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# MJC ACADEMIC SENATE BYLAWS

LAST AMENDED SEPT. 4, 2014

## ARTICLE I. NAME AND DEFINITIONS

### SECTION 1. Name

The official name of this organization shall be the Academic Senate of Modesto Junior College.

### SECTION 2. Definitions

The following terms are used frequently throughout the Bylaws and Senate Rules. Whenever encountered, these terms are to be understood in the restrictive and technical sense herein defined.

A. FACULTY MEMBER

Any certificated employee of Modesto Junior College whose term of employment does not demand a supervisory or administrative credential and who is not declared as holding a management position.

B. ACADEMIC SENATE

The organization whose primary function, as representative of the faculty, is to make recommendations to the administration of Modesto Junior College and to the Yosemite Community College District Board with respect to academic and professional matters.

C. SENATOR

A Faculty Member who (1) by election from a representative body as defined in Article III, Section 2; (2) by election from the faculty at large, as defined in Article III, Section 2.D.; (3) by election from the adjunct faculty, as defined in Article III, Sec. 2.E.; or (4) by election from the full faculty to the positions of President and Vice President, enjoys full speaking rights, full rights to introduce resolutions, and full voting rights at both regular and special general sessions of the Academic Senate of Modesto Junior College. Neither the President, Vice President, nor the Secretary counts as a representative of any particular area.

## ARTICLE II. MISSION

### SECTION 1. Mission

This Academic Senate will:

- A. Act as a responsive body to reflect faculty opinion on academic and professional matters.

- 1 B. Promote the general welfare of Modesto Junior College and the Yosemite  
2 Community College District.  
3  
4 C. Consult collegially with the YCCD Board on academic and professional  
5 matters. The Senate will, after sober and thoughtful deliberation,  
6 participate in the formation of District policies by recommending those  
7 actions deemed most likely to advance the education of the students of  
8 the District. The Senate will be mindful of the importance of its  
9 recommendations, recognizing that, in those instances where the Board  
10 has elected in Policy 4103 to rely primarily upon the advice and judgment  
11 of the Senate, those recommendations may be rejected only in  
12 exceptional circumstances and for compelling reasons, and that, in those  
13 instances where the Board has elected to provide for mutual agreement  
14 with the Senate, those recommendations will be the basis for any new  
15 District policy and the current policy must prevail unless continuing with  
16 such policy exposes the District to legal liability or causes substantial  
17 financial hardship.  
18  
19 D. Participate in the shared governance of the College and District, assisting  
20 in the implementation of policy through the Senate committees, through  
21 the appointment of Faculty Members to College and District committees,  
22 and by directing its officers to carry Senate resolutions to the College and  
23 District Councils.  
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26 **ARTICLE III.**  
27 **MEMBERSHIP AND REPRESENTATION**  
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30 **SECTION 1. Membership**  
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- 32 A. Any Faculty Member of Modesto Junior College may become a member of  
33 the Academic Senate. (Refer to Article I, Section 2.) Members have a right  
34 to be recognized in debate, a right to speak as governed by Robert's  
35 Rules of Order (Revised) and the presiding officer, and other participatory  
36 rights of the body (Article I, Section 2.C.)  
37  
38 B. One student designated by the Associated Students of Modesto Junior  
39 College will represent that body at the Senate. The student representa-  
40 tive has a right to be recognized in debate and other speaking rights as  
41 governed by Robert's Rules of Order (Revised) and the presiding officer.  
42 The student representative does not have the right to introduce resolutions  
43 or to vote at any Academic Senate session.  
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46 **SECTION 2. Representation**  
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- 48 A. Each of the instructional divisions will be represented by one Senator for  
49 every ten full-time Faculty Members in the division, rounded to the nearest  
50 ten (e.g., a division of 15 to 24 Faculty Members will have two Senators; a  
51 division of 25 to 34 Faculty Members will have three Senators.) Every  
52 division will have at least one representative. Each spring the Secretary of  
53 the Senate will inform the Senators from each of the divisions as to the  
54 number of Senators who will represent that division in the next academic  
55 year. Senators at-large, the Secretary, President and Vice President do  
56 not count as representatives of their divisions.  
57  
58 B. The Library will be represented by one Senator.  
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- 1 C. Student Services representation will be determined as follows:  
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3 1. One Senator from Disability Services.  
4 2. One Senator for every ten full-time, certificated counselors, rounded to  
5 the nearest ten.  
6  
7 D. Two Senators shall be elected by the general faculty as Senators-at-  
8 Large, serving a two-year term.  
9  
10 E. Two Senators will represent adjunct faculty as at-large representatives,  
11 serving a two-year term. These Senators may not be full-time Faculty  
12 Members. They shall be elected by adjunct Faculty Members.  
13

### 14 **SECTION 3. Election and Term of Office**

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17 A. Each unit or division will determine in democratic fashion the Senators  
18 who will represent that unit or division and their terms. Before the first  
19 general meeting of each academic year the Senators from each unit or  
20 division will forward a list of their names to the Senate office along with a  
21 brief description of the election procedure. The list and procedure will be  
22 made available to all members of the unit or division. Absent timely  
23 objection from members of the unit or division, those on the list will be the  
24 Senators representing that unit or division for that academic year. If  
25 objection arises, the President will appoint an ad hoc committee to  
26 investigate the matter and bring a suggested resolution to the full Senate  
27 for final determination. If, during the course of the year a Senator is no  
28 longer able to serve, the same procedure will be followed for selecting  
29 his/her replacement  
30  
31 B. Senators-at-Large will be nominated in accordance with the Academic  
32 Senate Rules.  
33  
34 C. Vacancies in the position of Senators at-Large or Adjunct Senators-at-Large  
35 will be filled in accordance with Academic Senate Rules.  
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## 38 **ARTICLE IV.** 39 **OFFICERS**

### 40 41 **SECTION 1. List of Officers**

42 The officers of the Academic Senate shall include the President, Vice President,  
43 Secretary, Legislative Analyst, Parliamentarian, and Immediate Past-President.  
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### 47 **SECTION 2. Elections**

48 All officers except the President, Vice President, and Immediate Past-President shall be  
49 elected at a general session, said election to take place in accordance with the  
50 Academic Senate Rules. Officers are to assume their positions July 1st.  
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### 54 **SECTION 3. Nomination and Election of the President and Vice President**

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57 A. The nomination for the President and Vice President shall take place bi-annually  
58 at the first regularly scheduled general session in October of the Modesto Junior

1 College Academic Senate, or at a subsequent regularly scheduled general  
2 session until such time as nominations are closed.

3  
4 B. The election of the President and Vice President shall take place in the first week  
5 of December by secret ballot of the entire faculty (full- and part-time) of Modesto  
6 Junior College in accordance with the Academic Senate Rules.

7  
8 C. Upon election, the new President-Elect and/or Vice President Elect shall become  
9 a non-voting member of the Executive Board until he/she assumes office. In a  
10 normal election cycle, if the new President-Elect has not served a term on the  
11 MJC Curriculum Committee, he/she shall serve the Spring Semester as a non-  
12 voting member of that committee before assuming office. In addition, the  
13 President-Elect is expected to attend the ASCCC Spring Plenary Session and  
14 the ASCCC Leadership Institute before assuming office.

15  
16 D. The name of any tenured Faculty Member who has previously served as an  
17 Executive Board member of the Academic Senate may be placed in nomination  
18 for the offices of President or Vice President. Also, the name of any tenured  
19 Faculty Member who is currently serving in the Academic Senate and will have  
20 served two semesters by the time of assuming the office of President or Vice  
21 President may be placed in nomination. In addition, any former tenured member  
22 of the MJC Academic Senate who has served at least four semesters, and has  
23 also served at least one semester within the previous two years on any MJC  
24 governance council, or on the MJC Curriculum Committee, may be placed in  
25 nomination.

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27 E. If the President resigns (or is otherwise unable to complete a term) sometime  
28 during the academic year, the Vice President will finish that academic year as the  
29 Acting President. The resignation will be officially announced at the next meeting  
30 of the Senate. At the meeting subsequent to the meeting in which the  
31 resignation was announced, an Acting Vice President will be elected from current  
32 Senate membership, beginning with nominations from the floor. Once elected  
33 the Acting Vice President will serve in that position for the rest of the academic  
34 year. If no candidate is identified from the Senate floor, the Acting President,  
35 under advisement of the Executive Board, will, as soon as feasible, appoint an  
36 Acting Vice President, who must then be confirmed by the Senate. As soon as  
37 feasible, there will be a faculty-wide election to select a new President. The  
38 Acting President may run for the position of Senate President while holding the  
39 office of Acting President. If the Acting President is then elected President, a  
40 faculty-wide election will be organized as soon as feasible for the position Vice  
41 President; if he/she is not elected President, any remaining term as Vice  
42 President will continue when service as Acting President has concluded.

43  
44 F. If the Vice President resigns (or is otherwise unable to complete a term)  
45 sometime during the academic year, an Acting Vice President will be elected at  
46 the next meeting of the Senate from current Senate membership, beginning with  
47 nominations from the floor. A faculty-wide election will be organized as soon as  
48 feasible, for the position Vice President.

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51 **SECTION 4. Past President**

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53 The President, only upon completion of his/her final elected term of office, shall serve as  
54 Immediate Past-President.

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57 **SECTION 5. Vacancy in Office**

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59 A vacancy in office shall be filled in accordance with the Senate Rules

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3 **SECTION 6. Terms of Office**  
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- 5 A. The term of office for President shall be two years.
- 6 B. The term of office of the Vice President shall be two years.
- 7 C. The term of office of the Immediate Past President shall be one semester.
- 8 D. The term of office for Secretary shall be one year.
- 9 E. The term of office for the Legislative Analyst shall be one year.
- 10 F. The term of office for the Parliamentarian shall be one year.

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12 **ARTICLE V.**  
13 **RECALL**  
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15 **SECTION 1. Recall**  
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- 17 A. Any Senator or Senator-at-Large may be recalled by a two-thirds vote of his/her  
18 electorate.
- 19 B. Any Senate officer, with the exception of the President and Vice President may  
20 be recalled by two-thirds vote of the Senate membership.
- 21 C. The Senate, by a two-thirds vote, may initiate a recall election of the President or  
22 Vice President. The President or the Vice President of the Academic Senate  
23 may be recalled from office by a majority vote of the entire faculty of Modesto  
24 Junior College.
- 25 D. In the event that the President is recalled, the Vice President will finish that  
26 academic year as Acting President. The Acting President will begin his or her  
27 own two-year term as President at the beginning of the next academic year. The  
28 position of Vice President will remain vacant until the regularly scheduled election  
29 occurs.

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34 **ARTICLE VI.**  
35 **EXECUTIVE BOARD**  
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37 **SECTION 1. Membership**  
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39 The Executive Board shall consist of the officers of the Academic Senate. (Refer to  
40 Article IV Sections 1 and 2). The President may also appoint up to three additional  
41 Executive Board members. These members must be Senators or Senate appointees  
42 from shared governance councils. Such appointments require ratification by a majority  
43 vote of the full Senate. Terms shall not exceed one year, however, the appointments  
44 are renewable and subject to ratification  
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46 **SECTION 2. Meetings**  
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- 48 A. The Executive Board shall meet in advance of each general session of the  
49 Academic Senate. Special meetings of the Executive Board may be called for cause  
50 by the President of the Senate.
- 51 B. The Executive Board need not meet prior to a special meeting of the Academic  
52 Senate unless deemed necessary by the President of the Senate.

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54 **SECTION 3. Powers and Duties**  
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The Executive Board shall implement policies adopted by the general session, act on behalf of the Academic Senate in the period between general sessions, transact business, and perform other functions not inconsistent with the intent, purposes and provisions of the Bylaws and Senate Rules.

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**ARTICLE VII.  
COMMITTEES AND APPOINTMENTS**

**SECTION 1. Committees**

- A. Standing committees shall be specified in the Senate Rules. The charge of each standing committee shall be reviewed and approved by the full Senate once a year. Formal actions of standing committees must be ratified by the full Senate to take effect, with the exception of issues clearly specified in committees' charges on which the committee may act without ratification. Any such designation may be revoked by a vote of the full Senate. Such designation is most appropriate for routine decisions and may not constitute delegation by the Senate of its responsibilities as described in YCCD Board Policy 4103.
- B. The President shall create all other Senate committees and make appointments to all committees, subject to the approval by majority vote of the full Senate.

**SECTION 2. Special Assignments**

With the approval of the Executive Board, the President may assign various individuals special tasks that are from time to time deemed necessary.

**SECTION 3. Terms and Removal**

Except for the Standing Committees of the Senate, the terms of all persons appointed to committees or special assignments shall be for the duration of the President's term or any other period of time specified by the Senate. Any appointee can be removed by a simple majority vote of the Senate.

**ARTICLE VIII.  
ACTION**

**SECTION 1. Quorum**

A quorum for the conduct of a general or special session of the Academic Senate for Modesto Junior College shall be a number equal to two thirds of the number of serving Senators.

**ARTICLE IX.  
AMENDMENTS OF THE BYLAWS**

**SECTION 1. Proposal**

Proposed amendments are initiated by

- A. a majority of elected Senators, or
- B. a petition of ten percent (10%) of the full-time faculty, or
- C. the Executive Board.

After receiving a proposed amendment, the President is required to bring it to the Senate for the first reading.

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**SECTION 2. Ratification**

Ratification for adoption shall require a two-thirds vote of the Senate members. (Article 1, Section 2.C.)

**ARTICLE X.  
PROCEDURES**

**SECTION 1. Senate Rules**

The Academic Senate of Modesto Junior College may adopt Senate Rules to establish provisions for implementing the intents and purposes of the Bylaws. In cases not provided for in the Senate Rules, Robert's Rules of Order, (Revised), shall govern the meetings of the general sessions and Senate committees.

**SECTION 2. Adoption**

Senate Rules shall be adopted by a majority vote of the membership of the Senate. (Article I, Section 2.C.)