

IVC ACADEMIC SENATE CONSTITUTION AND BY-LAWS

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PREAMBLE

The Irvine Valley College Academic Senate is a professional and collegial body responsible for the representation of the faculty of Irvine Valley College on academic and professional matters. The Academic Senate responsibilities are outlined, in part, in the “10 + 1” provisions of the California Education Code, *viz.*

1. Curriculum, including establishing prerequisites and placing courses within disciplines;
2. Degree and certificate requirements;
3. Grading policies;
4. Educational program development;
5. Standards or policies regarding student preparation and success;
6. District and college governance structures, as related to faculty roles;
7. Faculty roles and involvement in accreditation processes, including self-study and annual reports;
8. Policies for faculty professional development activities;
9. Processes for program review;
10. Processes for institutional planning and budget development;
and “+ 1”
11. Other matters as mutually agreed upon between the Board of Trustees and the Academic Senate, or as otherwise provided by statute or regulation.

1.0 ORGANIZATIONAL RIGHTS AND RESPONSIBILITIES

1.1 Authority

The Irvine Valley College Academic Senate is a professional and collegial body responsible for the representation of the faculty of Irvine Valley College on academic and professional matters. The academic senate is constituted in accordance with relevant provisions of the California Education Code and Title 5 of the California Code of Regulations and with other relevant statutes and regulations.

(TITLE 5: 53200-53206; BP2100.1, BP2100.2)

1.2 Membership

The academic senate is a certified member of the Academic Senate for California Community Colleges and functions as a local affiliate of that statewide organization.

1.3 Responsibilities

The academic senate is responsible for establishing and assigning representation of the faculty on standing and *ad hoc* committees, councils, and other governing bodies, except when seats are reserved for the exclusive bargaining agent of the faculty;

Matters for which the academic senate bears responsibility include:

1.3.1 Curriculum, including established prerequisites and placing courses within disciplines;

1.3.1.1 This includes but is not limited to: course and program content, scope, methods, standards, development, articulation, review of instructional courses and programs, and assigning disciplinary qualifications to courses.

1.3.2 Degree and certificate requirements;

1.3.2.1 This includes but is not limited to: the appropriate standards and requirements for degrees, honorary degrees, certificates, majors, transcripts, or other college or district testimonials to completed courses of study.

1.3.3 Grading policies;

1.3.3.1 This includes but is not limited to: policies, standards, and procedures for review of student grade inquiries and grievances, requests to change grades, determination of who may assign or change a grade in any instance of dispute;

1.3.4 Educational program development;

1.3.4.1 This includes but is not limited to: policies, practices, and procedures regarding matriculation, appropriate entry and exit standards for courses, residency requirements for certificates and degrees, and evaluation of petitions for course equivalency.

1.3.5 Standards or policies regarding student preparation and success;

1.3.5.1 This includes but is not limited to: policies, practices, and procedures regarding matriculation, grading, evaluation, and academic advisement of students, including appropriate entry and exit standards for courses, residency requirements for certificates and degrees, and evaluation of petitions of course equivalency.

1.3.6 District and college governance structures, as related to faculty roles;

1.3.6.1 This includes but is not limited to: participation in organizational structures and relationships involving or affecting the faculty;

1.3.6.2 This also includes but is not limited to: policies, standards, and procedures for academic appointments, including hiring, evaluation, tenure, and the establishment of faculty service areas, subject to negotiated agreements.

1.3.7 Faculty roles and involvement in accreditation processes, including self-study and annual reports;

1.3.7.1 This includes but is not limited to: participation in the development of processes for institutional reviews, such as accreditation studies, program reviews, and

the like;

1.3.7.2 This also includes but is not limited to: participation in institutional reviews, such as accreditation studies, program reviews, and the like;

1.3.8 Policies for faculty professional development activities;

1.3.8.1 This includes but is not limited to: development and implementation of policies, practices, and procedures regarding the professional development of faculty;

1.3.9 Processes for program review;

1.3.9.1 This includes but is not limited to: development and implementation of institutional reviews, such as accreditation studies, program reviews, and the like;

1.3.10 Processes for institutional planning and budget development; and;

1.3.10.1 This includes but is not limited to: participation in the development of organizational structures for such planning, as well as participation in the planning groups;

1.3.11 Other matters as mutually agreed upon between the Board of Trustees and the academic senate, or as otherwise provided by statute or regulation.

1.3.11.1 In addition, the senate may consider and offer advice and counsel concerning other matters as it sees fit or as may be requested by others.

(TITLE 5: 53200, 53203, 53203, 53430; Ed. Code: 87360, 87458, 87609, 87663-4, 87743, 87734.5))

1.4 Process

The academic senate represents the faculty through consultative and collegial processes and, by such means, makes recommendations to the governing board and/or to its agents or designees. With respect to these recommendations, the governing board and/or its agents or designees either (1) relies primarily upon the advice or judgment of the academic senate, or (2) enters into written mutual agreements with the academic senate, or (3) considers the counsel of the academic senate in its processes of deliberation and decision making. These options are exercised in accordance with governing provisions of statute and regulation and with board policies delegating authority and responsibility to the academic senate [BP 2001.1 and BP 2100.2], and in accordance with the requirements of sections 53200-53205 of Title 5, California Code of Regulations and the California Education Code.

1.4.1 Primary Reliance

“Primary reliance” means that, except for exceptional circumstances and for compelling reasons, and

absent a prompt and written explanation, the governing board and/or its representatives will adopt the recommendations of the academic senate [BP 2001.1]

1.4.2 Mutual Agreement

“Mutual agreement” means a written resolution, regulation, and/or policy not subject to modification by the governing board absent the agreement of the academic senate, unless continuance of an existing policy or procedure would expose the district to liability or substantial fiscal hardship and unless a prior and good faith effort has been made to reach agreement with the academic senate on such a change in policy or procedure [BP 2001.1].

(Title 5: 53200, 53202)

1.5 *Collective Bargaining Agreements and Rights of Exclusive Agents*

1.5.1 The academic senate is not responsible for negotiating collective bargaining agreements between the public employer and academic employees.

1.5.2 The academic senate will take no action that contravenes provisions of binding agreements between the public employer and the exclusive agent of the faculty, nor will the academic senate engage in side bargaining.

1.5.3 The academic senate may consider any and all professional matters, including those subject to collective bargaining. However, when these matters fall within the scope of negotiated agreements, the academic senate will consult with the exclusive bargaining agent of the faculty and will direct to that agent any subsequent recommendations it may make.

1.5.4 The academic senate will consult and confer with the exclusive agent of the faculty on matters of mutual concern and/or responsibility and will exercise its responsibility to confer when and where that responsibility is defined and/or mandated in law or regulation.

(Title 5: 53204; Ed. Code: 87610.1, 87743.1-5)

1.6 *Appointments of Faculty Members To Committees and Councils*

The academic senate shall either appoint or otherwise ratify the appointment of all faculty members to all college-wide and district-wide standing and *ad hoc* committees, councils, task forces, workgroups, and other similar bodies.

1.6.1 Exceptions include

1.6.1.1 internal committees, councils, or other such groups functioning exclusively within academic schools, departments, or programs

1.6.1.2 subcommittees composed only of members from an existing body

1.6.1.3 seats designated for the exclusive bargaining agent of the faculty

1.6.2 The academic senate fills by appointment or by ratification all reserved or requested faculty seats on all employment committees for all full-time appointments, district-wide, with the exception of seats that may be reserved for the exclusive bargaining agent of the faculty.

1.6.3 In instances in which committee seats are specifically reserved for faculty representatives from identified disciplines, departments, or schools, the academic senate shall rely upon recommendations or nominations from those faculty groups.

1.6.4 In all instances, senate appointments are subject to the agreement of the appointee.

(Title 5: 53203 (f))

1.7 *Duty to Represent*

The academic senate has a duty to represent all faculty and shall see that its actions and procedures are consistent with such end.

2.0 GENERAL ORGANIZATION AND PROCEDURES

2.1 *General Organization of the Academic Senate*

The business of the academic senate shall be conducted either by the faculty at-large, by an elected and representative council of the general membership, or by duly constituted committees of those bodies as defined herein.

2.2 *Conduct*

2.2.1 Business of the academic senate shall be conducted in public, in accordance with law, and by the process as defined in the Brown Act and other relevant regulations.

2.2.2 Recommendations of the academic senate or of any of its bodies shall be adopted only by parliamentary processes and upon majority vote, or by consensus if previously agreed upon by the body, subject to regulations defined herein.

2.3 *Membership in the Academic Senate*

2.3.1 Except as otherwise limited herein, all individuals granted full-time or part-time, contract, tenure-track, or tenured academic appointments at Irvine Valley College are members of the academic senate and possess rights and privileges of membership as specified herein.

2.3.2 Rights of membership do not extend to academic administrators, excepting faculty members assigned temporary administrative duties in lieu of classroom or non-classroom instructional assignments.

2.4 *Faculty Appointments and Membership*

An appointment to the full-time faculty shall mean any tenured (permanent) or contract (either probationary or temporary) faculty appointment of at least 50% of the full-time load, defined as “full-time” by the Master Agreement. Faculty members with this type of appointments are members of the academic senate. Faculty reassignments and/or leaves, whole or partial, shall have no bearing on membership status, except that members on full leave whose leaves extend beyond four consecutive semesters shall lose rights of membership until they reassume, in whole or in part, a regular assignment.

2.5 *Associate Appointments and Membership*

An “associate appointment” to the faculty shall mean a non-tenured and non-contractual, part-time faculty appointment, as defined by the Master Agreement. Faculty with temporary part-time appointments and current assignments shall be associate members of the academic senate.

2.6 *Rosters of Members*

The recorder, on behalf of the cabinet of the academic senate shall, at the onset of each academic semester compile a roster of full-time and active associate members as well as distributions of FTE faculty by school and academic discipline. These rosters shall be maintained in the academic senate offices and shall function to establish quorums and available representative seats unless otherwise provided in these by-laws.

2.7 *Voting Rights*

2.7.1 Membership at-large: The electorate (all those permitted to vote) of the membership at-large shall consist of all full-time and associate members of the faculty.

2.7.2 Representative Council: The electorate of the representative council of the academic senate shall consist of all members of that body unless otherwise and as specifically limited herein.

2.7.3 Committees, councils, and other bodies: The electorate of other committees and councils of the academic senate shall consist of all members of those bodies unless otherwise and as specifically limited herein or within other governing policies.

2.7.4 Electors: Each elector (a person permitted to vote) in any body of the academic senate shall have one vote.

2.8 *Definitions of Majorities*

2.8.1 Simple Majority: A “simple majority” shall mean a majority of those electors present and voting, exclusive of votes of abstention, and subject to quorum requirements as defined in the by-laws.

2.8.2 Absolute Majority: An “absolute majority” shall mean a majority of the electors, subject to quorum requirements as defined in the by-laws. Electors not present or not voting are counted as if they were present.

Majority requirements are as follows:

2.8.2.1 50% or 2/3 or 3/4 Simple Majority: At minimum, the nearest whole number greater than 1/2, 2/3, or 3/4, respectively, of voters, that is, electors present and voting, exclusive of votes of abstention, presuming a sufficient quorum has been attained. This means that abstentions is the same as not voting, and for these purposes equivalent to “not present” as pertains to that vote. Since abstentions are considered as “not present”, they contribute to neither the quorum nor the count of voters. If, due to the number of abstentions, no quorum exists for the vote, then the vote is void, and no action is taken. In this case, any elector may move either the same or an altered proposition, and another vote may occur on the new motion. Should the same motion be repeated without achieving a successful vote, that is, a quorum of voters, the chair may determine that sufficient participation in that action will not be possible at that time, and not allow the same proposition to be moved again. This does not preclude the motion being brought forward at another time with different participants or after time for further reflection.

2.8.2.2 50% or 2/3 or 3/4 Absolute Majority: At minimum, the nearest whole number greater than 1/2, 2/3, or 3/4, respectively, of the entire electorate, presuming a sufficient quorum has been attained. In this case, quorum is determined based on the total number of electors, whether or not present or voting.

2.8.2.3 Unanimity: “By unanimous consent” shall mean any case in which all electors present and voting cast an identical vote, exclusive of votes of abstention, subject to quorum requirements as defined herein. Since abstentions are considered as “not present”, they contribute to neither the quorum nor the count of voters. If, due to the number of abstentions, no quorum exists for the vote, then the vote is void, and no action is taken, even if all voters cast an identical vote.

3.0 MATTERS INVOLVING THE MEMBERSHIP AT LARGE (FACULTY ASSEMBLY)

3.1 *Organization and Membership*

3.1.1 The body comprising the faculty at-large shall be known as the general assembly of the faculty or the faculty assembly. All full-time and associate members of the faculty shall be electors of the general assembly; each elector is entitled to one vote. [Section 2.7.1]

3.2.2 Meetings of the general assembly: meetings of the general assembly shall be for purposes of information, study, and discussion only. Non-binding advisory votes may be taken. A quorum shall be the number of members present.

3.2 *Actions of the general assembly*

3.2.1 Actions of the general assembly shall be taken by ballot of the electorate.

3.2.2 Actions of the general assembly shall be taken only on items specified in or required by the by laws.

3.2.3 Actions of the general assembly shall be taken only in accordance with procedures adopted by the representative council of the academic senate or as described in the by-laws.

3.2.4 Such procedures shall insure proper notice and equal opportunity for participation, and shall include provisions for absentee ballots.

3.2.5 Each member shall have one vote.

3.2.6 The quorum for anyfor any action of the General Assembly shall be met when at least one-half ($\frac{1}{2}$) of the full-time faculty have participated in the vote or action.

3.3 *Matters requiring action by the general assembly (50% simple majority)*

The following actions shall be taken only by the general assembly, and only in accordance with procedures specified within these by-laws. Unless otherwise specified, actions shall be adopted upon 50% simple majorities of those voting, subject to quorum limitations as noted above.

1. Election of senate president and vice-president.
2. Removal from office of senate president and/or vice president.
3. Confidence votes in administrators or members of the governing board.
4. Referenda initiated by petition.
5. Referenda initiated the representative council of the senate.
6. Actions referred to the general assembly by the academic senate.

3.4 *Matters requiring action by the general assembly (2/3 simple majority)*

The following actions shall be taken only by the general assembly, and only in accordance with procedures specified within these by-laws. Unless otherwise specified, actions shall be adopted upon 2/3 simple majorities of those voting, subject to quorum limitations as noted above.

3.4.1 Modifying the composition of, and membership in standing committees of the academic senate.

3.4.2 Modifying the composition of, and membership in the representative council of the academic senate.

3.4.3 Modification of, or suspension of the constitution and by-laws.

3.5 *Election procedures: Elections Committee*

3.5.1 The representative council of the academic senate shall appoint an elections committee, which shall elect its own chair from the appointed membership, to oversee elections and/or balloting involving the general assembly.

3.5.2 Sitting officers of the representative council shall not sit on the elections committee.

3.5.3 The elections committee shall conduct elections or balloting in accordance with procedures developed by the representative council, and in accordance with relevant provisions of the bylaws.

3.5.4 The elections committee shall conduct, tabulate, record, and report the vote.

3.5.5 Ballots involving candidates for offices shall be confidential and shall provide capability for write-in candidates.

3.6 *Election procedures: Nominations Procedures*

3.6.1 The open nominating period shall include at least two meetings of the Representative Council

3.6.2 The open nominating period shall be concluded prior to the final day of the spring instructional calendar.

3.6.3 The representative council shall establish the polling dates.

3.7 *Election procedures: Polling and Voting*

Polls shall be open, at minimum, one calendar week. If a holiday occurs during this period, the polls shall remain open for sufficient time to allow at least one seven-day period outside any holiday.

3.8 *Special Elections*

The representative council shall maintain the right to hold special elections if and when circumstances so demand, and to establish appropriate nomination and voting dates for such elections. Special elections shall be overseen by the elections committee. All other procedures shall be as described in sections 3.6 - 3.7.

3.9 *Right of Referendum*

Full-time and associate members of the general assembly have the right to initiate agenda items without the support of the cabinet, by means of referendum. This is intended to allow the representative council or the general assembly to initiate agenda items without the support of the

cabinet.

3.9.1 Initiating a referendum by petition: petitions shall be valid if

3.9.1.1 A petition calling for a referendum is filed with the senate cabinet, and

3.9.1.2 Prior notice of the intent to file a petition has been filed with the senate cabinet, at least three (3) days prior to a scheduled cabinet meeting, and

3.9.1.3 The petition is published and made available for signature to all members, and

3.9.1.4 At least 25% of the members of the general assembly sign the petition.

3.9.2 Initiating a referendum by the representative council of the academic senate:

3.9.2.1 The petition is ordered by an absolute majority of 2/3 of that body.

3.9.2.2 The action to order a petition may occur with or without an agenda item describing this action.

3.9.2.3 Such action shall be entered into the official record of the academic senate..

3.9.3 Referenda shall be voted upon by the members of the general assembly in accordance with procedures adopted by the representative council.

3.9.3.1 The elections committee (section 3.5) shall oversee the polling and balloting for any referendum.

3.9.3.2 The elections committee shall validate and affirm balloting results for any referendum.

3.9.3.3 These procedures shall mirror those described for elections in sections 3.6-3.7:

3.9.4 Balloting of the general membership for referenda shall be conducted within 20 instructional days following the day upon which a valid petition is filed with the senate cabinet.

3.9.5 The results of the referendum ballot shall be presented to the representative council at its meeting immediately consequent to the close of balloting.

3.9.5.1 The referendum results shall be presented to the representative council as an action item to accept the results.

3.9.5.2 The representative council may act in a fashion of their own determination.

3.9.6 All actions of the representative council concerning the referendum shall be recorded in the minutes of the meeting. This includes any failure to accept or affirm the referendum ballot results.

4.0 REPRESENTATIVE COUNCIL OF THE ACADEMIC SENATE

4.1 Authority

The members of the general assembly shall authorize formation of a representative council of senators and officers of the faculty, as indicated herein. Unless otherwise provided in the by-laws, this council shall act and speak on behalf of the entire academic senate, that is, the general assembly. The council shall therefore assume the responsibilities of, function as, and bear the title of the Academic Senate, except in those instances in which the general assembly acts in this capacity.

4.2 Composition of the representative council

When the representative council composition was established, the faculty determined and adopted by 2/3 simple majority vote of the general assembly the composition of and membership in the representative council (“senate”) and in such action specified the constituency and the electors for each senator. Membership on the representative council consists of senators and officers. Now that the representative council composition is established, the composition and membership of the representative council, and the constituency and electors of the senators, shall be changed only by processes described herein for amending these by-laws, viz 2/3 simple majority of the general assembly.

4.3 Senators

4.3.1 Terms and conditions of office

4.3.1.1 Senators shall be elected by constituency groups as defined herein.

4.3.1.2 Two senators shall be elected by faculty of each school; the faculty of the school is the constituency group of each senator.

4.3.1.3 Two senators shall be elected by the associate faculty (section 2.5, 2.6 ff). This process is described in section 4.5. .

4.3.2 Elections shall be conducted by the constituency group in accordance with procedures developed by the academic senate.

4.3.3 Senators represent the constituency group and may be removed and/or replaced by that group for any reason, so long as election processes are in accordance with adopted procedures.

4.3.4 Censure: Upon a 3/4 absolute majority vote, the representative council may censure any senator for gross misconduct or gross negligence. In such instance, the president shall

convey the notice of censure to the constituency group represented by the senator in question..

4.4 *Alternates*

4.4.1 In meetings of the representative council, senators may be represented by alternates.

4.4.2 Such allowance shall not extend to officers.

4.4.3 Alternates must be designated by seat and must be selected in the same manner, at the same time, and by the same constituency that selects the senator.

4.4.4 The academic senate may consider requests to seat alternates who have not met these conditions; however, such action shall be taken only during the call to order.

4.5 *Associate Senators*

4.5.1 Two seats on the representative council shall be reserved for senators representing the part-time or associate faculty at large (section 2.5, 2.6 ff).

4.5.2 Up to two alternate associate senators may be elected at the same time.

4.5.3 Elections for associate senators shall be conducted in accordance with procedures developed by the academic senate.

4.5.4 For the purposes of electing associate senators, a simple majority of votes shall be required, and a quorum shall consist of the number of legitimate votes cast.

4.6 *Officers of the academic senate (the “cabinet”)*

4.6.1 The officers of the academic senate, herein referred to collectively as the cabinet, are:

4.6.1.1 President [ref. section 4.7.1]

4.6.1.2 Vice President [ref. section 4.7.2]

4.6.1.3 Chair, Curriculum Committee [ref. section 4.7.6]

4.6.1.4 Chair, Academic Affairs Committee [ref. section 4.7.6]

4.6.1.5 Recorder [ref. section 4.7.3]

4.6.1.6 Past President [ref. section 4.7.5]

4.6.2 Terms of office: All officers shall serve terms of one year, commencing on the final day of the regular instructional calendar in spring.

4.6.3 Conditions of office

4.6.2.1 The offices of president and vice-president may be held only by tenured faculty.

4.6.2.2 All other officers must be full-time (tenured or tenure-track) members of the faculty.

4.6.2.3 The parliamentarian may be appointed by the president, as needed.

4.7 *Officers, Duties, and Means of Appointment*

4.7.1 President (tenured/non-voting)

4.7.1.1 Elected by the general assembly of the faculty

4.7.1.2 Represents the faculty before the governing board and other district and college councils;

4.7.1.3 Presides over meetings of the general assembly and the representative council of the academic senate;

4.7.1.4 Chairs the senate cabinet;

4.7.1.5 Serves as spokesperson for the faculty on academic and professional matters;

4.7.1.6 Appoints faculty to committees, subject to ratification by the representative council;

4.7.1.7 Sits on governing bodies as directed by the senators (or designates a proxy);

4.7.1.8 Assumes other responsibilities as directed by the senate.

4.7.2 Vice President (tenured/voting) faculty

4.7.2.1 Elected by the general assembly of the faculty

4.7.2.2 Assumes the president's duties in his or her absence;

4.7.2.3 Assumes other responsibilities as directed by the senate;

4.7.2.4 Assists the president upon direction by the president or by the representative council.

4.7.3 Recorder (non-voting) faculty

4.7.3.1 Appointed by the representative council;

4.7.3.2 Prepares and maintains the official records of the academic senate.

4.7.4 Parliamentarian (non-voting) faculty

4.7.4.1 Appointed by the president;

4.7.4.2 Assists and advises the president on parliamentary matters.

4.7.5 Past-president (tenured/voting) faculty

4.7.5.1 Appointed by the representative council;

4.7.5.2 May be any consenting past president;

4.7.5.3 Assists and advises the president, the cabinet, and the representative council;

4.7.5.4 Assumes other responsibilities as requested by the president or the academic senate.

4.7.6 Chairs of standing committees (2): Curriculum Committee and Academic Affairs Committee (voting) faculty

4.7.6.1 Appointed by the representative council;

4.7.6.2 Convenes and presides over committee meetings as appropriate to their appointment;

4.7.6.3 Reports committee actions to the academic senate;

4.7.6.4 Serves as liaison between cabinet and respective committees;

4.7.6.5 Undertakes duties as directed by the committee members;

4.7.6.6 Assumes other responsibilities as requested by the president or the academic senate.

4.8 *Removal and replacement of officers*

4.8.1 Replacement of president: should the president's office become vacant for any reason, the vice president shall assume office and serve out the remainder of the prior president's term.

4.8.2 Replacement of vice president: should the vice president office become vacant, the representative council shall hold a special election of the general assembly to fill the position.

4.8.3 Removal of president and/or vice president

4.8.3.1 The representative council may seek removal of the president and/or vice president upon a vote of no confidence by the representative council.

4.8.3.2 Such action shall require 2/3 absolute majority.

4.8.3.3 Upon such action, the representative council shall place the matter before the general assembly.

4.8.3.4 The elections committee shall oversee balloting and voting, which will proceed as described for elections of the president and vice-president (sections 3.5-3.7).

4.8.3.5 In the event of the simultaneous removal from office of both the president and vice president, the representative council shall appoint temporary officers.

4.8.3.6 Following such appointment, the representative council shall call for a special election of the general assembly, unless the special election would occur within the same semester as a regular faculty-wide election, in which case the temporary officers will serve out the remainder of the normal term.

4.9 *Interim officers for other positions*

4.9.1 The representative council shall appoint interim officers if a vacancy in office occurs.

4.10 *Voting Rights and Procedures*

4.10.1 Electorate: those who are permitted to vote:

4.10.1.1 Members of the representative council are all senators and officers.

4.10.1.2 Excepting the president, parliamentarian, and recorder, who are non-voting members, each member of the representative council, or his or her alternate, shall be an elector and shall have one vote.

4.10.1.3 The number of electors shall consist of the number of voting members.

4.11 *Quorum*

4.11.1 No business of the representative council of the academic senate or of any committee of the academic senate shall be conducted absent a quorum.

4.11.2 For the Representative Council, a quorum shall be the nearest whole number greater than half the number of electors. Unfilled or open positions shall not be counted to determine the quorum.

4.11.3 For standing committees, a quorum shall be the nearest whole number greater than half the number of appointed voting members.

4.12 *Majority requirements*

4.12.1 Unless otherwise specified, actions of the representative council shall be adopted only upon an affirmative vote by a 50% absolute majority of the electors of that body.

4.12.2 Seats to which no person has been elected or appointed shall not be counted to determine quorum or absolute majority requirements.

4.13 *Voting procedures*

4.13.1 Actions of the Representative Council and committees

4.13.1.1 Members shall take action by affirmative vote.

4.13.1.2 Electors not voting in either affirmative or negative shall be provided with the option of casting votes of abstention.

4.13.1.3 The record of each action taken shall specify the number of voters affirming, not affirming, and abstaining. This is the total number of votes cast.

4.13.1.4 The total number of votes cast on any action shall always be equal to the total number of voters present at the time the vote was conducted. Electors present but not voting are counted as if not present to determine a simple majority.

4.13.1.5 To determine an absolute majority, the number of affirmative votes cast is compared to the number of electors (for 50%, 2/3, or 3/4), regardless of the total number of voters. Thus, abstentions and any other failure to vote in the affirmative effectively count as “votes against”.

4.14 *Advisory votes*

The president may, at his or her discretion, call for a non-binding advisory vote on any item under consideration.

4.15 *Roll-call votes*

The president shall conduct a roll-call vote upon a motion and two seconds from the floor 4.15.1 Roll-call votes may be requested for any action of the representative council.

4.15.2 Resolutions shall be adopted only by roll-call vote.

4.16 *Voting by proxy*

4.16.1 A senator may designate another senator from his or her same constituency group to serve as his or her proxy and, in such capacity, to exercise the senator's right to vote on matters before the representative council.

4.16.2 A voting officer may designate another voting officer, to serve as his or her proxy and, in such capacity, to exercise the voting officer's right to vote on matters before the representative council.

4.16.3 A senator may not serve as proxy for a voting officer, nor may a voting officer serve as proxy for a senator even if they are from the same constituency group.

4.16.4 Written notice of designation of a proxy must be given to the recorder before the proxy may vote. Notice may be in electronic or paper form.

4.17 *Absentee ballots*

Senators may not vote by absentee ballot on matters before the representative council.

4.18 *Meetings*

4.18.1 Parliamentary process

4.18.1.1 Unless otherwise addressed in the by-laws and adopted procedures, the academic senate and its committees shall conduct its business in accordance with Robert's Rules of Order.

4.18.1.2 The president and the parliamentarian, or the presiding committee chair, shall see to this obligation. On questions of order the president or chair shall have final authority.

4.18.1.3 Any group may amend their rules of meeting by 2/3 simple majority.

4.18.1.4 Such amendment (section 4.18.1.3) may be for the period of a single action, a single meeting, or any designated period up to but not exceeding one academic year.

4.19 *Notice of meeting*

Public notice shall be given of all meetings in a manner consistent with applicable openmeeting laws. Places, dates, and times of regular meetings shall be fixed at the onset of each academic year or semester. Such schedule shall be posted and maintained throughout the academic year.

4.20 *Agendas*

4.20.1 Meetings shall proceed in accordance with a published agenda, subject to modification by vote of the Representative Council or committee membership at the meeting.

4.20.2 Agenda items must be submitted to the Senate office or to the committee chair, at minimum, one week prior to the scheduled date of regular meetings and in accordance with adopted procedures.

4.20.3 Agendas will normally contain the following elements:

4.20.3.1 Call to Order

4.20.3.2 Agenda of the Current Meeting

4.20.3.3 Introduction of Guests

4.20.3.4 Public Comments

4.20.3.5 Record of the Previous Meeting

4.20.3.6 Executive Reports: President or Chair; other officers

4.20.3.7 Consent Calendar

4.20.3.8 Unfinished (Old) Business

4.20.3.9 New Business

4.20.3.10 Special Orders

4.20.3.11 Reports of Standing Committees

4.20.3.12 Reports of Special Committees

4.20.3.13 School/Constituency Reports

4.20.3.14 Announcements and Open Forum

4.20.3.15 Adjournment

4.21 *Actions by consent*

4.21.1 Agenda items may be placed upon a consent calendar and adopted as a group without discussion.

4.21.2 Any item placed on a consent calendar will be removed and made a regular agenda item upon request during the adoption of the agenda.

4.21.3 The agenda, modified as necessary, shall be adopted by a motion, second, and vote of the representative council.

4.22 Discussion

Discussion on agenda items is intended to afford consideration of a range of ideas and to respect the rights of majority and minority points of view. The president or chair has the responsibility to moderate discussion, to see that all views are fairly represented and all interested individuals are allowed the opportunity to speak.

4.23 Records of a meeting faculty

4.23.1 Meetings of the representative council shall be recorded, with a public record kept available in the academic senate offices for a period of at least six months.

4.23.2 A written record shall also be kept and shall consist of an accurate record of members present, actions considered, and votes cast.

4.23.3 Additional items shall be entered into the written record only upon approval by the senators, in accordance with procedures adopted by the representative council.

4.23.4 The official record shall be published and a copy permanently maintained in the senate offices.

4.23.5 Electronic records are sufficient, but must be held in multiple copies and sites for safety.

5.0 STANDING COMMITTEES AND OTHER COMMITTEES

5.1 General considerations

5.1.1 Standing committees of the academic senate attend to specific responsibilities of the senate, being so constituted and so charged.

5.1.2 Committee members serve upon appointment by the representative council.

5.1.3 Committees may include administrative, staff, student, and/or community members in addition to associate or full-time members of the faculty.

5.2 Committee meetings

5.2.1 Committee meetings shall generally follow the provisions for meeting outlined in section 4 for the representative council

5.2.2 Each committee shall define and adopt its own procedures, subject to restrictions contained in the by-laws and other regulations of the academic senate.

5.2.3 No committee member shall be denied a vote.

5.2.4 Committee chairs shall vote only in the event of a tie.

5.3 *Quorum*

Each committee shall establish quorum requirements consistent with requirements of the academic senate by-laws.

5.4 *Records*

Committees shall keep and adopt official records of their meetings, a copy of which shall be filed with the academic senate office.

5.4.1 Electronic records are sufficient, but must be held in multiple copies and sites for safety.

5.5 *Actions of committees*

5.5.1 Except for matters internal to the operations of the committee, and for matters specifically delegated by the senate, all committee actions are in the form of recommendations to the academic senate.

5.5.2 No committee shall speak for the academic senate unless so directed by the academic senate.

5.6 *Committee composition and responsibilities*

5.6.1 The faculty shall determine and shall adopt by 50% simple majority vote of the general assembly an appropriate set of standing committees to attend to the responsibilities assigned to the academic senate.

5.6.2 The representative council shall ratify other college and district committees, task forces, and other such working groups as called upon by college and district processes.

5.6.3 Members of committees, councils, task forces, special committees, and other such working groups shall be appointed by the Representative Council.

5.6.3.1 Due and appropriate representation shall be afforded to constituencies.

5.6.3.2 Work groups may be convened for a specific and short-lived purpose by a council, committee, or task force without further ratification.

5.7 *Voting procedures in committees*

5.7.1 Committees of the academic senate shall observe voting procedures defined in the by-laws.

5.7.2 Committees may select another mode of decision making, such as consensus,

consistent with college practices (ref. The IVC Planning Manual).

5.7.3 Committees shall decide whether to allow proxy and/or absentee ballots.

5.7.4 Committees shall develop appropriate procedures for their individual internal processes and procedures, providing that these are not contrary to the academic senate by-laws or their spirit.

Adopted: August 1986

Revised: August 1990

Revised: November 1995

Revised: May 2004

Revised: October 2006

Revised: Spring 2013

APPENDIX: DEFINITIONS

ACTION

A motion. A motion, or action, may be carried (passed) or not, by a vote of the electors.

ACADEMIC ADMINISTRATOR

A college or district administrator not part of the classified staff or management, exclusive of faculty members temporarily assigned administrative functions for a portion or all of their regular workloads.

ACADEMIC APPOINTMENT

Any appointment to any position other than those designed as part of the classified staff or classified management of the college or district, as defined by the Master Agreement.

ACADEMIC EMPLOYEE

Any individual holding an academic appointment.

ACADEMIC SENATE

The faculty at-large, organized in accordance with these by-laws to represent the faculty on all academic and professional matters as provided by law; or otherwise representative bodies of this group, as defined in these by-laws.

CONTRACT FACULTY

Non-tenured faculty whose appointment is by one-year or two-year contract, including probationary tenure-track faculty, as defined by the Master Agreement.

ELECTORATE

Those upon whom the right to vote is conferred.

EXCLUSIVE BARGAINING AGENT

The representative of the faculty for purposes of collective bargaining, as defined in Section 3543 of the Government Code.

FACULTY GENERAL ASSEMBLY

The faculty at large acting as a body.

FACULTY MEMBER

Any individual carrying a non-administrative academic appointment, inclusive of all faculty on leave or reassigned to duties outside the classroom as defined by the Master Agreement.

FACULTY SERVICE AREAS

Designated areas of disciplinary competency into which faculty are placed in accordance with statute and negotiated agreements and which function to establish categories for reduction in staff, should reductions be necessary.

FTE

“Full-time equivalent”: The equivalent of a full-time faculty, student, or staff position according to prevailing full-time workload standards.

GENERAL ASSEMBLY

The faculty at-large acting as a body, consisting of all faculty with full-time or associate appointments.

GOOD FAITH EFFORT

A demonstrable, considered, and repeated attempt to achieve agreement in a collegial manner.

GOVERNING BOARD

The elected trustees of the community college district. Also, “Board of Trustees”

INITIATIVE

A proposal by petition of the members, in accordance with the provisions of the by-laws.

INSTRUCTIONAL CALENDAR

The annual adopted calendar indicating academic terms and contractual service days.

MUTUAL AGREEMENT

A written resolution, policy, regulation, or other document to which the academic senate is a party and to which modification may not be made absent the agreement of the academic senate except in certain extraordinary situations as defined by law.

OPEN BALLOT

A non-confidential written ballot.

OPEN MEETING LAWS

Regulations of the State of California governing the lawful conduct of meetings of public officials.

PRIMARY RELIANCE

A condition in which the governing board or its representatives agree in advance to adopt the recommendations of the academic senate, absent exceptional circumstances and for compelling reasons, provided in writing to the academic senate.

PROBATIONARY FACULTY

Non-tenured faculty holding a tenure-track appointment.

PROXY

An individual authorized to cast the vote or act on behalf of another.

QUORUM

As provided in the by-laws, the minimum number of persons required to conduct business.

REFERENDUM

An issue put to the faculty at-large for a vote, in accordance with provisions of the by-laws.

FULL-TIME FACULTY

Full-time faculty holding tenured, tenure-track, or temporary contractual appointments of at least 50%, exclusive of any temporary leaves or reassignments of a whole or partial nature, as defined by the Master Agreement.

REPRESENTATIVES OF THE GOVERNING BOARD

Administrative agents authorized to act on behalf of the elected trustees.

REPRESENTATIVE COUNCIL

The representative governing council of the academic senate, as defined in the by-laws.

TEMPORARY FACULTY

Part-time, non-contractual faculty, or full-time faculty with non-renewable contractual appointments as defined by the Master Agreement.

TENURE

Conversion of a probationary, contract faculty member to a permanent member of the faculty.