ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES BYLAWS

Last Amended: November 18, 2023

ARTICLE I

Definitions

Section 1. Definitions

The following terms are to be understood in the restrictive and technical sense herein defined.

1. Faculty Member: Any employee of a community college district who is employed in an academic position that is not designated as supervisory or management. Includes part-time and full-time faculty.
2. Academic Senate for California Community Colleges (ASCCC): As defined in Title 5 “An Academic Senate for California Community Colleges has been established through ratification by local academic senates or faculty councils so that the community college faculty of California may have a formal and effective procedure for participating in the formation of state policies on academic and professional matters” (Title 5, Section 53206, California Code of Regulations).
3. Member Academic Senate: A local academic senate or equivalent faculty organization certified by the Board of Directors (also known as the Executive Committee) of the Academic Senate for California Community Colleges. College and district academic senates may be members.
4. Delegate: An individual who, (1) by reason of election as an officer or member of the Board of Directors or, (2) by selection by a Member Academic Senate, has voting rights at Plenary Sessions of the Academic Senate for California Community Colleges. Any individual claiming Delegate status must also be in compliance with the provisions of Article II, Section 2.
5. Board of Directors: The officers and representatives elected by Delegates as defined by California law (See Corporations Code Section 7210) and the Executive Director as a non-voting officer. Also known as the ASCCC Executive Committee.
6. Officers: President, Vice President, Treasurer, Secretary, and the non-voting Executive Director.
7. Senator Emeritus: A title conferred by the ASCCC for the purpose of recognizing the meritorious service of a faculty member upon or after retirement.
8. Plenary Session: The biannual event at which the ASCCC conducts its business.

ARTICLE II

Membership

Section 1. Membership

The academic senate of each of the California Community Colleges and the district academic senate of multi-college districts, or their equivalents, are eligible to become Member Academic Senates.

Any academic senate recognized by its local governing board as representing its faculty in academic and professional matters (as defined in Title 5 §53200) may apply for status as a Member Academic Senate. The Board of Directors will certify such academic senates as Member Academic Senates upon verification of the following:

* 1. A majority of full-time faculty members of a college or recognized center have voted in favor of forming an academic senate (Title 5 §53202 (a)).
  2. The governing board of the district recognizes the applying faculty organization as representing its constituency in academic and professional matters.
  3. The applying academic senate has a constitution and/or bylaws approved by the faculty it represents.
  4. A district academic senate will be considered a Member Academic Senate if the local governing board has recognized it as representing faculty on district-related academic and professional matters.

Additional details on becoming a Member Academic Senate and membership dues may be found in Policy 10.04 Membership Dues.

Section 2. Delegates

Each Member Academic Senate is entitled to designate any of its faculty members as their Delegate that has voting rights at each plenary session Board of Directors members may not delegate any of their responsibilities or rights as a member of the Board. No Delegate shall be entitled to more than one vote, and a vote cannot be cast by proxy.

Section 3. Plenary Sessions

The Academic Senate for California Community Colleges shall meet in plenary session biannually during each academic year. Through the resolutions process, the ASCCC directs the Board of Directors to implement the will of the body in the adopted resolutions.

ARTICLE III

Officers

Section 1. List of Officers

The officers of the ASCCC shall include the President, Vice President, Secretary, Treasurer, and the non-voting Executive Director. The President, Vice President, Secretary, and Treasurer shall be elected at a plenary session of the Academic Senate for California Community Colleges

for one-year terms. Terms of office shall commence at the start of the second day of the last Executive Committee meeting of the academic year or June 10, whichever occurs first. Terms of office shall conclude at the end of the first day of the last Executive Committee meeting of the academic year or June 9, whichever occurs first.

The Board of Directors will appoint the Executive Director that serves in a non-voting capacity.

Section 2. Vacancy in Office

A vacancy in office shall be filled in accordance with the ASCCCRules.

Section 3. President's Term

The President shall serve no more than two consecutive elected one-year terms. Section 4: Officers’ Responsibilities

1. The President shall
   1. Oversee the preparation of the agenda for all plenary sessions and all meetings of the Board of Directors.
   2. Preside over all plenary sessions and meetings of the Board of Directors.
   3. Represent and act as the spokesperson for the ASCCC and its Board of Directors.
   4. Oversee the authorization of expenditures for the ASCCC.
   5. Appoint a parliamentarian who shall provide parliamentary advice to the President.
   6. Assign duties and tasks to the members of the Board of Directors.
   7. Perform any other function normally thought to be within the realm of a presiding officer that is otherwise not denied by the ASCCC Bylaws, Rules, or Policies.
2. The Vice President shall
   1. Act as President in the absence of that officer.
   2. Succeed to the Presidency in the event of the vacancy of that office.
   3. Perform duties as assigned by the President.
3. The Secretary shall
   1. Oversee the keeping of the records of actions by the Board of Directors, including overseeing the taking of minutes at board meetings and plenary sessions.
   2. Ensure the accuracy and presentation of minutes of all plenary sessions and Board of Directors meetings and their dissemination.
   3. Perform duties as assigned by the President.
4. The Treasurer shall
   1. In conjunction with the Executive Director, oversee the budget preparation and shall ensure that appropriate financial reports are made available to the Board of Directors on a timely basis or as requested by the Board of Directors.
   2. Serve as an authorized signatory on all accounts.
   3. Oversee and keep the delegates and the Board of Directors informed about the financial condition of the organization and of audit or financial review results.
   4. Chair a committee for the purpose of drawing up the annual budget and hiring the auditor.
   5. Perform duties as assigned by the President.
5. The Executive Director
   1. The Board of Directors shall appoint an Executive Director to conduct day to day management of the ASCCC.
   2. The Board of Directors shall appoint an Executive Director pursuant to a majority vote at a regularly scheduled or special meeting.
   3. The official duties of the Executive Director shall be listed in a job description that is adopted by a majority vote of the Board of Directors at a regularly scheduled or special meeting.
   4. The Executive Director shall be regularly evaluated based on job description and responsibilities
   5. The Board of Directors may terminate an Executive Director pursuant to a majority vote at a regularly scheduled or special meeting. Prior to any such decision, the Board of Directors must have conducted a formal evaluation, reviewed the contract with the Executive Director. and received advice from a qualified attorney as to any legal consequences of this decision.

ARTICLE IV

Board of Directors

Section 1. Membership

The Board of Directors shall consist of the officers and ten representatives based upon the geographic distribution of Member Academic Senates. All elected Board of Directors members must retain their faculty status to continue in office.

Section 2. Selection and Term

All candidates for election to the Board of Directors shall meet at least one of these criteria:

1. is a Delegate or a local academic senate president;
2. has within the last three years immediately preceding the election been a local academic senate president or a member of the Board of Directors; or
3. has been nominated by a resolution of a their Academic Senate. The minutes of the meeting at which that resolution was adopted must be submitted to the Elections Chair with the nomination of the individual.

All members of the Board of Directors, except the officers, shall be elected during the plenary session on the basis of geographic representation as prescribed in the ASCCC Rules and shall serve for two-year staggered terms. Terms of office shall commence at the start of the second day of the last Executive Committee meeting of the academic year or June 10, whichever occurs first. Terms of office shall conclude at the end of the first day of the last Executive Committee meeting of the academic year or June 9, whichever occurs first.

NOTES from S&P: What about special elections? In the Rules? Mention in the bylaws?

Section 3. Voting

All elected members of the Board of Directors shall have voting privileges on the Board of Directors. Proxies shall not be permitted. The Executive Director serves on the Board of Directors as a non-voting *ex officio* member.

Section 4. Vacancy in Office

A vacancy in office shall be filled in accordance with the ASCCC Rules.

Section 5. Meeting

The Board of Directors shall meet monthly each academic year, August through June, with additional meetings as needed. All meetings of the Board of Directors will comply with Policy 10.01 Open Meetings. Note that Board of Director meetings are not subject to the Bagley-Keene Open Meeting Act.

Section 6. Powers and Duties

The Board of Directors shall adopt procedures, implement policies adopted at the plenary sessions, transact business, and perform other functions that are consistent with the intent, purposes, and provisions of the ASCCC Bylaws, Rules, and Strategic Plan.

Section 7. Recall

Recall of a member of the Board of Directors shall follow procedures outlined in the ASCCC Rules.

Section 8. Removal

An elected member of the Board of Directors may be removed from office for cause following the process in Policy 20.05 Removal of a Member of the Board of Directors.

ARTICLE V

Committees and Appointments

Section 1. Standing Committees

Standing committees shall be specified in the ASCCC Rules. Subject to the approval of the Board of Directors, the President shall make appointments to all standing committees. The President and Executive Director shall be an ex officio non-voting member of all standing committees.

Section 2. Faculty Appointments to Other Groups

The President, in consultation with the Vice President and Executive Director, makes appointments to all other groups requiring faculty participation, including but not limited to ASCCC committees, task forces, and workgroups, and committees of system partners with ASCCC representation. When a new President is elected but has not taken office, the newly elected President will make appointments for faculty that will

serve past May 31. These appointments are subject to approval by the appointee’s Member Academic Senate President.

The President and Executive Director shall be an ex-officio non-voting member of all ASCCC committees, including standing committees, task forces, and workgroups.

Section 3. Standing Committee Chair

The President shall appoint a member of the Board of Directors to serve as the Chair of each standing committee.

Section 4. Terms and Removal

The terms of all persons appointed to committees or special assignments shall be for one year or any shorter period specified by the President. Any appointee can be removed by a majority vote of the Board of Directors.

ARTICLE VI

Caucus

Academic Senate caucuses are intended to serve as groups of independently organized faculty to meet, network, and deliberate collegially in order to form a collective voice on issues of common concern that caucus members determine are of vital importance to faculty and the success of students as they relate to academic and professional matters.

The Board of Directors shall establish written policies, procedures, and guidelines for caucuses, including their formation.

ARTICLE VII

Action

Section 1. Quorum

A quorum for the Board of Directors and all other committees is the majority of the voting members. A quorum for a plenary or special session of the Academic Senate for California Community Colleges is a majority of the Delegates registered. Quorum is required for any action to be taken.

Section 2. Resolution Process

The ASCCC shall establish and maintain means by which to adopt resolutions. Section 3. Referendum

1. Any action taken by the Board of Directors or any resolution adopted during a plenary session may be rescinded by a referendum of the Member Academic Senates, (see Article I, Section 1.C). The ASCCC must receive proposals to rescind within 30 days after the action at the Board meeting or the plenary session at which the resolution in question was

adopted. A proposal to rescind must be in the form of a Member Academic Senate resolution signed by the Member Academic Senate president. Such a referendum shall be held if at least one-fifth (1/5) of the Member Academic Senates request it within 30 days after the distribution of the approved minutes or adopted resolutions packet of the session at which the resolution was adopted.

1. Upon receipt of such requests from at least 1/5 of the Member Academic Senates, the President shall hold a vote on the referendum starting within 15 days of receiving the needed number of requests. Delegates will have 14 days [HOW LONG?] to participate in the election.
2. The referendum shall pass if 2/3 of all the Member Academic Senates vote in favor of it.
3. If the referendum is approved, then the Board action or resolution of the plenary session is rescinded and becomes null and void.

Section 4. Communications

In order to provide adequate communication with the faculty of the California community colleges, the ASCCC shall make available to all faculty agendas and minutes of its meetings, committee reports and other pertinent information on pending matters, except to the extent that said materials are privileged or confidential and not subject to disclosure pursuant to law.

ARTICLE VIII

Amendments of the Bylaws

Section 1. Proposal

Proposed amendments to these Bylaws shall become part of the plenary session agenda upon receipt by the President of a resolution in the form of:

* 1. A petition of one-fifth (1/5) of the Member Academic Senates, or
  2. A petition of the majority of the Board of Directors, or
  3. A petition presented before resolutions voting and signed by a majority of registered Delegates present at the general session at which it was proposed.

A petition under A or B above must be received in time to be noticed in writing to the Member Academic Senates for discussion at pre-plenary session area meetings.

Section 2. Ratification

The resolution for amending the Bylaws shall require a 2/3 vote of the registered Delegates present and voting at Plenary Session.

ARTICLE IX

ASCCC Rules

Section 1. ASCCC Rules

The Academic Senate for California Community Colleges shall adopt Rules to implement the intent and purposes of these Bylaws. In cases not provided for in the ASCCC Rules, the procedures contained in the most recent edition of Robert's Rules of Order Newly Revised, shall govern the meetings of the Board of Directors, plenary sessions, and ASCCC committees.

Section 2. Adoption

The resolution for adopting, amending, or rescinding the ASCCC Rules shall require a majority vote of the registered Delegates present and voting at Plenary Session.

ARTICLE X

Emergency Action

Section 1. Emergency Action

The Board of Directors or elected Officers (Article III) may, as permitted by Corporations Code Sections 7140 and 7151, take actions or conduct business as necessary to protect the interests of the ASCCC and its membership in the event of an emergency. A written record of all actions taken shall be maintained, and all such actions shall be subject to review by the ASCCC at its plenary session.