



CONSTITUTION AND BYLAWS
of the
MIRAMAR COLLEGE ACADEMIC SENATE
1989

Amended in Sept 1999; Feb 2005; Apr 2016; Apr 2017; and May 2021

San Diego Miramar College Academic Senate
10440 Black Mountain Rd. K2-105
San Diego, CA
<http://www.sdmiramar.edu/governance/committees/academic-senate>

CONSTITUTION

Article I. Name

The name of this organization shall be: San Diego Miramar College Academic Senate. For the purpose of this document, references to the “Senate” or to the “Academic Senate” shall mean the San Diego Miramar College Academic Senate.

Article II. Purpose

The purposes of the Senate shall include:

- A. To serve as the executive and legislative body of the Faculty of Miramar College.
- B. To represent all Faculty to College Administration and to the Board of Trustees in regard to all academic, instructional and professional matters that relate to the mission of the College and programs of instruction.
- C. To implement the meaning and intent of AB 1725, the California Community College Reform Bill of 1988, and related legislation.
- D. To foster academic quality and promote harmony among colleagues, students, classified professionals and administration in all manners relevant to the Academic Senate and Miramar College.
- E. Where appropriate, to work with the Bargaining Agent(s) in the interest of the instructional programs and all Faculty of Miramar College.

Article III. Membership

Section 1.

All contract faculty are members of the Academic Senate. A contract faculty member is any full-time instructional or non-instructional faculty member assigned to Miramar College for at least 50% of their contract assignment. Any contract faculty member may attend and/or address the regular Academic Senate meeting. However, only voting members (Senators) may make motions and vote on questions that are before the body. Robert’s Rules of Order shall prevail.

Section 2.

All adjunct faculty are members of the Academic Senate. An adjunct faculty member is any hourly or part-time instructional or non-instructional faculty member with at least one class or six non-instructional hours assigned at Miramar College. Any adjunct faculty member may attend and/or address the regular Academic Senate meeting. However, only voting members (Senators) may make motions and vote on questions that are before the body. Robert’s Rules of Order shall prevail.

Section 3.

The following Advisory Representatives shall be selected as defined in the Bylaws:

- A. One student representative, in an advisory capacity, will be recognized by this Senate.
- B. One classified professional representative, in an advisory capacity, will be recognized by this Senate.
- C. One administrative representative, in an advisory capacity, will be recognized by this Senate.

Section 4.

Voting members of the Academic Senate are Senators.

- A. Departments shall elect one Senator for each 4 contract faculty members. (Example: a Department with 5 will have one Senator, 7- still one, 8- two Senators.) The election of the Senators representing each department shall be as prescribed in the Bylaws. The term of office for these Senators will be for one year, starting on July 1st of the election year and concluding on June 30th, prior to the next academic year of service. It is recommended that Senators not be in their first year as a contract faculty member.
- B. All members of the Executive Committee of this Senate, as defined below, are "Senators." Members of the Executive Committee represent faculty as a whole, not their departments.
- C. The adjunct faculty of Miramar College shall elect seven (7) of their peers as "Senators." Adjunct Senators represent adjuncts as a whole, not their departments.

All Senators shall be elected or appointed as defined below or in the Bylaws.

Regardless of the designated positions held, no Senator shall have more than one vote. The Academic Senate membership precludes redundant positions; thus, a positional member cannot also be a department Senator. This prevents any member from having more than one vote.

Section 5.

When a Senator cannot attend a regular scheduled meeting of the Academic Senate, that Senator should forward a written proxy with a substitute. The written proxy shall be handed to the presiding officer or Academic Senate Administrative Assistant before the meeting commences.

- A. The proxy will speak for the Senator and cast votes in the Senator's name.
- B. All proxies must be received before the meeting is called to order.
- C. No faculty member shall hold more than one proxy at any given meeting.

Article IV. Officers and Executive Committee Members

Section 1.

The officers of the San Diego Miramar College Academic Senate shall consist of:

- A. President,
- B. Vice President or President-Elect

The two above officers shall be tenured contract faculty and shall be elected as prescribed in the Bylaws.

Section 2.

Executive Committee Members shall be elected as prescribed in the Bylaws, with the exception of those appointed by position. This Committee shall consist of:

- A. The two current officers (President and Vice President or President-Elect),
- B. The Treasurer of the Senate, elected by the Academic Senate,
- C. The Secretary of the Senate, elected by the Academic Senate,
- D. Two Senators, one contract and one adjunct, elected by the Academic Senate,
- E. One Senator, either contract or adjunct, appointed by the Academic Senate President,
- F. The Chair of Chairs,
- G. Faculty Coordinator for Educational Equity,
- H. Senate Parliamentarian, Ex Officio Member (non-voting).

The authority to act on behalf of the Academic Senate shall be delegated to the Senate Executive Committee after the last Senate meeting of the academic year and over the summer. An emergency meeting of the full Academic Senate may be called if deemed necessary and appropriate by the Senate Executive Committee.

The Executive functions of the Senate shall be vested in the Senate Executive Committee.

1. Any action of the Senate Executive Committee may be reviewed at a meeting of the Senate if a written request signed by 20% of the Senate's voting membership is submitted to the President of the Senate within three weeks of the action during the academic year.
2. Any action of the Senate Executive Committee taken during intersession or summer may be reviewed at a meeting of the Senate if a written request signed by 20% of the Senate's voting membership is submitted to the President of the Senate within three weeks of return.

Section 3.

The President of the Academic Senate (or designee) shall engage in collegial consultation with the College President (or designee) for the recommendation of faculty roles associated with academic and professional matters (10+1).

Section 4.

The President of the Academic Senate shall also hire clerical support staff as the Academic Senate Administrative Assistant. The remuneration of the clerical support staff shall be consistent with the classified contract manual.

Section 5.

It is recommended that all Executive Committee members have served at least one full year term as an Academic Senate Senator.

Article V. Term Lengths

Section 1.

With the exception of the President, all officer and member terms shall be for one year, starting on July 1st of the year of the election, in readiness for the subsequent Fall semester each academic year, and ending on June 30th of that same academic term. The term of the President will be two (2) years, following the same July 1st start date as all other officers. The term of Vice President will coincide with the President's first year, and the term of President-Elect will coincide with the President's second year.

Section 2.

No person may hold the position of President for more than two consecutive terms, or four continuous years. Any President wishing to extend their term by one year may request an extension by demonstrating a legitimate condition of extenuating circumstances that justifies such extension to the Executive Committee of the Academic Senate. The Executive Committee shall retain sole authority to grant such option to extend. The extension must then be ratified by the Academic Senate as defined in the Bylaws. The Vice President or President-Elect's term will be extended as appropriate to the duration of the President's term.

Section 3.

No person may hold an Executive Committee position for more than four consecutive terms, or four continuous years. Any Executive Committee Officer wishing to extend their term by one year may request an extension by demonstrating a legitimate condition of extenuating circumstances that justifies such extension to the Executive Committee of the Academic Senate. The Executive Committee shall retain sole authority to grant such option to extend. The extension must then be ratified by the Academic Senate as defined in the Bylaws.

Those Executive Committee positions that are designated by position (e.g., Chair of Chairs, etc.) shall rotate individuals by virtue of the selection process for those positions.

Section 4.

Although it is recommended that Miramar College Faculty rotate Senator positions, there is no limit to the consecutive nature of any Senator's terms.

Article VI. Meetings

Section 1.

The Academic Senate shall meet at least once per month in every month of the academic year. The time, place and agenda shall be posted and published as defined by the Brown Act.

Section 2.

The Executive Committee of the Academic Senate shall meet during the last week of every month of the academic year, or as otherwise called by the Academic Senate President.

Article VII. Quorums

Section 1.

A quorum of the Senate shall consist of fifty percent (50%) plus one of the Senators or their proxied representatives. No meeting of the Academic Senate shall be official without a quorum.

Section 2.

A quorum of the Executive Committee shall be five (5) members, or a simple majority in the case of vacancies. Proxies are not utilized for Executive Committee member absences.

Section 3.

Should a quorum of the Academic Senate not be attainable, the Executive Committee shall continue to represent the Academic Senate until the next quorum of the Senate is attained.

Article VIII. Committees

Section 1.

A. The Academic Senate shall have the following committees:

- 1) The Executive Committee: This committee shall be the Executive Committee of the Academic Senate.
- 2) The Election Committee:
 - i. This committee shall conduct elections for appropriate Officers, Senators and the Executive Committee.
 - ii. This committee shall also be responsible for any recommendations to modify or suspend any Bylaws pertaining to elections.
 - iii. This committee shall be composed of at least three (3) faculty members with one (1) of these members to be elected Chair by the Academic Senate.
 - iv. The committee will make recommendations to resolve any conflicts related to the election of any Senator to the Academic Senate.
 - v. Election Committee members may not be running for any elected position.
- 3) Amendments and Bylaws Committee: This committee will study and recommend all amendments to this Constitution and its Bylaws. This committee shall consist of the Executive Committee, excluding the President, and shall be chaired by the Vice President or President-Elect. This committee may opt to utilize the President or a legal or administrative advisor as needed, but retains sole authority for any recommendations to amend this Constitution and its Bylaws.
- 4) Senate Forum Committee: This committee is a committee of the whole membership convened by the Academic Senate President to serve as an open FORUM for any staff, faculty or administrator of Miramar College or San Diego Community College District to advance cultural and community issues. If a quorum of Senators is present, official business of the Academic Senate can be conducted.

- 5) Professional Standards and Ethics Committee: This committee will be responsible for regular review and update of the Professional Code of Ethics and for mediating disputes between faculty members. This committee shall be composed of at least five (5) faculty, elected by the Executive Committee, that appropriately represent the general educational areas of Miramar College. The Academic Senate President shall appoint a Chair from amongst the committee members.
- 6) Miramar College Governance - Standing Committees of the Academic Senate: All committees and councils defined in the Miramar College Governance Handbook, or by SDCCD policy, that make recommendations or decisions in the eleven (11) areas of primacy, as defined by modifications to the California Education Code in AB 1725 of 1988, shall also be considered Standing Committees of the Academic Senate. For committee details, see the College Governance Handbook.
- i. Academic Senate Equivalency Committee
 - ii. Academic Success Committee
 - iii. Chairs Committee
 - iv. Contract Faculty Hiring Prioritization Committee
 - v. Curriculum Committee
 - 1. Academic Standards Subcommittee
 - 2. Technical Review Subcommittee
 - vi. Distance Education Standards Committee
 - vii. Success in English, ELAC, and Math (SEEM) Committee
- 7) Committee on Committees: This committee of the Academic Senate shall create and apply a process for appointment of faculty to College and District-wide governance committees every academic year.

Any non-attending committee members, including Senators, who miss three regularly scheduled Senate/Governance meetings without a proper substitute (proxy) shall be voided as members, and the task of facilitating replacements will be the purview of the Committee on Committees. Any committee members (including Senators) who have been voided may petition to the Committee on Committees for reinstatement. This petition must be submitted in writing within 7 working days of the official notification of being voided.

1. This committee shall consist of the Executive Committee, or designees, and shall be chaired by the Vice President or President-Elect.
2. The procedure to ask Faculty members to serve on committees by the faculty (i.e. the Senate), Departments or Schools of the College, College administration, or the Chancellor's Office of the SDCCD, is to submit requests for Faculty appointments to the Academic Senate's Committee on Committees.
3. This committee shall carefully observe the following principles in making nominations and/or appointments:
 - a. In accordance with the District Nondiscrimination Policy AP 3410, the makeup of committees shall be diverse and equitably represent all areas of the College.

- b. Committees shall aspire to equitably represent all areas of the College as much as possible and as appropriate to the position, considering the following:
 - i. Ethnicity
 - ii. Board-protected classes
 - iii. School or department
 - iv. Full-time or adjunct
 - v. Special experience or knowledge
 - c. Ex-officio members shall not be named as Chair of any committee. A complete charge shall be solicited from committees requesting faculty appointments.
 - d. Faculty may appeal the outcome of the committee selection process based on the outlined above or as outlined in SDCCD Administrative Procedure 4200.1. C. Meetings.
- 4. The committee shall meet as needed at the call of the Chair.
- 8) State and National Representative Bodies: The Academic Senate shall attempt participation in State and National representation wherever possible.
- B. Reporting of Committees: Those faculty members representing voting membership on any standing committee, council, or any decision-making/recommending body of Miramar College, of the San Diego Community College District, or any State or National body, shall represent the Academic Senate in all matters. They shall be responsible to carry forward the will of the Academic Senate in the business of all such committees/councils/bodies and to report all such committees/councils/bodies business to the Academic Senate.
- C. Academic Senate Committee Responsibility: The Academic Senate shall attempt professional liaison with all aforementioned entities, as well as with all administrative bodies and administrative members of Miramar College and the San Diego Community College District. In the event that professional liaison cannot be kept, or disagreement cannot be resolved, the Academic Senate retains the right to exercise any and all legal remedies to redress the conflict.

Article IX. Elections

The Election Committee shall conduct elections each Spring semester. The election of the Vice President shall occur the Spring semester prior to the first year of the President's Term. The election of the President-Elect shall be in the Spring semester of the President's first year in office. All elections shall be conducted as defined in the Bylaws.

Article X. Ratification and Amendments

This Constitution and its Bylaws were ratified by at least fifty-one percent (51%) of the Contract Faculty of Miramar College. This Constitution and/or Bylaws may be amended at the recommendation of the Amendments and Bylaws Committee, with sixty percent (60%) of the present and voting Senators approving, or by a motion from the floor, with two thirds (2/3) of the present and voting Senators approving.

The Constitution and its Bylaws should be reviewed in the Spring of the President-Elect's term, with any approved changes to take effect at the start of the next academic year.

End of Constitution

BYLAWS

to the
CONSTITUTION of the MIRAMAR COLLEGE ACADEMIC SENATE

Article I. Order Of Business

Each meeting of the Academic Senate and/or the Executive Committee shall consist of:

- Call to Order
- Approval of Minutes
- Reports
 - President
 - Vice President or President-Elect
 - Treasurer
 - Adjunct Representative
 - Chair of Chairs
 - Administration
 - Classified Senate
 - Associated Student Council
 - Bargaining Units
 - Committee Reports
- Action Items
- Discussion Items
- Public Comments
- Announcements
- Adjournment

Article II. Dues

Section 1.

Dues will be solicited from each faculty member, contract and adjunct, for each school year. The amount of dues will be decided by the Academic Senate each school year at the first meeting. The adjunct dues will be one-half (1/2) the contract faculty dues. No member of the faculty, contract or adjunct, will be denied access or membership of the Academic Senate due to the payment status of any dues.

Section 2.

The Treasurer of the Senate will be responsible for collecting and accounting for the payment of all dues and will report the Academic Senate's fiscal status and all financial activities at each Academic Senate meeting. Faculty may elect to pay dues by the automatic direct deposit systems available to all SDCCD employees. In such cases, the Treasurer will update Senate records when the appropriate statements are available.

Article III. Duties

Section 1.

President: It shall be the duty of the President of the Academic Senate to:

- A. Preside at all meetings of the Academic Senate and the Executive Committee.
- B. Be an ex-officio member of all committees of the Academic Senate.
- C. Serve as the Miramar College Academic Senate representative to all district, state, and/or national meetings, councils and/or committees, unless another is so designated.
- D. Be the official representative of the Academic Senate to the Board of Trustees for the San Diego Community College District, unless another is so designated.
- E. Represent the faculty and/or the Academic Senate of Miramar College at all community and/or public events applicable, unless another is so designated.
- F. In coordination with the Committee on Committees, appoint all faculty members of all campus, Senate, and District committees.
- G. Perform other duties as specified by the Academic Senate.
- H. Establish additional duties of the members of the Executive Committee as appropriate.
- I. Serve on the Miramar College Council.

Section 2.

Vice President: It shall be the duty of the Vice President of the Academic Senate to:

- A. Serve as the Vice President of the Academic Senate.
- B. Serve as the President in any capacity during the absence of the President.
- C. Serve as advisor to the President of the Academic Senate.
- D. Serve as the Co-Representative of the Academic Senate to the District Governance Committee.
- E. Serve on the Executive Committee of the Academic Senate.
- F. Serve on the Miramar College Council.
- G. Serve as the Chair of the Committee on Committees.

Section 3.

President-Elect: It shall be the duty of the President-Elect of the Academic Senate to:

- A. Serve as the President-Elect of the Academic Senate.
- B. Serve as the President in any capacity during the absence of the President.
- C. Serve as the Co-Representative of the Academic Senate to the District Governance Committee.
- D. Serve on the Executive Committee of the Academic Senate.
- E. Serve on the Miramar College Council.
- F. Serve as the Chair of the Committee on Committees.

Section 4.

Treasurer: It shall be the duty of the Treasurer to:

- A. Collect, process, and account for all dues collected or income received as part of this Senate.
- B. Maintain public records on all finances of the Academic Senate.
- C. Represent the Academic Senate in matters involving finances of this body.
- D. Report to the Academic Senate and the Executive Committee as outlined in Article II of these Bylaws.
- E. Serve on the Executive Committee of the Academic Senate.
- F. Serve on the Committee on Committees.

Section 5.

Secretary: It shall be the duty of the Secretary to:

- A. Keep minutes, files and records of the Academic Senate and Executive Committee during the regular academic year.
- B. Publish minutes within one week of all regular meetings of the Academic Senate.
- C. Assist the Academic Senate in directing the activities of the paid clerical support person and in other duties as required.
- D. Keep records of all Senate Officers and Senators.
- E. Serve on the Executive Committee of the Academic Senate.
- F. Serve on the Committee on Committees.

Section 6.

Members At Large: It shall be the duty of the three Members At Large to:

- A. Investigate and report on issues and items that do not fall under the purview of the Senate's Standing Committees.
- B. Serve on the Executive Committee of the Academic Senate.
- C. Serve on the Committee on Committees.

Section 7.

Chair of Chairs: It shall be the duty of the Chair of Chairs to:

- A. Serve as the Chair of the Chairs Committee.
- B. Serve as the Chair of the Contract Faculty Hiring Prioritization Committee.
- C. Serve as the Co-Chair of the Enrollment Management Committee.
- D. Serve on the Miramar College Council.
- E. Serve on the Executive Committee of the Academic Senate.
- F. Serve on the Committee on Committees.

Section 8.

Faculty Coordinator for Educational Equity: It shall be the duty of the Faculty Coordinator for Educational Equity to:

- A. Serve on the Executive Committee of the Academic Senate.
- B. Serve on the Committee on Committees.

Section 9.

Parliamentarian: The Senate President shall act as the Parliamentarian, unless another is appointed by the Senate President. The Parliamentarian will act as an Ex Officio (non-voting) member of the body, and will ensure that meetings are conducted in an orderly and efficient manner, in accordance with Robert's Rules of Order.

Article IV. Elections

Section 1.

Elections:

- A. Each spring semester, the Election Committee will be formed as provided for in the Constitution, Article VIII.
- B. As provided for in Article IX of the Constitution, the Election Committee will conduct elections for the Vice President or President-Elect, the Treasurer, and the Secretary of the Academic Senate for the following academic year.
- C. As provided for in Article IV, Section 2, D of the Constitution, the Election Committee will conduct elections for two Executive Committee Senators for the following academic year.

- D. As provided for in Article IV, Section 2, E of the Constitution, the President or President-Elect, if it is the President's last semester in office, will appoint one Executive Committee Senator for the following academic year.
- E. As provided for in Article III and Article IX of the Constitution, the Election Committee will direct all contract faculty departments and adjunct faculty to conduct Senator elections for the following academic year.

Section 2.

Election procedures:

- A. During the nomination period, the Election Committee will notify Faculty of the upcoming election, to solicit nominations. Faculty members who wish to run for open seats must submit their names and the seat for which they wish to run to the Election Committee during the nomination period. Nominations for these offices will also be accepted from the Academic Senate floor. Nominees should review position requirements and expectations before accepting the nomination.
- B. Nominations for the positions of Vice President or President-Elect, Treasurer, Secretary, and Executive Committee Senators will be presented by the Election Committee to the Academic Senate.
- C. If, at the end of the nomination period, there are no nominees for an open officer position, that election will not be held. Instead, the position, with the exception of President-Elect, will be filled within two weeks by Academic Senate Executive Committee appointment. In the event that there are no nominations for President-Elect, a Special Election for Vice President will be held within two weeks, to fill that Executive position for the upcoming Fall semester. A Special Election for President-Elect will be held the following November, to fill that Executive position for the following Spring semester.
- D. The Academic Senate will vote for each office independently by secret ballot. The faculty member receiving the highest number of votes shall hold that seat until the term expires or when recalled.
- E. In the event of an uncontested seat, the Academic Senate President may opt to conduct the election for that seat by acclamation.
- F. The Election Committee shall report the results of the elections to the entire faculty within two business days of the results being known. Newly elected positions shall be seated upon the closing of the Spring semester, unless otherwise directed by these Bylaws.
- G. The Election Committee will direct the adjunct faculty to conduct elections for seven (7) Senators for the following academic year.
 - a. Nominations may be forwarded by any adjunct faculty member, following an information sheet sent by the Election Committee to each adjunct faculty member at the beginning of the Fall semester.
 - b. Prior to the second meeting of the Academic Senate, the Chair of the Election Committee will provide all names of the nominated adjunct faculty members on one ballot to the adjunct faculty.

- c. These ballots will be returned within one full week to the Election Committee.
- d. The seven (7) adjunct faculty members receiving the highest number of votes shall be Senators for that academic year.

Section 3.

In the event of a vacancy of:

- A. The President - The Vice President will finish that year as President and the Election Committee will conduct elections for a new President-Elect immediately. In the event the President-Elect has already been elected, they will immediately assume the position of President and will finish out their normal term as President.
- B. The Executive Committee - For those elected positions, the Election Committee will conduct elections immediately. For those appointed positions, the President will appoint new members..
- C. Senators of the Academic Senate - The Secretary will direct the contract faculty departments, or adjunct faculty, to conduct elections to immediately fill the positions.
- D. The seat of any Senator on sabbatical is considered to be vacant and that seat will be filled as outlined in Part C above.

Section 4.

As provided for in Article V, Section 2 of the Constitution, after determining the legitimacy of the need for such extension, the Executive Committee shall direct the Election Committee to conduct an election to ratify an extension of the President's term.

Section 5.

As provided for in Article V, Section 3 of the Constitution, after determining the legitimacy of the need for such extension, the Executive Committee shall direct the Election Committee to conduct an election to ratify an extension of the Executive Committee Officer's term.

Section 6.

The following Advisory Representatives shall be selected in the following manner:

- A. The Student representative shall be appointed by the President of the Miramar College Associated Student Council. The Secretary of the Academic Senate shall ensure the Miramar College Associated Student Council is notified of the need to fill this position at the beginning of each academic year.
- B. The Classified representative shall be appointed by the President of the Miramar College Classified Senate. The Secretary of the Academic Senate shall ensure the Miramar College Classified Senate is notified of the need to fill this position at the beginning of each academic year.
- C. The Administrative representative shall be appointed by the President of Miramar College. The Secretary of the Academic Senate shall ensure the Miramar College President is notified of the need to fill this position at the beginning of each academic year.

Article V. Recall

Any Officer or Senator may be recalled from the Miramar College Academic Senate. The procedure is as follows:

- A. A motion for recall of a specific officer or Senator must be made by voting members of the Academic Senate at a regular meeting of the Academic Senate. It must be seconded by a Senator of the Academic Senate at that same meeting.
- B. Discussion and clarification shall be encouraged.
- C. After an appropriate time has elapsed for such dialogue, the question will be called at that meeting. For the question to become an official question of the Academic Senate, fifty one percent (51%) of the total number of present and voting Senators must vote for the recall question to be considered.
- D. No sooner than thirty (30) days after the previous vote, the recall question will be considered at the next regularly scheduled Academic Senate meeting. In the case of the President, Vice President, or President-Elect, the recall question will be called no sooner than the end of the current semester, if in their first year of office.
- E. If two thirds (2/3) of the total number of present and voting Senators of the Academic Senate vote for the recall, then the officer or Senator shall be recalled.
- F. Any officer or Senator who has been recalled may not be a Senator for a minimum period of two years following the academic year in which they are recalled.
- G. Subsequent vacancies shall be filled as provided for in Article IV, Section 3.

Article VI. Question of Resolution

Any matter involving the Academic Senate not covered in this Constitution and/or Bylaws, nor amendable by same, will be resolved by a fifty one percent (51%) majority vote of the Executive Committee, with a concurrence of a fifty one percent (51%) majority vote of the Academic Senate.

End of Bylaws