by February 15.

- B. Names of nominees may be submitted until March 1.
- C. Any adjunct faculty wishing to serve may self-nominate.
- D. Any adjunct faculty member may nominate a peer with the consent of the nominee.
- E. The Election Committee shall set and advertise the dates for nominations and elections.
- F. The nominee(s) receiving the majority of the votes shall be designated as Senator(s) elect. In the absence of a majority nominee, a run-off between the candidates with most votes will be held. A majority of the votes cast is required for election.

SECTION 6 - Incomplete Terms

- A. Should an Academic Senate seat be vacated prior to end of a term, the Academic group from which the Senator came will be notified by the Election Committee. If the vacancy is one of the at-large seats, a special election will be held.
- B. When vacancies of unequal duration are to be filled, the faculty involved will be notified of the term of the particular seat.

ARTICLE IV - RECALL AND DISMISSAL

SECTION 1 - Recall

- A. Any member of the Academic Senate (including officers) is subject to being recalled by two-thirds of the applicable faculty group. The Academic Senate governs the recall procedures.
- B. If the President is recalled, a new election will be held as specified in the By-Laws. The Academic Senate governs the recall procedures.

SECTION 2 - Dismissal

- A. If a Senator misses an excessive number of regular meetings and/or neglects Academic Senate duties, the Senator may be subject to dismissal by a 2/3 vote of the Senate.
- B. If the Senator in question has been elected from a representative area, that area will be notified. Should the faculty of the area choose to refill the position, they will follow normal election procedures.
- C. If the Senator in question holds an at-large position, the Academic Senate will declare that seat vacant and hold elections.

ARTICLE V - ADMENDMENT PROCEDURE

SECTION 1 - Procedure

The Yuba College Academic Senate Constitution and By-Laws may be amended in the following manner:

1. A faculty sponsor may propose an amendment to the Constitution and By-Laws by submitting to the Academic Senate a copy of the proposed amendment, with signatures of 30 percent of the faculty.
2. The Academic Senate shall set a date for a meeting to discuss the proposed changes to either document and copies shall be made available to all faculty within 5 teaching days prior to the hearing.

3. The Academic shall conduct an election on the proposed changes within five to ten days of the hearing.
4. A majority vote (determined with the number of faculty and signatures weighted as per Article V, Section 2 of the By-Laws below) shall be required to amend the Constitution and By-Laws.

SECTION 2 – Weight of Votes

For voting purposes, the number of faculty shall be defined as all full-time faculty plus one-fifth of the adjunct faculty. Each full-time faculty shall have one full vote. Each adjunct faculty member shall have a one-fifth vote.

Rev. 5-14-02
Rev. 12-11-02
Rev. 1-22-03
Rev. 3-13-03
Rev. 3-20-03
Rev. 4-7-09