



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 two years**, starting on July 1st of the election year and concluding on June 30th, prior to the next **academic year term** 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.
- G. The Curriculum Committee Chair

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 duties of the Academic Senate Administrative Assistant are determined by SDCCD Human Resources and may be further clarified by the office of the Vice-President of Instruction. 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. All officer and member term lengths shall be for two years, starting on July 1<sup>st</sup> of the election year, in readiness for the subsequent Fall semester.

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,

Curriculum Chair, 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, the Chair of Chairs and the Curriculum Committee chair, 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 and the Curriculum Committee chair, 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 positions on the Academic Senate Executive Committee (ASEC) shall occur in the Spring semester in even years. Each ASEC position would be a two year term. 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



BYLAWS  
to the  
CONSTITUTION  
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MIRAMAR COLLEGE ACADEMIC SENATE  
1989

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## 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 Government
  - 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 and agreed upon by the majority of the Executive Committee.
- I. Serve on the Miramar College Council.
- J. Serve on the Committee on Committees.

### **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 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 and the Amendments and Bylaws Committee.

### **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 and the Amendments and Bylaws Committee.~~

### **Section 4-3.**

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 and the Amendments and Bylaws Committee.

### **Section 5. 4**

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 and the Amendments and Bylaws Committee.

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

- A. Help manage meetings by taking attendance, tracking motions, counting votes, and noting the highlights of discussion throughout the meeting.
- B. Help Academic Senate Administrative Assistant with minutes and publish them within one week of all regular meetings of the Academic Senate
- C. Keep, files and records of the Academic Senate and Executive Committee during the regular academic year.
- D. Assist the Academic Senate in collaboration with the Academic Senate Administrative Assistant in other duties as required.
- E. Keep records of all Senate Officers and Senators.
- F. Serve on the Executive Committee of the Academic Senate.
- G. Serve on the Committee on Committees and the Amendments and Bylaws Committee.

### **Section 6 5.**

Members At Large: It shall be the duty of the ~~three~~ ~~two~~ 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 and the Amendments and Bylaws Committee.

### **Section 7 6.**

Chair of Chairs: In addition to the duties outlined for their position elsewhere, 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. A. Serve on the Executive Committee of the Academic Senate.

### **Section 7.**

**Curriculum Chair:** In addition to the duties outlined for their position elsewhere, it shall be the duty of the Curriculum Chair to:

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

### **Section 8.**

**Senators:** It shall be the duty of all Senators to:

- A. Attend Senate meetings regularly.
- B. Report back to their respective constituents (department faculty or adjunct) about Senate proceedings on a regular basis.
- C. Bring appropriate concerns to the attention of the Senate.
- D. Vote according to the direction of their respective constituents.

### **Section 9.**

**Parliamentarian:** (acting in an ex-officio capacity): **The Academic** Senate President shall act as the Parliamentarian, unless another is appointed by the Committee on Committees. The Parliamentarian 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 Members at Large 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 Member at Large 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 to conduct Senator elections for the following academic year.
- F. As provided for in Article III and Article IX of the Constitution, the Election Committee will conduct elections for seven Adjunct Senators for the upcoming academic year.
- G. Each spring, the Academic Senate Executive Committee will discuss and recommend a distribution of the reassigned time, based on workload, provided to the Academic Senate Executive Committee members. Total reassigned time is delineated in the SDCCD CBA Article VII, Section 12.4. This recommendation must be approved by the Academic Senate body prior to the election of Executive Committee members for the following year.
  - 1) If there is no approved change from one year to the next, then the distribution currently in effect will carry forward to the next academic year.
  - 2) The newly elected Academic Senate Executive Committee members can opt to receive less than the approved amount allocated by the AS body but may not redistribute reassigned time to exceed the approved allocation for any executive member at the time of elections.

### **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 Members at Large 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 Executive



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 upcoming academic year.
  - 1) Nominations may be forwarded by any adjunct faculty member following an informational email sent by the Election Committee to each adjunct faculty member in August.
  - 2) No later than the Friday following the first 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.
  - 3) Votes will be tallied a week after the opening of the election.
  - 4) 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. The President-Elect will finish out their predecessor's term before beginning their elected 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 Election Committee will direct the contract faculty departments to conduct elections to immediately fill the positions. In the event of an adjunct Senator vacancy, the adjunct faculty member with the next highest number of votes in the Fall election will fill the vacancy. If an adjunct Senator vacancy remains, the Election Committee will conduct an election immediately to fill the position.
- 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 hold a vote during the next Academic Senate meeting 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 hold a vote during the next Academic Senate meeting to ratify an extension of the Executive Committee member's term.

**Section 6.**

In the event that the President is elected for a second term, the Election Committee will conduct a Special Election for Vice President immediately.

**Section 7.**

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 Government. The Secretary of the Academic Senate shall ensure the Miramar College Associated Student Government 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.
- D. The Faculty Coordinator for Educational Equity shall be selected by recommendation of the Academic Senate and appointed by the President of Miramar College. The Secretary of the Academic Senate shall ensure the Faculty Coordinator for Educational Equity is aware of their advisory position at the beginning of each academic year.

## Article V. Recall

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

- A. A motion for recall of a specific Executive member 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, there needs to be a vote by the Senate to hold a recall vote. For a recall motion to move forward, 51% of the body must vote in favor of considering the motion.
- D. Not less than 30 days after the vote referenced in C, 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 Executive member or Senator shall be recalled.
- F. Any Executive member 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 of these Bylaws.

## 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