

**THE ACADEMIC SENATE FOR CALIFORNIA  
COMMUNITY COLLEGES, INC.  
BYLAWS**

OFFICIAL BYLAWS (4/20/2013)	PROPOSED CHANGES	BYLAWS AFTER CHANGES	RATIONALE
<p style="text-align: center;"><b>ARTICLE I</b> <b>Definitions</b></p> <p><u>Section 1. Definitions</u> The following terms are to be understood in the restrictive and technical sense herein defined.</p> <p>A. Faculty Member: Any employee of a community college district who is employed in an academic position that is not designated as supervisory or management.</p>		<p style="text-align: center;"><b>ARTICLE I</b> <b>Definitions</b></p> <p><u>Section 1. Definitions</u> The following terms are to be understood in the restrictive and technical sense herein defined.</p> <p>A. Faculty Member: Any employee of a community college district who is employed in an academic position that is not designated as supervisory or management.</p>	
<p>B. Academic Senate: 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).</p>		<p>B. Academic Senate: 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).</p>	
<p>C. Member Senate: A local academic senate or equivalent faculty organization certified by the Executive Committee of the Academic Senate for California Community Colleges.</p>	<p>C. Member Senate: A local academic senate or equivalent faculty organization certified by the <u>Board of Directors (commonly known as the Executive Committee)</u> of the</p>	<p>C. Member Senate: A local academic senate or equivalent faculty organization certified by the Board of Directors (commonly known as the Executive</p>	<p>ASCCC is a nonprofit organization that is subject to the laws for a nonprofit organization. The selected or elected leaders for a nonprofit organization is</p>

	Academic Senate for California Community Colleges.	Committee) of the Academic Senate for California Community Colleges.	usually known as the Board of Directors and the leadership group, the officers of ASCCC, are usually referred to as the Executive Committee. For the bylaws and the rules, the current Executive Committee will be referred to as the Board of Directors. This will clarify the legal responsibility of the elected representatives and reduce the chances that they are held legally or financially responsible for the organization.
D. Equivalent Faculty Organization: Any organization of faculty members which, where a local academic senate does not exist, has among its primary purposes those enumerated for an academic senate under Title 5 of the Administrative Code, and has been certified as a Member Senate by the Executive Committee of the Academic Senate for California Community Colleges.	D. Equivalent Faculty Organization: Any organization of faculty members which, where a local academic senate does not exist, has among its primary purposes those enumerated for an academic senate under Title 5 of the Administrative Code, and has been certified as a Member Senate by the <u>Board of Directors Executive Committee</u> of the Academic Senate for California Community Colleges.	D. Equivalent Faculty Organization: Any organization of faculty members which, where a local academic senate does not exist, has among its primary purposes those enumerated for an academic senate under Title 5 of the Administrative Code, and has been certified as a Member Senate by the Board of Directors of the Academic Senate for California Community Colleges.	Replaces the Executive Committee with the Board of Directors to be consistent with Article I, Section 1C.
E. Delegate: An individual who, (1) by reason of election as an officer or member of the Executive Committee or, (2) by selection by a Member Senate, enjoys full voting rights at both regular and special general 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.	E. Delegate: An individual who, (1) by reason of election as an officer or member of the <u>Board of Directors Executive Committee</u> or, (2) by selection by a Member Senate, enjoys full voting rights at both regular and special general 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.	E. 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 Senate, enjoys full voting rights at both regular and special general 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.	Replaces the Executive Committee with the Board of Directors to be consistent with Article I, Section 1C.

<p>F. Executive Committee: The officers and representatives elected by Delegates.</p>	<p><del>F. Executive Committee: The officers and representatives elected by Delegates.</del>  <u>Board of Directors: The officers and representatives elected by Delegates and the Executive Director as defined by California law (See Corporations Code Section 7210).</u></p>	<p>F. Board of Directors: The officers and representatives elected by Delegates and the Executive Director as defined by California law (See Corporations Code Section 7210).</p>	<p>This change is intended to indicate that the members of the executive committee and the executive director serve as the Board of Directors for ASCCC.</p>
	<p><u>G. Officers: President, Vice President, Treasurer, Secretary, and the Executive Director.</u></p>	<p>G. Officers: President, Vice President, Treasurer, Secretary, and the Executive Director.</p>	<p>Added new G. to make the bylaws consistent with action taken by the delegates via Resolution 1.01 F09. The Officers Committee is similar to an executive committee of other non-profit boards. The inclusion of the executive director is consistent with the position adopted in resolution 1.01 F09.</p>
<p>G. Senator Emeritus: A title conferred by the Academic Senate for the purpose of recognizing the meritorious service of a faculty member upon or after retirement.</p> <p>1. Criteria</p> <ul style="list-style-type: none"> <li>i. Emeritus status may be conferred upon a current or former faculty member</li> <li>ii. Who has completed at least five (5) years of significant service to the Academic Senate;</li> <li>iii. Who is recognized for exceptional contributions supporting the aims and functions of the Academic Senate; and</li> <li>iv. Who has retired or submitted intent to retire within six months of the nominating resolution.</li> </ul>	<p><del>G.</del> <u>H. Senator Emeritus: A title conferred by the Academic Senate for the purpose of recognizing the meritorious service of a faculty member upon or after retirement.</u></p> <p><del>i. Criteria</del></p> <ul style="list-style-type: none"> <li><del>1. Emeritus status may be conferred upon a current or former faculty member</del></li> <li><del>2. Who has completed at least five (5) years of significant service to the Academic Senate;</del></li> <li><del>3. Who is recognized for exceptional contributions supporting the aims and functions of the Academic Senate; and</del></li> <li><del>4. Who has retired or submitted</del></li> </ul>	<p>H. Senator Emeritus: A title conferred by the Academic Senate for the purpose of recognizing the meritorious service of a faculty member upon or after retirement.</p>	<p>The criteria for senator emeritus are being moved to policy where they are easier to modify. Criteria like these are not normally part of the bylaws. This change does not eliminate the recognition as a senator emeritus</p>

<p>2. Selection</p> <ul style="list-style-type: none"> <li>i. Senator emeritus status is conferred by resolution.</li> <li>ii. Resolutions for emeritus status must come from area meetings</li> </ul>	<p><del>intent to retire within six months of the nominating resolution.</del></p> <p><del>ii. Selection</del></p> <ul style="list-style-type: none"> <li><del>1. Senator emeritus status is conferred by resolution.</del></li> <li><del>2. Resolutions for emeritus status must come from area meetings</del></li> </ul>		
<p>H. Plenary Session: The bi-annual three-day event at which the Academic Senate conducts its business.</p> <p>H. General Session: A single scheduled meeting held during the plenary session. The number of General Sessions during a plenary session will be based on need.</p>	<p><del>H</del> I. Plenary Session: The bi-annual three-day event at which the Academic Senate conducts its business.</p> <p><del>I</del> J General Session: A single scheduled meeting held during the plenary session. The number of General Sessions during a plenary session will be based on need.</p>	<p>I. Plenary Session: The bi-annual three-day event at which the Academic Senate conducts its business.</p> <p>J General Session: A single scheduled meeting held during the plenary session. The number of General Sessions during a plenary session will be based on need.</p>	
<p style="text-align: center;"><b>ARTICLE II</b> <b>Membership</b></p> <p><u>Section 1. Membership</u> The academic senate of each of the California Community Colleges and the district academic senate of multi-college districts, or their equivalents, are Member Senates.</p> <p>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</p>	<p style="text-align: center;"><b>ARTICLE II</b> <b>Membership</b></p> <p><u>Section 1. Membership</u> The academic senate of each of the California Community Colleges and the district academic senate of multi-college districts, or their equivalents, are Member Senates.</p> <p>Any academic senate recognized by its local governing board as representing its faculty in academic and professional matters (as defined in</p>	<p style="text-align: center;"><b>ARTICLE II</b> <b>Membership</b></p> <p><u>Section 1. Membership</u> The academic senate of each of the California Community Colleges and the district academic senate of multi-college districts, or their equivalents, are Member Senates.</p> <p>Any academic senate recognized by its local governing board as representing its</p>	

<p>apply for status as a Member Senate. The Executive Committee will certify such academic senates as Member Senates upon verification of the following:</p> <ol style="list-style-type: none"> <li>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)).</li> <li>2. The applying senate has a constitution and/or bylaws approved by the faculty it represents.</li> <li>3. The governing board of the college or recognized center recognizes that organization as representing its constituency in academic and professional matters.</li> <li>4. If a district academic senate is a Member Senate, that district senate recognizes the applying academic senate as representing the faculty of the college or recognized center it claims to represent.</li> </ol>	<p>Title 5 §53200) may apply for status as a Member Senate. The <u>Board of Directors</u> <del>Executive Committee</del> will certify such academic senates as Member Senates upon verification of the following:</p> <ol style="list-style-type: none"> <li>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)).</li> <li>2. The applying senate has a constitution and/or bylaws approved by the faculty it represents.</li> <li>3. The governing board of the college or recognized center recognizes that organization as representing its constituency in academic and professional matters.</li> <li>4. <del>If a district academic senate is a Member Senate, that district senate recognizes the applying academic senate as representing the faculty of the college or recognized center it claims to represent.</del> <u>A district academic senate will be recognized as a Member Senate if the local governing board has recognized it as representing faculty in academic and professional matters on district issues.</u></li> </ol>	<p>faculty in academic and professional matters (as defined in Title 5 §53200) may apply for status as a Member Senate. The Board of Directors will certify such academic senates as Member Senates upon verification of the following:</p> <ol style="list-style-type: none"> <li>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)).</li> <li>2. The applying senate has a constitution and/or bylaws approved by the faculty it represents.</li> <li>3. The governing board of the college or recognized center recognizes that organization as representing its constituency in academic and professional matters.</li> <li>4. A district academic senate will be recognized as a Member Senate if the local governing board has recognized it as representing faculty in academic and professional matters on district issues.</li> </ol>	<p>Replaces the Executive Committee with the Board of Directors to be consistent with Article I, Section 1C.</p> <p>The language on district senates was revised to improve clarity. District senates should be formed in a similar way to a local senate and be recognized by the local governing board as the representative for district issues involving academic and professional matters.</p>
<p><u>Section 2. Delegates</u> Each Member Senate is entitled to designate any of its faculty members, in whatever manner it wishes, to be its one Delegate, who shall have full voting rights at each plenary session. The Delegate may transfer the responsibility for voting on resolutions, but not on elections, to a faculty member from the same district. Executive Committee members do not have the same</p>	<p><u>Section 2. Delegates</u> Each Member Senate is entitled to designate any of its faculty members, in whatever manner it wishes, to be its one Delegate, who shall have full voting rights at each plenary session. The Delegate may transfer the responsibility for voting on resolutions, but not on elections <u>after the elections have begun</u>, to a faculty member</p>	<p><u>Section 2. Delegates</u> Each Member Senate is entitled to designate any of its faculty members, in whatever manner it wishes, to be its one Delegate, who shall have full voting rights at each plenary session. The Delegate may transfer the responsibility for voting on resolutions, but not on elections after the</p>	<p>This edit clarifies that members of the Executive Committee are not permitted to transfer their voting rights to anyone else and that Member Senate delegates are able to transfer their voting power for resolutions to another faculty member from the same district. No delegate can transfer their voting authority for elections.</p>

<p>right to transfer this responsibility. No Delegate shall be entitled to more than one vote, and a vote cannot be cast by proxy. In the event of a challenge, the Executive Committee shall be the sole judge of the credentials of a Delegate.</p>	<p>from the same <u>district</u>. <u>Board of Directors members may not delegate any of their responsibilities or rights as a member of the Board except as is specifically permitted by law or these Bylaws. do not have the same right to transfer this responsibility.</u> No Delegate shall be entitled to more than one vote, and a vote cannot be cast by proxy. In the event of a challenge, the <u>Board of Directors Executive Committee</u> shall be the sole judge of the credentials of a Delegate.</p>	<p>elections have begun, to a faculty member from the same district. Board of Directors members may not delegate any of their responsibilities or rights as a member of the Board except as is specifically permitted by law or these Bylaws. No Delegate shall be entitled to more than one vote, and a vote cannot be cast by proxy. In the event of a challenge, the Board of Directors shall be the sole judge of the credentials of a Delegate.</p>	
<p><u>Section 3. Plenary Sessions</u> The Academic Senate for California Community Colleges shall meet in plenary session at least two times during each academic year.</p>	<p><u>Section 3. Plenary Sessions</u> The Academic Senate for California Community Colleges shall meet in plenary session <del>at least two times</del> <u>biannually</u> during each academic year.</p>	<p><u>Section 3. Plenary Sessions</u> The Academic Senate for California Community Colleges shall meet in plenary session <u>biannually</u> during each academic year.</p>	<p>Brings the bylaws in alignment with our current practice of holding two plenary sessions each year.</p>
<p style="text-align: center;"><b>ARTICLE III</b> <b>Officers</b></p> <p><u>Section 1. List of Officers</u> The officers of the Academic Senate shall include the President, Vice President, Secretary, and Treasurer. All officers shall be elected at a general session of the Academic Senate for California Community Colleges for one-year terms. The term of all officers shall be July 1 to June 30.</p>	<p style="text-align: center;"><b>ARTICLE III</b> <b>Officers</b></p> <p><u>Section 1. List of Officers</u> The officers of the Academic Senate shall include the President, Vice President, Secretary, <del>and Treasurer, and the Executive Director.</del> <u>All officers The President, Vice President, Secretary, and Treasurer shall be elected at a general session of the Academic Senate for California Community Colleges for one-year terms. The term of all elected officers shall be July June 1 – June May 30-31. The Board of Directors will hire the Executive Director.</u></p>	<p style="text-align: center;"><b>ARTICLE III</b> <b>Officers</b></p> <p><u>Section 1. List of Officers</u> The officers of the Academic Senate shall include the President, Vice President, Secretary, Treasurer, and the Executive Director. The President, Vice President, Secretary, and Treasurer shall be elected at a general session of the Academic Senate for California Community Colleges for one-year terms. The term of all elected officers shall be June 1 to May 31. The Board of Directors will hire the Executive Director.</p>	<p>To make the bylaws consistent with action taken by the delegates via Resolution 1.01 F09.</p> <p>The current term of office is from July 1 – June 30. Once executive committee members are elected, they begin their work very quickly and are responsible for attending orientation at the end of May and leading the Leadership Institute in June. The proposed change would allow the newly elected members to be official members of the executive committee and act on behalf of the organization.</p>

<p><u>Section 2. Vacancy in Office</u> A vacancy in office shall be filled in accordance with the Senate Rules.</p>	<p>Section 2. Vacancy in Office A vacancy in office shall be filled in accordance with the Senate Rules.</p>	<p>Section 2. Vacancy in Office A vacancy in office shall be filled in accordance with the Senate Rules.</p>	
<p><u>Section 3. President's Term</u> The President shall serve no more than two consecutive elected one-year terms.</p>	<p>Section 3. President's Term The President shall serve no more than two consecutive elected one-year terms.</p>	<p>Section 3. President's Term The President shall serve no more than two consecutive elected one-year terms.</p>	
	<p><u>Section 4: Officers' Powers and Duties</u></p> <p><u>A. The President shall</u></p> <ol style="list-style-type: none"> <li>1. <u>Oversee the preparation of the agenda for all plenary sessions and all meetings of The Board of Directors.</u></li> <li>2. <u>Preside over all plenary sessions and meetings of the Board of Directors.</u></li> <li>3. <u>Represent and act as the spokesperson for the Academic Senate and its Board of Directors.</u></li> <li>4. <u>Oversee the authorization of expenditures for the Academic Senate.</u></li> <li>5. <u>Appoint a parliamentarian, if desired, who shall serve at the pleasure of the President.</u></li> <li>6. <u>Perform any other function normally thought to be within the realm of a presiding officer that is otherwise not denied by the Bylaws, Senate Rules, or Senate Policies.</u></li> </ol>	<p>Section 4: Officers' Powers and Duties</p> <p>A. The President shall</p> <ol style="list-style-type: none"> <li>1. Oversee the preparation of the agenda for all plenary sessions and all meetings of The Board of Directors.</li> <li>2. Preside over all plenary sessions and meetings of the Board of Directors.</li> <li>3. Represent and act as the spokesperson for the Academic Senate and its Board of Directors.</li> <li>4. Appoint a parliamentarian who shall serve at the pleasure of the President.</li> <li>5. Perform any other function normally thought to be within the realm of a presiding officer that is otherwise not denied by the Bylaws, Senate Rules, or Senate</li> </ol>	<p>The duties of the officers are currently part of the senate rules, but they are usually part of the bylaws for a nonprofit organization like ASCCC. Moving these duties to the bylaws ensures that the any modifications to the officers' duties will require a 2/3 vote of the delegates present at a plenary session.</p> <p>The duties of the Executive Director are not part of the bylaws because he/she is hired by the Board of Directors, not elected by the delegates.</p>

B. 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 such functions as the President assigns to assist in carrying out the purposes and policies of the Academic Senate.

C. The Secretary shall

1. Oversee the keeping records of actions by the Board of Directors, including the overseeing the taking of minutes at board meetings and plenary sessions.
2. Oversee the accuracy and presentation of minutes of all plenary sessions and Board of Directors meetings and their dissemination.
3. Perform such functions as the President assigns to assist in carrying out the purposes and policies of the Academic Senate.

D. The Treasurer shall

1. Serve as an authorized signatory on all accounts.
2. Shall, 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 may be required by the Board of Directors.

Policies.

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3. Perform such functions as the President assigns to assist in carrying out the purposes and policies of the Academic Senate.

C. The Secretary shall

1. Be responsible for keeping records of actions by the Board of Directors, including the overseeing the taking of minutes at board meetings and plenary sessions.
2. Be responsible for the accuracy and presentation of minutes of all plenary sessions and Board of Directors meetings and their dissemination.
3. Perform such functions as the President assigns to assist in carrying out the purposes and policies of the Academic Senate.

D. The Treasurer shall

1. Serve as an authorized signatory on all accounts.
2. Shall, in conjunction with the Executive Director, oversee the budget preparation and shall ensure that appropriate financial reports are made available to the



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 such functions as the President assigns in carrying out the purposes and policies of the Academic Senate.

E. The Executive Director

1. The Board of Directors shall employ an Executive Director to conduct day to day management, supervise (including hiring, evaluation and termination) employed staff and contractors (except contractors, such as auditors and attorneys, who may report directly to the Board of Directors in some circumstances), and manage the office of the Senate.
2. The Board of Directors shall select an Executive Director pursuant to a majority vote at a regularly scheduled or special meeting. The Executive Director shall report to, and be evaluated by, the Board of Directors. The evaluation may be delegated by the Board of Directors to one or more members of the Board, for final review and approval by the Board.
3. 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 President must review the

Board of Directors on a timely basis or as may be required by the Board of Directors.

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 such functions as the President assigns in carrying out the purposes and policies of the Academic Senate.

E. The Executive Director

1. The Board of Directors shall employ an Executive Director to conduct day to day management of the Senate.
2. The Board of Directors shall select an Executive Director pursuant to a majority vote at a regularly scheduled or special meeting.
3. 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 President must review the contract with the Executive Director and receive advice from a qualified attorney as to any legal consequences of this decision.

	<p><u>contract with the Executive Director and receive advice from a qualified attorney as to any legal consequences of this decision.</u></p> <p>4. <u>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.</u></p>	<p>4. 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.</p>	
<p><b>ARTICLE IV</b> <b>Executive Committee</b></p> <p><u>Section 1. Membership</u> The Executive Committee shall consist of the officers and ten representatives. All Executive Committee members must retain their faculty status to continue in office.</p>	<p><b>ARTICLE IV</b> <del>Executive Committee</del> <b>Board of Directors</b></p> <p><u>Section 1. Membership</u> The <del>Executive Committee</del> <u>Board of Directors</u> shall consist of the officers and ten representatives. All <u>elected Board of Directors</u> <del>Executive Committee</del> members must retain their faculty status to continue in office.</p>	<p><b>ARTICLE IV</b> <b>Board of Directors</b></p> <p><u>Section 1. Membership</u> The Board of Directors shall consist of the officers and ten representatives. All elected Board of Directors members must retain their faculty status to continue in office.</p>	<p>To make the bylaws consistent with action taken by the delegates via Resolution 1.01 F09 and Corporation Law.</p>
<p><u>Section 2. Selection and Term</u> All candidates for election to the Executive Committee shall meet at least one of these criteria: 1) is a Delegate or a local senate president 2) has within the last three years immediately preceding the election been a local senate president or an Executive Committee member or officer or 3) has been nominated by a resolution of a Member Senate. The minutes of the meeting at which that resolution was adopted must be submitted to the Elections Committee chair with the nomination of the individual. All members of the Executive Committee, except the officers, shall be elected by the plenary session on the basis of geographic representation as prescribed in the Senate Rules and shall serve for two-year staggered terms. Terms of office shall commence on July 1 and</p>	<p><u>Section 2. Selection and Term</u> All candidates for election to the <u>Board of Directors</u> <del>Executive Committee</del> shall meet at least one of these criteria: 1) is a Delegate or a local senate president 2) has within the last three years immediately preceding the election been a local senate president or a <u>Board of Directors</u> <del>Executive Committee</del> member or officer or 3) has been nominated by a resolution of a Member Senate. The minutes of the meeting at which that resolution was adopted must be submitted to the Elections Committee chair with the nomination of the individual. All members of the <u>Board of Directors</u> <del>Executive Committee</del>, except the officers, shall be elected by the plenary session on the basis of geographic representation as</p>	<p><u>Section 2. Selection and Term</u> All candidates for election to the Board of Directors shall meet at least one of these criteria: 1) is a Delegate or a local senate president 2) has within the last three years immediately preceding the election been a local senate president or a Board of Directors member or officer or 3) has been nominated by a resolution of a Member Senate. The minutes of the meeting at which that resolution was adopted must be submitted to the Elections Committee chair with the nomination of the individual. All members of the Board of Directors, except the officers, shall be elected by the plenary session on the basis of geographic</p>	<p>The current term of office is from July 1 – June 30. Once executive committee members are elected, they begin their work very quickly and are responsible for attending orientation at the end of May and leading the Leadership Institute in June. The proposed change would allow the newly elected members to be official members of the executive committee and act on behalf of the organization.</p>

<p>end on June 30.</p>	<p>prescribed in the Senate Rules and shall serve for two-year staggered terms. Terms of office shall commence on <del>June</del> <u>July</u> 1 and end on <del>May</del> <u>June</u> 31.</p>	<p>representation as prescribed in the Senate Rules and shall serve for two-year staggered terms. Terms of office shall commence on June 1 and end on May 31.</p>	
<p><u>Section 3. Voting</u> All members of the Executive Committee shall have full voting privileges in the Executive Committee.</p>	<p><u>Section 3. Voting</u> All members of the <del>Executive Committee Board</del> <u>Board of Directors</u> shall have full voting privileges <del>on the Board of Directors Executive Committee.</del> <u>Proxies shall not be permitted.</u></p>	<p><u>Section 3. Voting</u> All members of the Board of Directors shall have full voting privileges on the Board of Directors. Proxies shall not be permitted.</p>	<p>Only board members present at executive committee meetings are able to vote. Proxy votes are not permitted. In the past, the Executive Director has been a non-voting member of the Executive Committee. AB2755 (effective January 1, 2015) requires that Directors of nonprofit organizations be voting members of the Board. The bylaws are being revised to comply with this change in nonprofit law to grant a vote to the Executive Director at all meetings of the Board of Directors. This change does not make the Executive Director a delegate at a plenary session.</p>
<p><u>Section 4. Vacancy in Office</u> A vacancy in office shall be filled in accordance with the Senate Rules.</p> <p><u>Section 5. Meeting</u> The Executive Committee shall meet no fewer than five times each academic year.</p> <p><u>Section 6. Powers and Duties</u> The Executive Committee shall adopt procedures, implement policies adopted at the plenary sessions, transact business, and perform other functions that are not inconsistent with the intent, purposes, and provisions of the Bylaws and Senate Rules.</p>	<p><u>Section 4. Vacancy in Office</u> A vacancy in office shall be filled in accordance with the Senate Rules.</p> <p><u>Section 5. Meeting</u> The Board of Directors <del>Executive Committee</del> shall meet no fewer than five times each academic year. <u>All meetings of the Board of Directors will be held in compliance with the California Open Meetings Law.</u></p> <p><u>Section 6. Powers and Duties</u> The <del>Board of Directors Executive Committee</del> shall adopt procedures, implement policies adopted at the plenary sessions, transact business, and perform other functions that are <del>not in</del> consistent with the intent, purposes, and</p>	<p><u>Section 4. Vacancy in Office</u> A vacancy in office shall be filled in accordance with the Senate Rules.</p> <p><u>Section 5. Meeting</u> The Board of Directors shall meet no fewer than five times each academic year. All meetings of the Board of Directors will be held in compliance with the California Open Meetings Law.</p> <p><u>Section 6. Powers and Duties</u> 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</p>	<p>All meetings of the executive committee will be conducted in accordance with the California Open Meetings Law. This change addresses resolution 1.03 S14.</p>

	provisions of the Bylaws and Senate Rules.	the Bylaws and Senate Rules.	
	<p><u>Section 7. Action in Conflict with Past Positions</u></p> <p><u>The Board of Directors may take action in conflict with an adopted position outside of plenary session if 2/3 of delegates of the Member Senates shall individually or collectively consent in writing to such action in the manner consistent with these Bylaws.</u></p>	<p><u>Section 7. Action in Conflict with Past Positions.</u></p> <p>The Board of Directors may take action in conflict with an adopted position outside of plenary session if 2/3 of delegates of the Member Senates shall individually or collectively consent in writing to such action in the manner consistent with these Bylaws.</p>	To address a situation where the body has taken one position but more information is now available which would require a change in position.
	<p><u>Section 8. Removal</u></p> <p><u>Removal of a member of the Board of Directors shall follows procedures outlined in the Senate Rules.</u></p>	<p><u>Section 8. Removal</u></p> <p>Removal of a member of the Board of Directors shall follows procedures outlined in the Senate Rules.</p>	A procedure for the removal of an elected executive committee member is being drafted based on Robert's Rules. Currently, executive committee members cannot be removed from office; they can only be defeated in the next election.
<p align="center"><b>ARTICLE V</b></p> <p align="center"><b>Committees and Appointments</b></p> <p><u>Section 1. Committees</u> Standing committees shall be specified in the Senate Rules. Subject to the approval of the Executive Committee, the President shall create all other committees and make appointments to all committees.</p>	<p align="center"><b>ARTICLE V</b></p> <p align="center"><b>Committees and Appointments</b></p> <p><u>Section 1. Committees</u> Standing committees shall be specified in the Senate Rules. Subject to the approval of the <del>Board of Directors Executive Committee</del>, the President shall create all other <u>Senate committees</u> and make appointments to all <u>standing committees, subject to ratification by the Board of Directors.</u></p> <p><u>The President, in consultation with the Vice President and Executive Director, makes appointments to all other groups requiring faculty participation. When a new President is elected but has not taken office, the newly elected President will make appointments for</u></p>	<p align="center"><b>ARTICLE V</b></p> <p align="center"><b>Committees and Appointments</b></p> <p><u>Section 1. Committees</u> Standing committees shall be specified in the Senate Rules. Subject to the approval of the Board of Directors, the President shall create all other <u>Senate committees</u> and make appointments to all standing committees.</p> <p>The President, in consultation with the Vice President and Executive Director, makes appointments to all other groups requiring faculty participation. When a new President is elected but has not taken office, the newly elected President will make appointments for faculty that will</p>	<p>When this section of the bylaws was originally drafted, the majority of appointments were to the ASCCC standing committees. The President in collaboration with the Committee Chair, Vice President, and Executive Director, makes appointments to standing committees. All standing committee appointments are brought to the Executive Committee for approval, usually in August.</p> <p>In recent years, there have been many appointments that have been needed and there is often a short time between the request coming to the ASCCC office for faculty and the first meeting. This year, ASCCC has appointed more than 100 faculty to serve on groups for the</p>

	<u>faculty that will serve past May 31. These appointments are confirmed after consultation with the appointee's Member Senate President.</u>	serve past May 31. These appointments are confirmed after consultation with the appointee's Member Senate President.	Chancellor's Office and the three technology initiatives. There is no way to predict when these requests will come and the ASCCC needs to be able to respond quickly. Explicitly giving this authority to the President allows these appointments to be made to ensure that the faculty voice is present in all meetings where the faculty perspective must be represented.  When a new President has been elected, there has been a question about whether appointments should be made by the current President or the newly elected one. This change clarifies that the newly elected President should select faculty appointees that will continue to serve beyond the end of the current President's term.
<u>Section 2. Committee Chair</u> The Chair of each committee shall be selected for that position by the President with the approval of the Executive Committee.	<u>Section 2. Committee Chair</u> The Chair of each standing committee is a <u>member of the Board of Directors</u> shall be selected for that position by the President with the approval of the Board of Directors.	<u>Section 2. Committee Chair</u> The Chair of each standing committee is a member of the Board of Directors selected by the President.	Standing committee chairs are always members of the Executive Committee. Faculty that are not Board members are often selected to serve as the chairs of task forces, Chancellor's Office Advisory Groups, and other ad hoc committees.
<u>Section 3. Special Assignments</u> With the approval of the Executive Committee, the President may assign individuals special tasks.	<u>Section 3. Special Assignments</u> <del>With the approval of the Board of Directors,</del> The President may assign individuals special tasks.	<u>Section 3. Special Assignments</u> The President may assign individuals special tasks.	Special tasks often occur during the summer or other periods when the Executive Committee is not scheduled to meet. These tasks need to be addressed quickly, so the President needs the authority to assign the task to ensure that all necessary work is being done.
<u>Section 4. Terms and Removal</u> The terms of all persons appointed to committees or	<u>Section 4. Terms and Removal</u> The terms of all persons appointed to committees	<u>Section 4. Terms and Removal</u> The terms of all persons appointed to	All appointments are typically for one year. There have been many occasions where

<p>special assignments shall be for one year or any shorter period specified by the President. No person may serve more than two consecutive terms on any one committee unless such appointment is approved by the Executive Committee. Any appointee can be removed by a simple majority vote of the Executive Committee.</p>	<p>or special assignments shall be for one year or any shorter period specified by the President. No person may serve more than two consecutive terms on any one committee unless the President or the Board of Directors <del>Executive Committee</del> approves <del>such</del> the appointment. Any appointee can be removed by a simple majority vote of the Executive Committee</p>	<p>committees or special assignments shall be for one year or any shorter period specified by the President. No person may serve more than two consecutive terms on any one committee unless President or the Board of Directors approves the appointment. Any appointee can be removed by a simple majority vote of the Board of Directors.</p>	<p>faculty will be invited to serve for a second year, but the one year term of service gives more faculty the opportunity to serve at the statewide level.</p>
<p style="text-align: center;"><b>ARTICLE VI Caucus</b></p> <p>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 feel are of vital importance to faculty and the success of students as they relate to academic and professional matters.</p> <p>The Executive Committee shall establish procedures and guidelines for caucuses that will be posted on the Academic Senate web site. A least ten members from at least four different colleges and at least two districts with common goals and/or interests may form a caucus by sending a letter to the President, including its name, statement of purpose, and list of members. Recognition as a caucus shall be achieved by verification by the Executive Committee that the caucus' goals and purpose are related to academic and professional matters and notification to the body through normal communication channels. Each May, caucuses will inform the President of their intent to remain active and provide a current list of membership. If a caucus fails to alert the President of the desire to stay active, the</p>	<p style="text-align: center;"><b>ARTICLE VI Caucus</b></p> <p>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 feel are of vital importance to faculty and the success of students as they relate to academic and professional matters.</p> <p>The <u>Board of Directors</u> <del>Executive Committee</del> shall establish procedures and guidelines for caucuses <u>in policy</u>. <del>that will be posted on the Academic Senate web site. A least ten members from at least four different colleges and at least two districts with common goals and/or interests may form a caucus by sending a letter to the President, including its name, statement of purpose, and list of members. Recognition as a caucus shall be achieved by verification by the</del> <u>Board of Directors</u> <del>Executive Committee</del> that the caucus' goals and purpose are related to academic and professional matters and notification to the body through normal</p>	<p style="text-align: center;"><b>ARTICLE VI Caucus</b></p> <p>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 feel are of vital importance to faculty and the success of students as they relate to academic and professional matters.</p> <p>The Board of Directors shall establish procedures and guidelines for caucuses in policy.</p>	<p>This will move the guidelines for caucuses into policy, meaning that a 2/3 vote would no longer be required to modify them.</p>

<p>caucus shall be disbanded and a new letter of intent will need to be created to re-establish a new caucus. The intent is to have caucuses that are active and represent current faculty in California community colleges. Caucus chairs should be elected annually at the first fall meeting of the caucus and submit meeting minutes to the Senate Office.</p>	<p><del>communication channels. Each May, caucuses will inform the President of their intent to remain active and provide a current list of membership. If a caucus fails to alert the President of the desire to stay active, the caucus shall be disbanded and a new letter of intent will need to be created to re-establish a new caucus. The intent is to have caucuses that are active and represent current faculty in California community colleges. Caucus chairs should be elected annually at the first fall meeting of the caucus and submit meeting minutes to the Senate Office.</del></p>		
<p style="text-align: center;"><b>ARTICLE VII Action</b></p> <p><u>Section 1. Quorum</u> A quorum for the conduct of the Executive Committee and all other committees shall consist of a number equal to the majority of the membership. A quorum for the conduct of a plenary or special session of the Academic Senate for California Community Colleges shall be a majority of the Delegates registered.</p> <p><u>Section 2. Resolution Process</u> The Academic Senate shall establish and maintain means by which to adopt resolutions.</p>	<p style="text-align: center;"><b>ARTICLE VII Action</b></p> <p><u>Section 1. Quorum</u> A quorum for the <del>conduct of the Executive Committee</del> Board of Directors and all other committees <del>is shall consist of a number equal to</del> the majority of the voting membership. A quorum for the <del>conduct of</del> a plenary or special session of the Academic Senate for California Community Colleges <del>is shall be</del> a majority of the Delegates registered. <u>Quorum is required for any action to be taken.</u></p> <p><u>Section 2. Resolution Process</u> The Academic Senate shall establish and maintain means by which to adopt resolutions.</p>	<p style="text-align: center;"><b>ARTICLE VII Action</b></p> <p><u>Section 1. Quorum</u> 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.</p> <p><u>Section 2. Resolution Process</u> The Academic Senate shall establish and maintain means by which to adopt resolutions.</p>	<p>This clarifies that a quorum is determined based on the actual number of persons on the committee, not including committee positions that are vacant at the time.</p>
<p><u>Section 3. Referendum</u> A. Any adopted resolution of the Academic Senate for California Community Colleges may be</p>	<p><u>Section 3. Referendum</u> A. <u>Any action taken by the Board of Directors or Any resolution adopted during a plenary</u></p>	<p><u>Section 3. Referendum</u> A. Any action taken by the Board of Directors or any resolution adopted</p>	<p>This attempts to streamline the referendum process to allow the delegates to take action. Under the previous definitions, the</p>

<p>rescinded by a referendum of the Member Senates, (see Article I, Section 1.C). The Academic Senate must receive proposals to rescind within 60 days after the plenary session at which the resolution in question was adopted. A proposal to rescind must be in the form of a Member Senate resolution signed by the Member Senate president. Such a referendum shall be held if at least one-fifth (1/5) of the Members request it within 60 days after the mailing of the adopted resolutions packet of the session at which the resolution was adopted.</p> <p>B. Upon receipt of such requests from at least 1/5 of the members, the President shall mail ballots on the referendum to each Member Senate within 30 days of receiving the needed number of requests.</p>	<p>session may be rescinded by a referendum of the Member Senates, (see Article I, Section 1.C). The Academic Senate must receive proposals to rescind within <u>30 60</u> days after the <u>action at the Board meeting or the</u> plenary session at which the resolution in question was adopted. A proposal to rescind must be in the form of a Member Senate resolution signed by the Member Senate president. Such a referendum shall be held if at least one-fifth (1/5) of the Member Senates request it within <u>30 60</u> days after the <u>mailing distribution of the approved minutes or</u> adopted resolutions packet of the session at which the resolution was adopted.</p> <p>B. Upon receipt of such requests from at least 1/5 of the Member Senates, the President shall <u>distribute mail</u> ballots on the referendum to each Member Senate within <u>30 15</u> days of receiving the needed number of requests.</p>	<p>during a plenary session may be rescinded by a referendum of the Member Senates, (see Article I, Section 1.C). The Academic Senate 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 Senate resolution signed by the Member Senate president. Such a referendum shall be held if at least one-fifth (1/5) of the Member 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.</p> <p>B. Upon receipt of such requests from at least 1/5 of the Member Senates, the President shall distribute ballots on the referendum to each Member Senate within 15 days of receiving the needed number of requests.</p>	<p>referendum process would take so long that it would likely be time for the next plenary session, defeating the purpose of having a referendum process. The referendum process would overturn a previously adopted position, so it requires a 2/3 vote just like the overturning of a previously adopted position.</p>
<p>C. Ballots must be returned to the Academic Senate within 90 days from the day the ballots were mailed. The referendum shall pass if the majority of all the Member Senates vote in favor of it. The Academic Senate Resolutions chair will certify the results.</p> <p>D. If the referendum is approved, then the resolution of the plenary session is rescinded and becomes null and void.</p>	<p>C. Ballots must be returned <del>to the Academic Senate</del> within <u>90 30</u> days from the day the ballots were mailed. The referendum shall pass if <del>the majority 2/3</del> of all the Member Senates vote in favor of it. <del>The Academic Senate Resolutions chair will certify the results.</del></p> <p>D. If the referendum is approved, then the <u>Board action or</u> resolution of the plenary</p>	<p>C. Ballots must be returned within 30 days from the day the ballots were mailed. The referendum shall pass if 2/3 of all the Member Senates vote in favor of it.</p> <p>D. If the referendum is approved, then the Board action or resolution of the plenary session is rescinded and becomes null and void.</p>	



	session is rescinded and becomes null and void.		
<p><u>Section 4. Communications</u> In order to provide adequate communication with the faculty of the California Community Colleges, the Academic Senate shall make available to all faculty agendas and minutes of its meetings, committee reports and other pertinent information on pending matters.</p>	<p><u>Section 4. Communications</u> In order to provide adequate communication with the faculty of the California Community Colleges, the Academic Senate shall make available to all faculty agendas and minutes of its meetings, committee reports and other pertinent information on pending matters, <u>except to the extent that said materials are privileged or confidential and not subject to disclosure pursuant to law, including the California Open Meetings Law.</u></p>	<p><u>Section 4. Communications</u> In order to provide adequate communication with the faculty of the California Community Colleges, the Academic Senate 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, including the California Open Meetings Law.</p>	<p>All agendas and minutes of the Executive Committee and meetings of standing committees will be available to the public except when those materials are confidential.</p>
<p style="text-align: center;"><b>ARTICLE VIII</b> <b>Amendments of the Bylaws</b></p> <p><u>Section 1. Proposal</u> 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:</p> <ul style="list-style-type: none"> <li>A. A petition of one-fifth (1/5) of the Member Senates, or</li> <li>B. A petition of the majority of the Executive Committee, or</li> <li>C. A petition presented at any of the first four general sessions and signed by a majority of registered Delegates present at the general session at which it was proposed.</li> </ul> <p>A petition under A or B above must be received in time to be noticed in writing to the Member Senates for discussion at pre-plenary session area meetings.</p>	<p style="text-align: center;"><b>ARTICLE VIII</b> <b>Amendments of the Bylaws</b></p> <p><u>Section 1. Proposal</u> 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:</p> <ul style="list-style-type: none"> <li>A. A petition of one-fifth (1/5) of the Member Senates, or</li> <li>B. A petition of the majority of the Executive Committee, or</li> <li>C. A petition presented at any of the first four general sessions and signed by a majority of registered Delegates present at the general session at which it was proposed.</li> </ul> <p>A petition under A or B above must be received in time to be noticed in writing to the Member Senates for discussion at pre-plenary session area</p>	<p style="text-align: center;"><b>ARTICLE VIII</b> <b>Amendments of the Bylaws</b></p> <p><u>Section 1. Proposal</u> 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:</p> <ul style="list-style-type: none"> <li>A. A petition of one-fifth (1/5) of the Member Senates, or</li> <li>B. A petition of the majority of the Executive Committee, or</li> <li>C. A petition presented at any of the first four general sessions and signed by a majority of registered Delegates present at the general session at which it was proposed.</li> </ul> <p>A petition under A or B above must be received in time to be noticed in writing to the Member Senates for discussion at pre-</p>	<p>The requirement of the 2/3 vote is consistent with previous practice and is now being specified in the bylaws. It is</p>

<p><u>Section 2. Ratification</u> The resolution for amending the Bylaws shall require a two-thirds (2/3) vote of the registered Delegates present and voting.</p>	<p>meetings.</p> <p><u>Section 2. Ratification</u> The resolution for amending the Bylaws shall require a <u>two-thirds (2/3)</u> vote of the registered Delegates present and voting.</p>	<p>plenary session area meetings.</p> <p><u>Section 2. Ratification</u> The resolution for amending the Bylaws shall require a 2/3s vote of the registered Delegates present and voting.</p>	<p>also consistent with the position taken during the voting at the Fall 2014 plenary session.</p>
<p style="text-align: center;"><b>ARTICLE IX Procedures</b></p> <p><u>Section 1. Senate Rules</u> 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 Senate Rules, the procedures contained in Robert's Rules of Order, Newly Revised, shall govern the meetings of the plenary sessions and Senate committees.</p> <p><u>Section 2. Adoption</u> Senate Rules shall be adopted by resolution. Senate Rules may be changed by resolution.</p>	<p style="text-align: center;"><b>ARTICLE IX <u>Senate Rules Procedures</u></b></p> <p><u>Section 1. Senate Rules</u> 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 Senate Rules, the procedures contained in Robert's Rules of Order, Newly Revised, shall govern the meetings of the plenary sessions and Senate committees.</p> <p><u>Section 2. Adoption</u> Senate Rules <del>may shall</del> be adopted, amended or rescinded by <del>resolution</del> <u>action of the Academic Senate acting in Pplenary Ssession.</u> <del>Senate Rules may be changed by resolution.</del></p>	<p style="text-align: center;"><b>ARTICLE IX Senate Rules</b></p> <p><u>Section 1. Senate Rules</u> 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 Senate Rules, the procedures contained in Robert's Rules of Order, Newly Revised, shall govern the meetings of the plenary sessions and Senate committees.</p> <p><u>Section 2. Adoption</u> Senate Rules may be adopted, amended or rescinded by action of the Academic Senate acting in plenary session.</p>	<p>This clarifies that the Senate acting in plenary session enact Senate Rules.</p>
	<p style="text-align: center;"><b>ARTICLE X <u>Emergency Action</u></b></p> <p><u>Section 1. Emergency Action</u> 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 Academic Senate and its membership in the event of an emergency. A</p>	<p style="text-align: center;"><b>ARTICLE X Emergency Action</b></p> <p><u>Section 1. Emergency Action</u> 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 Academic Senate and its membership in</p>	<p>This reflects a new provision of California law that allows governance to be streamlined in the event of an emergency, as may be necessary to protect ASCCC.</p>

	<p><u>written record of all actions taken shall be maintained, and all such actions shall be subject to review by the Academic Senate at its plenary session.</u></p>	<p>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 Academic Senate at its plenary session.</p>	
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