



CONSTITUTION
of the
MIRAMAR COLLEGE ACADEMIC SENATE
1989

Amended in Sept 1999; Feb 2005; Apr 2016; Apr 2017; May 2021; and
May 2022

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

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 currently teaching 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.
- D. The Faculty Coordinator for Educational Equity, 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 identify a proxy as a substitute. That Senator should email both the person willing to serve as proxy and the Academic Senate Administrative Assistant. The faculty member willing to serve as proxy must confirm their willingness to serve by replying to all parties on the original email. This documentation can also be completed on paper. When doing so, that paper must be given 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.

Section 6.

Any Senator that misses three regularly scheduled Senate meetings without a proper substitute (proxy) shall be voided as a Senator. A Senator who has been voided may petition to the Executive Committee for reinstatement. This petition must be submitted in writing within 7 working days of the official notification of being voided and specify which absences are the focus of the petition. If the petition is denied, the Election Committee will notify both the Senator and their Department Chair that the election for that office shall take place as soon as reasonably possible, and that Senator cannot again become a Senator until the next academic year.

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 Members at Large, one contract and one adjunct, elected by the Academic Senate,
- E. One Member at Large, either contract or adjunct, appointed by the Academic Senate President,
- F. The Chair of Chairs.

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; to the Academic Senate President outside of the working days of the academic year; and to the Academic Senate President when immediate representation is required and a meeting of the body is not possible. 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 Academic Senate shall have 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 year. The term of the President will be two (2) years, following the same July 1st start date as all other members.

The term of the Vice President will coincide with the President's first year, and the term of the President-Elect will coincide with the President's second year. In the event that the President is elected for a second term, the term of the Vice President will coincide with the President's second and third years, for one year each, and the term of the President-Elect will coincide with the President's fourth 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 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 member 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 facilitate elections for Senators and members of the Executive Committee.
 - ii. This committee shall also be responsible for any recommendations to modify or suspend any Bylaws pertaining to elections.
 - iii. The committee will make recommendations to resolve any conflicts related to the election of any Senator to the Academic Senate and will notify Department Chairs when they need to elect a replacement Senator.

- iv. This committee shall be composed of at least three (3) faculty members, with one (1) of these members to be elected Chair by the Election Committee.
 - v. Election Committee members may not be running for any elected position.
 - vi. Term lengths will be one calendar year.
- 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 the Chair of Chairs, 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 supports training and education in areas that promote positive and professional relations towards faculty, reviews and updates the Professional Code of Ethics, and mediates disputes between faculty members. This committee shall be composed of five (5) faculty that appropriately represent the general educational areas of Miramar College. The Chair shall be elected from amongst the committee members.
- 6) 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. This process can be found on the Committee on Committees' webpage.

Any non-attending committee members who miss three regularly scheduled 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 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 and specify which absences are the focus of the petition.

- i. This committee shall consist of the Executive Committee, with the exception of the Chair of Chairs, or their designees, and shall be chaired by the Vice President or President-Elect.
- ii. Faculty members who wish to serve on committees, workgroups, and taskforces need to submit a request for appointments to the Academic Senate's Committee on Committees.
- iii. In addition to the process laid out on the Committee on Committee's webpage, this committee shall carefully observe the following principles in making nominations and/or appointments:
 - a. Ex-officio members shall not be named as Chair of any committee. A complete charge shall be solicited from committees requesting faculty appointments.

b. 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.

iv. The committee shall meet as needed at the call of the Chair.

7) 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. Pursuant to California Administrative Code of Regulations (Title V, Article 2, Section 53203), the Academic Senate makes all faculty appointments to college committees, workgroups, taskforces, etc.

- 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

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 for representing 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 facilitate Executive Committee and Department Senator elections each Spring semester and Adjunct Senator elections each Fall semester. The election of the Vice President shall occur in 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. In the event that the President is elected for a second term, the election of the Vice President shall also occur in the Spring semester of the President's first and second year in office, and the election of the President-Elect shall be in the Spring semester of the President's third 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 Semester, as necessary, with any approved changes to take effect at the start of the next academic year.

End of Constitution