

THE MIRAMAR COLLEGE
CLASSIFIED SENATE
CONSTITUTION AND BYLAWS

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CONSTITUTION

Article I: Name

- 1.1 The name of this organization shall be the Classified Senate of San Diego Miramar College (“Senate”).

Article II: Purpose

- 2.1 The Classified Senate shall represent all classified professionals of San Diego Miramar College within the shared governance structure and decision-making process of the College. The purpose includes, but is not limited to the following:
 - A. Provide the classified professionals with a participatory voice in shared governance supporting the Miramar College mission, vision and core values, and participation in the initiation, development, and evaluation of District policy and procedures.
 - B. To represent the issues and concerns of classified professionals in all aspects of governance and decision-making on matters that are not related to collective bargaining and contract negotiations.
 - C. To support the professional development of classified professionals.
 - D. To encourage individual leadership, contribution, and collaboration among the members of classified professionals.
 - E. To make informed classified professionals available for decision-making within the democratic processes of Miramar College and the San Diego Community College District.
 - F. To provide a centralized method of communicating between classified professionals and other areas of the College.
 - G. To collect and disseminate information of interest to classified professionals.

H. To represent the interest of the classified professionals in all matters before any policy making committee or governing body of the College.

Article III: Memberships

3.1 The San Diego Miramar College Classified Senate shall consist of all classified professionals. For the purpose of this constitution, the term “Classified Professionals” shall mean employees designated by the district as employees including contract, NANCe, confidential and/or supervisory.

3.2 The Classified Senate shall consist of:

A. Voting Members

1. The Executive Council

- a. President
- b. Vice President
- c. Secretary
- d. Treasurer
- e. Members at Large (3)

2. Senators (5) - areas to be assigned by the Classified Senate.

B. Non-Voting Members

1. Immediate Past President

2. President Elect* (see section 6.3c)

3. AFT Representative

4. Ad Hoc Guests and projects.

3.3 Elections for these offices shall be held in accordance with the specific provisions of the bylaws of this constitution.

3.4 Appointment to office must follow the procedures set forth in the bylaws of this constitution and current policies and procedures of the Classified Senate.

3.5 Vacancies in office must follow the procedures set forth in the bylaws of this constitution and current policies and procedures of the Classified Senate.

Article IV: Bylaws

4.1 All matters not covered in this Constitution and those matters requiring further interpretation or elaboration shall be referred to in the bylaws.

Article V: Parliamentary Procedure

5.1 Unless otherwise specified in the bylaws, Robert's Rules of Order or Consensus Vote shall apply at all Senate meetings as proposed by the incoming President and ratified by a majority (50% + 1) of the voting membership.

Article VI: Amendments

6.1 Amendments to this constitution shall be approved only at a regular Senate meeting of the Classified Senate and by a two-third's vote of the voting members present.

6.2 Amendments to the bylaws may be enacted, rescinded, or amended only at a regular meeting of the Classified Senate and by a two-thirds vote of the voting members present.

BYLAWS

Article I: Constitution

- 1.1 All matters not covered in these bylaws and those matters requiring further interpretation or elaboration shall be referred to in the Constitution.

Article II: Duties & Responsibilities of the Senate

- 2.1 Duties include but are not limited to:

The Senate shall be included in all appropriate committees, councils, advisory groups and other structures in order to participate in the formulation and development of matters which impact classified professionals.

- 2.2 Responsibilities include but are not limited to:

- A. Requesting, collecting and disseminating information of interest to classified professionals.
- B. Considering all non-bargaining issues and policies affecting classified professionals.
- C. Selecting Classified Professionals to appear before the Board of Trustees to express the Senate's views.

Article III: Senators

- 3.1 Senators shall be elected for a two-year term.
- 3.2 The Classified body shall elect five (5) senators , as defined in article VIII of the Constitution, newly selected Senators shall be seated effective July 1.
- 3.3 The Senate President may declare vacant the seat of any Senator who is unable to fulfill the duties and requirements of the position, or who is absent for three consecutive meetings without sending a proxy, or who becomes ineligible to hold membership in the Senate. The Classified Senate President reserves the right to make an interim

appointment to fill the vacancy. The newly appointed Senator will complete the previously vacated term.

- 3.4 If a senator seat becomes vacant under conditions delineated in section 3.3, the vacancy shall be filled by an appointment by the President from among the membership. This is subject to ratification by a majority vote of the voting members defined in Section 3.2 of the Constitution. The newly selected representative shall complete the remaining original term of office.
- 3.5 Senators who cannot attend a meeting may assign a proxy via the procedures outlined in the College Governance Handbook.
- 3.6 Senators shall attend all regular and special meetings of the Senate. All Senators shall be eligible for and should anticipate appointment to at least one District, College or Classified Senate standing or ad hoc committee per academic year.
- 3.7 Senators shall be the communicator between the Senate and their representational areas.

Article IV: Executive Council

- 4.1 The Executive Council shall consider such matters that fall within the jurisdiction of the Senate and present them to the Senate.
- 4.2 The Executive Council shall consist of the following officers:

- President
- Vice President
- President Elect (ex-officio) and/or Former President (ex-officio)
- Secretary
- Treasurer
- Senator-at-Large (3)

- 4.3 All permanent Contract Classified and Supervisory Professionals who have passed probation are eligible to run for any office. Contract Classified Professionals with probationary status are ineligible for office until permanent status has been achieved.
- 4.4 All Executive Council members shall be selected for a two-year term.
- 4.5 No person may hold more than one elected position on the Executive Council at the same time.
- 4.6 Executive Council members may be elected for two consecutive terms in the same office.
- 4.7 In the event the position of the President becomes vacant, it shall be assumed by the Vice President. In the event that the Vice President is unable to accept the position, a special election for President shall be held.
- 4.8 In the event vacancies occur in executive positions other than the Presidency, a special election shall be held.
- 4.9 In the event of a no confidence vote in an executive officer, the Executive Council shall hold a special meeting of the Senate, to be held within 30 days. Refer to Ethics and Complaint process.

Article V: Election of Executive Council and Senators

- 5.1 During April, the Elections Committee shall issue a call for nominations for the open Executive Officer and Senator positions to all classified professionals. If the first week of April is designated by the District as Spring Break, the call will go out the following week.
- 5.2 The Elections Committee shall consider all names submitted to it by the last working Monday in the month of April and shall verify eligibility and willingness of the nominees to serve.
- 5.3 Election of the Executive Officers and Senators will take place during May.

- 5.4 The Elections Committee shall prepare ballots and conduct the election according to the Miramar College Classified Senate Elections Procedures document.
- 5.5 Election results shall be reported, in a timely manner, to the Executive Council. The Elections Committee or President shall announce to all classified professionals and appropriate administrative offices the results of the election(s). The Executive Council or President shall ensure the results become part of the records of the Senate.
- 5.6 If a special election is required, the Elections Committee or President/designee shall conduct the special election.
- 5.7 To ensure orderly and continuous executive representation, the Senate, by a 2/3 majority of voting members, can appoint an individual or individuals to serve in the position(s) of President and/or Vice President for a period of three months if no candidate(s) can be secured by the last working Monday in the month of April. This should allow the Senate time to recruit potential candidates.

Article VI: Executive Council Responsibilities

- 6.1 The President shall:
 - A. Serve for a two-year term.
 - B. Ensure an agenda is prepared (in consultation with the Executive Council), distributed, and preside over all Classified Senate meetings or appoint a designee from the Executive Council to do so.
 - C. Attend meetings with the College President, District Governance Council, District Budget Council, or assign a designee to attend. At the Classified Senate President's discretion, attend District Board of Trustee meetings.
 - D. Be responsible for maintaining lines of communication with all relevant bargaining units, the Statewide Classified Senate (4CS) and all other appropriate organizations.

- E. Serve as a voting member of the College Council and the Classified Senate Executive Council.
- F. Report back to the Classified Senate any matters of interest from College Council, college committees, District Governance bodies, or any other meetings/activities
- G. Act as liason between College President and Classified Professionals
- H. Be responsible for consulting with the Senate, appointing classified professionals to represent the Senate on College and District committees and ensuring adequate and effective rotation on committees.
- I. Perform, assign, or reassign other duties that may be specified by the Senate.
- J. Ensure duties of any vacant positions are completed/maintained
- K. May delegate duties to Executive Council members as needed due to vacancies/absences or any other unforeseen events

6.2 The Vice President shall:

- A. Serve for a two-year term.
- B. Serve as a voting member of the Classified Senate Executive Council and the College Council.
- C. Act in the absence of the President and assume the office in the event that the President cannot complete the term.
- D. Keep the Senate informed of the status of classified representation on all committees.
- E. Serve as President during any temporary absences of the President.

6.3 The President Elect shall:

- A. Serve from the point of elections until July 1, or when they take office, whichever comes first.

- B. Attend all meetings of the Classified Senate and the Executive Council.
- C. If the President Elect holds another Executive Position or is a voting Member of the Classified Senate, that person will retain their voting status with the understanding that they are voting within the position they hold. In other words, one person one vote shall apply.

6.3 The Past President shall:

- A. Provide historical information regarding previous Classified Senate business and decisions.
- B. Attend meetings of the Classified Senate and the Executive Council, for at least a duration of six months and as their schedule permits.

6.4 The Secretary shall:

- A. Serve for a two-year term.
- B. Serve as a voting member of the Executive Council.
- C. Issue calls to meetings, prepare and publish agendas, keep appropriate records, and prepare and publish the minutes of all meetings of the Senate .
- D. Conduct all routine correspondence pertaining to this office, including advance notification to classified professionals of all activities in addition to business meetings.
- E. Maintain records, materials, contacts and any other information necessary for ongoing operations, and will provide these items at the end of their term to ensure an orderly transition to the incoming Secretary.
- F. Maintain the Classified Senate website or delegate this responsibility to a designee.

6.5 The Treasurer shall:

- A. Serve for a two-year term.

- B. Serve as a voting member of the Executive Council.
- C. Collect, deposit, and distribute funds as approved by the Senate.
- D. Maintain all fiscal records according to approved accounting practices.
- E. Present balances and monthly account activity at each Senate meeting for discussion and approval.
- F. Detailed records shall be furnished upon request.

6.6 The Members-at-Large shall:

- A. Serve for a two-year term.
- B. Serve as a voting member of the Executive Council.
- C. Represent the Senate, as the Senate may direct.
- D. Assist the Senate with all fundraising activities.
- E. Serve as the Senate President’s designee as needed.

Article VII: Non-Voting Senate Members

7.1 Immediate Past President:

- A. The Immediate Past President serves for a six month term from July 1 to December 31 immediately following their term as President.
- B. This position serves in an advisory role to the President and the Senate.
- C. In the event the office of the Immediate Past President becomes vacant, it shall remain so until such time as it is filled by an outgoing President.

7.2 Ad Hoc Senate Members:

- A. Ad hoc position(s) will be filled by the President as necessary to meet the needs of the Senate.
- B. Ad hoc position(s) will be appointed by the President and ratified by a simple majority of the voting membership.
- C. Necessity for ad hoc position(s) will be determined by the President at the beginning of each term and ratified by a simple majority of the voting membership.

Article VIII. Financials

8.1 Dues

- A. The Senate may call upon its members for payment of dues; however, dues are not to be considered a condition of eligibility for membership in the Senate.
- B. The collection of dues may be accomplished through campaign(s) approved by a simple majority of the Senate.
- C. The Senate shall establish, by vote of the Senators present at its first meeting in July, the amount for voluntary dues.
- D. Dues may be used to fund the Classified Senate Scholarship (for students and employees), classified professional development, and other Senate-related activities as approved by a simple majority of the voting membership of the Senate (50% + 1).

8.2 Fundraising

- A. The Senate may conduct periodic fundraisers to support Senate scholarships, classified professional development and other Senate related activities as approved by a simple majority of the voting membership (50% + 1).

8.3 Classified Executive Council Stipend

- A. Effective January 2019, AFT is providing a paid stipend to the Miramar College Classified Senate Executive Council officers. The stipend is based on the RAF allocation and may change from year to year. *The stipend is only available to AFT Union Members. A yearly allocation of five thousand, four hundred dollars (\$5,400) shall be allocated to each of the four Classified Senates to compensate Classified Senate Officers who are unit members for the work they do for the Senate. The distribution- is based on positions filled and assigned duties.

8.4 Donations

- A. Donations received by the Senate for specific purposes shall be read into and recorded in the subsequent meeting minutes by the Treasurer. The minutes shall include the amount, the specific purpose, and the terms and conditions under which the funding can alternatively be used and may be memorialized in a written document to be stored with the minutes. If the donation is anonymous, the name of the donor will be disclosed to the President and Treasurer with the intent that this information be confidentially passed on to future presidents and treasurers.

Article IX: Meetings

- 9.1 Senate meetings shall be held at least monthly. Meetings may be held during the summer months as determined by the Senate. The day and time shall be arranged by the incoming Executive Council.
- 9.2 The Senate considers participation in all its activities to be official business.
- 9.3 The Senate may call general classified employee meetings to discuss issues, when necessary.
- 9.4 Official meetings of the Senate shall consist of a quorum of 50% + 1 of the voting members present at the meeting. For example, if there are 13 voting members, a minimum of 7 must be present to conduct official business.

- 9.5 A list of all Senate meetings shall be made public.
- 9.6 Decisions shall be made by consensus. A vote may be called by a voting member of the Senate and ratified by 2/3 of the remaining voting membership.
- 9.7 The Executive Council may take action(s) that are within its powers and responsibilities ad hoc without a formal meeting. Action(s) taken without meeting can only be initiated with written majority approval by the council, including via electronic mail notification and response. Such approval shall be noted in the minutes of the next regular Classified Senate meeting.
- 9.8 Official minutes of each Senate meeting shall be kept on the Classified Senate website.
- 9.9 Senators who cannot attend a meeting shall be represented by another classified professional (a proxy). The designee will have full rights and privileges of a Senator during that Senate meeting. The designee shall inform the Senate President and Secretary of the change before the meeting begins.

Article X: Committees and Task Forces

- 10.1 Classified Professionals' membership on all Classified Senate and shared governance committees shall be by open recruitment from the entire classified population.
- 10.2 The Senate President shall provide classified representatives for various campus committees as determined by the College Governance Structure. Standing campus committees are determined by all four constituent groups.
- 10.3 Any changes related to classified membership on any committee shall be immediately reported to the President and Vice President.
- 10.4 The Senate has the ability to establish permanent, and when appropriate, ad hoc committees, and taskforces to assist in the development and implementation of policies

and procedures relating to classified professionals and to the operation and educational matters of the College.

- 10.5 Taskforces may be established by the Classified Senate. Such taskforces shall be formed for special purposes and shall be of short duration. Reports of taskforce meetings shall be given at each Senate meeting and shall be conveyed to the President and Secretary electronically for dissemination as necessary.
- 10.6 Ad hoc committees may be established by the Classified Senate. Such committees shall be formed for special purposes and shall be of short duration. Reports of committee meetings shall be given at each Senate meeting and shall be conveyed to the President and Secretary electronically for dissemination as necessary.
- 10.7 Ad hoc committees may be dissolved by the approval of the Senate or upon the completion of its assignment.
- 10.8 Standing committees shall include:
- B. **AMENDMENTS AND BYLAWS TASKFORCE.** This committee will be appointed by the Classified Senate President to study and recommend amendments to this Constitution and/or Bylaws, and to ensure that the Senate adheres to the constitution in all matters.
 - C. **ELECTIONS COMMITTEE.** This is an ad hoc committee, and shall be appointed by the Senate Executive Council to solicit and receive names of candidates and supervise the election process. ([See Miramar College Elections Procedures](#))
 - D. **EQUITY COMMITTEE.** The Chair of this committee is appointed by the Classified President. Once the Chair is selected, that person is responsible for choosing the committee members. This committee shall be responsible for the dissemination of changes/recommendations to the SDCCD EEO program, forwarding and soliciting input and recommendations pertaining to the Student Equity Plan and its effects on the Classified Professionals to the Classified Senate, and providing recommendations for discussions and professional development to the Classified Senate in relation to disproportionately impacted persons/groups.

- E. **FUN COMMITTEE.** The Chair of this committee is appointed by the Classified President. Once the Chair is selected, that person is responsible for choosing the committee members. All activities (including fundraising activities) must be approved by the Senate (50% + 1) before any action is taken. In the event a matter of confidentiality occurs, the Executive Council must be consulted and approve the use of Senate funds for personnel related issues at their discretion.
- F. **SCHOLARSHIP COMMITTEE.** This committee is responsible for Classified Senate Scholarships. The Chair of this committee is appointed by the Classified Senate President. Once the Chair is selected, that person is responsible for choosing the committee members.

Article XI: Appendices and Forms

Appendix A: Classified Senate Meeting Rules

In order to create valued outcomes, a commitment to participation, dialogue, and the pursuit of value in the form of useful output by all is necessary. It is acknowledged that there are power dynamics in a room. Work must be done to create the equitable and inclusive environment sought for effective and active participation. To do so, Classified Senate members will establish behavioral norms that include the following meeting rules of engagement, make use of meeting tools, and respect the roles of each member.

Meeting Rules of Engagement

In participatory government, a high level of collegiality, respect, and civility is expected. Those expectations include the following rules:

- All participants in Senate meetings are to treat each other as peers.
- It is the Senate President who runs the meeting and calls on attendees to speak. The role of the President is to help guide fair and balanced discussions while keeping on task.
- Speakers will be heard one at a time and without interruption. Participants will allow for moments of silence for thought and other viewpoints. In consideration of hearing all feedback,

members should be mindful of how often and how long they speak. Equity in consensus building means including diverse perspectives during Senate meetings and discussions.

- Senate Members will be engaged and contribute, and challenge ideas, not people. All meeting attendees will be respectful/civil in their comments, responses, and body language.
- Senate Members will listen to others, and seek to focus on the merits of what is being said, while making a good faith effort to understand the concerns of others. Senate members are encouraged to ask questions of clarification.
- Each person reserves the right to disagree with any proposal and accepts responsibility for offering alternatives that accommodate individual interests and the interests of others.
- All Senate members should be mindful of the language used in discussions, including use of "I" statements instead of "they" attributions to relate anecdotal evidence or experiences. Members are encouraged to use an asset-minded approach that focuses on what works and how something can be done. This is in contrast to a deficit-minded approach that focuses on the negative and why an initiative, idea, or project can't get done.
- All Senate members, both Executives and Senators, will be aware of the purpose and responsibility of their Senate.
- Once consensus is reached after deliberation, committee members will support the group's recommendation.

Appendix B: Groups in Governance

A **Committee** is a body of one or more appointed persons, subordinate to a deliberative organization or assembly. Usually, the organization sends matters to a committee to explore, investigate, analyze or resolve them more fully than possible for the larger group. Committees may have different functions, depending on the type of work a specific committee does and the organization's needs.

A **Standing Committee** is a subunit of an organization established in a permanent fashion to aid the parent organization or assembly in accomplishing its duties. It is granted its scope and powers over a particular area of business by the governing documents. They may meet on a

regular or irregular basis depending on their function, and retain any power or oversight originally given them until subsequent official actions of the governing body (through changes to law or by-laws) disbands the committee.

An **Executive Committee** is a smaller body of the Classified Senate only established through specific provisions in the charter or bylaws. Members of the executive committee may be elected, depending on the rules of the organization. However it is formed, an executive committee only has such powers and authority that the governing documents of the organization give it. In some cases, it may be empowered to act on behalf of the full committee or organization, while in others it may only be able to make recommendations.

A **Subcommittee** is a committee that is a subset of a larger committee. Committees that have a large workload may form subcommittees to further divide the work. Subcommittees report to the parent committee and not to the general assembly or organization.

A **Steering Committee** provides guidance, direction and control to a project within an organization. Steering committees are frequently used for guiding and monitoring long term projects in large organizations, as part of project governance. Functions might include planning, providing assistance and guidance, monitoring progress, controlling the scope of the project and resolving conflicts. As with other committees, the specific role and duties of the steering committee will vary among organizations.

A **Taskforce** is a small group, usually four to twelve people, that brings together a specific set of skills to accomplish a short-term task. It may be called a "project team" or a "working group." It exists for a specific, time-limited purpose, usually lasting a few months to a year. Often its members come from different parts of an organization, such as various division categories. Individuals are selected for their expertise, their history in the organization, and their interest in the project. Drawing from this varied pool enhances the project's chances for success.

An **advisory group** is a collection of individuals who bring unique knowledge and skills which complement the knowledge and skills of the formal group members in order to more effectively govern the organization. This group does not have formal authority to govern and cannot issue

directives which must be followed. It serves to make recommendations and/or provide key information and materials to a formal body. The advisory group can be standing (or ongoing) or ad hoc (one-time) in nature.

APPENDIX C: Useful Definitions and Terms

BP/AP 2510: The SDCCD governing board has an administrative procedure and board policy that pertains to "Participation in Local Decision-Making" (see AP 2510 and BP 2510).

Administrative Procedure (AP): A statement of the process to be used in implementing a corresponding Board Policy. The Chancellor approves and issues Administrative Procedures (see definition in SDCCD governing board document).

Board policy (BP): A written statement that embodies the interest and philosophy of the Governing Board and exists to provide parameters of governance concerning a particular area or issue of the District; a majority of the Board members must approve a Board Policy.

Committee: The majority of the participatory governance body is composed of standing committees; they are composed of constituency representatives, and resource and advisory members, and are permanent parts of the internal governance process of the college.

Consensus: Describes a general state of agreement rather than a "majority opinion."

9+1: California Code of Regulations, Title 5, Section 51023.7, commonly known as "9+1," as having a significant effect on students and calling for student contributions to decision-making.

10+1: created by Assembly Bill (AB) 1725; used in reference to either rely primarily or reach mutual agreement on the development of policies and procedures related to academic and professional matters, also known as "10+1"

AB 1725: Assembly Bill 1725, landmark 1988 legislation authored by the late John Vasconcellos, which created academic faculty purview of "academic and professional" matters, also known as "10+1"

Constituency Body/Group: One of four groups who represent Miramar College. This includes the Academic Senate, the Associated Student Government, the Classified Senate, and the College Administration. These groups are represented by their respective presidents and all are elected with the exception of the College President. This means the College President may vote without further process, but the other three representatives may need to solicit the will of their respective constituency groups prior to voting unless otherwise allowed for in their specific bylaws.

Discussion: Within participatory governance bodies, discussion refers to dialogue addressing issues of shared importance.

Governance Body: Any council or committee in the participatory governance structure.

Participatory Governance: This is the structure by which the college's subject matter experts and constituency group representatives make recommendations to the college president via its apex governance body (ie: College Executive Council).

Proxy: An appointed constituency group representative who serves in the role of an absent constituency group representative for an upcoming meeting.

Publish: Means to post items to the appropriate webpage and sending to the Distribution List (DL) when necessary.

Quorum: The required number of the council/committee membership required to conduct the governance body's work.

California Education Code: The collection of all the laws directly related to California K-12 schools and community colleges.

California Code Regulation (CCR): The codification of the general and permanent rules and regulations (sometimes called administrative law) announced in the California Regulatory Notice Register by California state agencies.

APPENDIX D: Forms

Proxy Form - San Diego Miramar College Governance Committees

Each VOTING MEMBER is asked to send a written PROXY FORM via their selected replacement for each scheduled governance committee meeting that they are not able to attend. Voting Members are to complete the information below, including their name, constituency/department represented, committee name, proxy name, and the date. Please hand this PROXY to the Chairperson of the meeting before the meeting begins.

Voting Member Name: _____

Voting Member Constituency: _____

Committee Name: _____

PROXY Name: _____

Date of Committee Meeting: _____

By signing this document, I allow the identified proxy to act as my replacement in the above committee meeting.

(Voting Member's Signature)

Ratified: 4/16/2020