

**EVERGREEN VALLEY COLLEGE
ACADEMIC SENATE BY-LAWS**

*Formed pursuant to Title V, Section 53200-53205 of the
Administrative Code of the California Community Colleges.*

Article I - Name and Definitions

Section 1. Name

The organization shall be known as the Evergreen Valley College Academic Senate, referred to in these by-laws as the Academic Senate.

Section 2. Electorate

The electorate shall be all tenured, tenure-track, non-tenure-track full-time categorical, and adjunct faculty members.

Section 3. Faculty and Faculty Member

A faculty member shall be any certificated employee of Evergreen Valley College who is employed in an academic position that is not designated as a supervisory, management or administrative position. Reassigned time responsibilities will not affect membership.

Section 4. Tenured and Tenure-Track Faculty

Tenured and tenure-track faculty refers to those members of the faculty who have been granted tenure by the San Jose/Evergreen Community College District or are currently engaged in the district tenure review process

Section 5. Non-Tenure-Track Full-Time Categorical Faculty

Non-tenure-track full-time categorical faculty refers to those members of the faculty who are employed in a full-time faculty position provided for by annual or longer term categorical funding and are not tenured or engaged in the district tenure review process. These faculty members will be referred to in these by-laws as contract faculty.

Section 6. Adjunct Faculty

Adjunct faculty refers to those members of the faculty, full time or part time, who are not tenured, tenure-track, or contract faculty.

Section 7. Division

Division refers to an academic or administrative area as defined by the Academic Senate.

Article II - Purpose

Section 1. Role and Responsibility

The primary function of the Academic Senate is to represent the faculty and make recommendations in its behalf with respect to academic and professional matters.

Section 2. Academic and Professional Matters

Academic and professional matters include policy development and implementation in the following areas:

- A. Curriculum, including establishing advisories, prerequisites, and placing courses within specific disciplines;
- B. Degree and certificate requirements;
- C. Grading policies;
- D. Educational program development;
- E. Standards or policies regarding student preparation and success;
- F. District and college governance structures, as related to faculty roles;
- G. Faculty roles and involvement in accreditation processes, including self-study and annual reports;
- H. Policies for faculty professional development activities;
- I. Processes for program review;
- J. Processes for institutional planning and budget development;
- K. Other academic and professional matters as mutually agreed upon between the governing board and the Academic Senate.

Article III - Membership and Elections

Section 1. Academic Senate Membership

The Academic Senate shall consist of:

- A. Division representatives elected by and from the tenured and tenure-track, and contract faculty of each division at EVC. If a division has assigned to it fewer than twenty tenured and tenure-track, and contract faculty members, the division shall elect one senator. If the division has assigned to it twenty or more tenured and tenure-track, and contract faculty members, the division shall elect two senators.
 - (1) Faculty members serving in more than one division must decide in which one division they will vote and be represented in April when division representatives to the Senate are elected.

- B. Two at-large representatives elected by and from the tenured and tenure-track, and contract faculty at Evergreen Valley College
- C. Three adjunct representatives elected by and from the adjunct faculty at Evergreen Valley College
- D. The Academic Senate President
- E. The Immediate Past-President of the Academic Senate, as an ex-officio, is not a voting member of the Senate

Section 2. Elections and Terms of Office

A. Division Representatives

- (1) Elections for division and At-Large representatives shall be conducted in April. The term of office will be two academic years. In the event a division must elect two representatives in the same election cycle, one senator shall be elected to serve a two-year term and one senator shall be elected to serve a one-year term to institute staggered elections for the division. The intent of alternating senate elections is to provide for some continuity in senate membership.
- (2) Each division elections will be administered by the senator(s) currently serving for that division. Votes in any contested election must be cast by secret ballot. Senators shall report the results of their division elections to the Senate as soon as possible but no later than the next regularly scheduled senate meeting following the division election.
- (3) In the event a division lacks a serving senator, the Senate President or another senator designated by the President shall administer that division's election.

B. At-Large Representatives

- (1) Two members of the tenured and tenure-track, and contract faculty will be elected at large. Terms will be for two-years, staggered, and start the following academic year. Elections will take place in April or as soon as possible after the start of the following academic year.
- (2) Three members of the adjunct faculty will be elected at large. Terms will be for two years from the time of the announcement of the election results of the present academic year. Elections will take place in September or as soon as possible after the start of the academic year.

Article IV - Senate Officers

Section 1. Officers and Duties

- A. Academic senate officers shall be President, Vice President, Treasurer, Immediate Past-President, Parliamentarian, and other officers the Academic Senate deems necessary to conduct its business.
- B. The duties of the officers shall be as described below, plus such other duties as assigned by the Academic Senate.
 - (1) President
 - (a) The President shall organize and preside over all meetings of the Academic Senate, and shall see that all meetings are held in compliance with applicable open-meeting legislation (e.g., Brown Act), parliamentary procedures and senate policies. These duties shall include the preparation and distribution of meeting agendas, minutes and reports.
 - (b) The President or the president's designee shall attend all meetings of the Board of Trustees.
 - (c) The President shall act as liaison between the Academic Senate and all other constituent groups within the district, including campus administration, district administration, and the Board of Trustees.
 - (d) The President or, with Academic Senate confirmation, the president's designee shall serve as voting delegate at all state academic senate plenary sessions, and represent the Academic Senate at all state academic senate area meetings.
 - (e) The President shall represent the Academic Senate and be responsible for other duties as deemed necessary and appropriate by the Academic Senate.
 - (f) The President is a non-voting member except whenever his or her vote will affect the result. (If a majority vote is required and there is a tie, he or she may vote in the affirmative to cause the motion to prevail. If there is one more in the affirmative than in the negative, the chair can create a tie by voting in the negative to cause a motion to fail. Similarly, if a two-thirds vote is required, he or she may vote either to cause, or to block, attainment of the necessary two thirds.)
 - (g) Serve as the official spokesperson and advocate for the faculty in academic and professional matters. Work to resolve concerns of individual faculty members or to refer faculty members to the bargaining unit on matters when appropriate.
 - (h) Advocate for appropriate Curriculum Committee and Staff Development funding.

- (i) Register Senate endorsement of certain important documents sent to relevant authorities, e.g. Matriculation Plan, Accreditation-Self Study and Annual Report.
 - (j) Archive the Senate's historical records.
 - (k) Develop recommendations relating to academic and professional matters in consultation with the Academic Senate for presentation to the Board.
 - (l) Assure adequate resources for the Senate and manage them.
- (2) Vice President
- (a) Should the office of President become vacant the Vice President shall assume the office and duties of President for the remaining term of office.
 - (b) In the absence of the President the Vice President shall preside over meetings of the Academic Senate or assume other duties of the President as directed by the Academic Senate.
 - (c) The Vice President shall assist the President with regular senate business and special projects.
 - (d) The Vice President shall represent the Academic Senate or be responsible for other duties as deemed necessary and appropriate by the Senate.
- (3) Treasurer
- (a) The Treasurer shall be responsible for the collection and disbursement of senate monies, including those for dues, the academic senate scholarship, and any other funds established by the Academic Senate.
 - (b) The Treasurer shall regularly submit a written statement of account to the Academic Senate for all senate funds.
 - (c) The Treasurer shall assist the President with regular senate business and special projects.
 - (d) The Treasurer shall represent the Academic Senate or be responsible for other duties as deemed necessary and appropriate by the Senate.
- (4) Immediate Past-President
- (a) The Immediate Past-President shall serve as a reference and resource for the President and the Academic Senate.

- (b) In the absence of the President and the Vice President, the Immediate Past-President shall preside over meetings of the Academic Senate or assume other duties of the President as directed by the Academic Senate.
- (c) The Immediate Past-President may assist the President with regular senate business and special projects.
- (d) The Immediate Past-President may represent the Academic Senate or be responsible for other duties as deemed necessary and appropriate by the Senate.

Section 2. Officer Elections and Terms of Office

A. Terms of office for President, Vice President, and Treasurer.

- (1) The Academic Senate shall hold open meetings on the 1st and 3rd Tuesdays of each month during regular fall and spring semesters
- (2) The terms of office for President, Vice President, and Treasurer are for two years. There are no limits on the number of terms an officer may serve. An individual may only hold one office at a time.
- (3) The term of office for senate officers shall commence on the first day after the end of the Spring term.

B. Nominations

- (1) Nominations for President, Vice President, and Treasurer shall be made by the Academic Senate during its first regular meeting in April.
- (2) Nominees for President, Vice-President and Treasurer must be current senators.
- (3) The Senate shall select nominees for each office, and submit that slate of nominations to the tenured and tenure-track, contract faculty, and adjunct faculty for a vote.
- (5) The period of voting shall be seven business days from the distribution of ballots to faculty members.
- (6) The Senate shall choose three Senators who are not currently officers or running for office to serve as an Election Committee and to collect and tally the ballots.
- (7) In the event of an uncontested seat, the Senate may, in lieu of holding an election, appoint the eligible, nominated candidate. Following the appointment, the President shall notify all faculty members.

- C. Senate Officer Elections
 - (1) Election of senate officers must be completed before the Senate's last meeting of the academic year.

- D. After the completion of service as President, the retiring President shall serve as Immediate Past-President, an ex-officio non-voting member of the Senate. The Immediate Past-President shall hold office until the retirement of their successor (who will then become Immediate Past-President) or upon their written resignation from the Senate.
 - (1) In the event the office of Immediate Past-President becomes vacant the Academic Senate may choose to invite another former President to serve in the office or to leave the office vacant.
 - (2) The Immediate Past-President is not barred from holding a seat on the Academic Senate as an elected representative and may vote in that capacity.

Article V –Summer-Intersession Senate Committee (SI Senate)

Section 1. Summer-Intersession Senate Committee

- A. The SI Senate Committee shall be composed of the officers of the Senate, the immediate Past President, and two members of the Senate who are elected by the Senate.

- B. The SI Senate committee shall meet as necessary in open meetings in January and during the summer after the last Senate meeting of the academic year to the first Senate meeting of the following academic year.

- C. The SI Senate Committee shall:
 - a. Assist in preparation of agendas.
 - b. Assist in implementing Senate decisions and policies.
 - c. Assist in drafting motions.
 - d. Assist in making decisions with President when the Senate is not in regular session outside the Academic Calendar.

- D. The SI Senate committee members shall be compensated for work outside of the regular fall and spring semesters.

Article VI Senate Processes and Procedures

Section 1. Meetings

- A. The Academic Senate shall meet regularly as scheduled by the President. The meeting schedule shall be presented to the Academic Senate at the beginning of the academic year.

- B. The Senate shall also meet as needed outside the regular schedule when called by the President.

- C. The President shall schedule a senate meeting when petitioned to do so by a majority of the elected senators. The petitioners shall have the right to place items on the agenda for that meeting.
- D. The President shall schedule a senate meeting when petitioned to do so by ten percent of the electorate. The petitioners shall have the right to place items on the agenda for that meeting.
- E. Meetings shall be conducted in accordance with these by-laws and Roberts Rules of Order Revised.

Section 2. Quorum

- A. Senate meetings shall require a quorum of the membership to conduct business.
- B. A quorum shall consist of a simple majority of the elected senators.

Section 3. Resignations and Vacancies

- A. Resignations from the Academic Senate or as a senate officer
 - (1) Resignations from the Academic Senate or as any officer of the Senate other than President should be submitted in writing to the senate President who must then announce the resignation at the next regularly scheduled senate meeting.
- B. Resignation of the Senate President
 - (1) In the case of a resignation of the President, the resignation should be submitted in writing to the Vice President who, if eligible, will assume the office of President in accordance with these by-laws.
 - (2) Should the office of Vice President be vacant at the time of a resignation of the President the resignation should be submitted in writing to the Immediate Past-President of the Academic Senate who must then announce the resignation at the next regularly scheduled senate meeting.
 - (a) In the event the offices of President and Vice President are simultaneously vacated the Academic Senate shall elect officers from among its membership to fill the remaining terms of these offices.
 - (3) If the Vice President is ineligible to serve as President, the Academic Senate shall elect a new President from among its eligible membership to fill the remaining term of office.
- C. Three consecutive absences from regularly scheduled senate meetings may be considered a resignation.
 - (1) Following three consecutive absences the Senate must vote on whether the absences constitute a resignation by the senator. The affected senator must be notified in writing of the pending action in advance of the senate meeting.

D. Vacancy

- (1) In the event of a senate vacancy, the President shall direct the affected constituency to hold an election to fill the remaining term of the vacancy.
 - (a). If the vacancy is for a division representative, the President will direct the division's remaining representative to conduct the election in accordance with the election procedures stipulated in these by-laws. If the division has no other senator, the President or the President's designee shall conduct the election.
 - (b). If the vacancy is for an at-large representative, the President shall organize and conduct an election for a representative from the affected constituency in accordance with the election procedures stipulated in these by-laws.
 - (c). If the vacancy is for a senate officer, the President shall direct the Academic Senate to elect a successor to that office to complete the remaining term of office.

E In situations where there is a single candidate proposed for a Senate position, that candidate, if eligible to serve, will be declared elected to the office.

F. Selection by the Senate

- (a) If a vacancy occurs after the regular fall election for At-Large Representatives or after the regular spring election for senate officers, the Senate may, at its option, decide to select a replacement with a majority of the senate concurring in the election.

G. Suspension of the Bylaws

Bylaws may be suspended by a two-thirds vote of elected senators .

H. The Brown Act and Robert's Rules of Order Revised will guide procedures.

Article VII - Adoption and Amendment of the By-Laws,

Section 1. Adoption

- A. These by-laws shall be adopted if approved by a simple majority vote of all faculty or two-thirds vote of all senators.

Section 2. Amendment

- A. The senate by-laws may be amended by either of the following actions:
 - (1) A simple majority vote of the faculty; or
 - (2) A two-thirds vote of all elected senators.

- B. Any amendment to the senate by-laws must be communicated to the faculty within two days of adoption.