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**MJC ACADEMIC SENATE
BYLAWS**

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MJC ACADEMIC SENATE BYLAWS

LAST AMENDED DECEMBER 1, 2016

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.
- B. Promote the general welfare of Modesto Junior College and the Yosemite Community College District.

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- C. Consult collegially with the YCCD Board on academic and professional matters. The Senate will, after sober and thoughtful deliberation, participate in the formation of District policies by recommending those actions deemed most likely to advance the education of the students of the District. The Senate will be mindful of the importance of its recommendations, recognizing that, in those instances where the Board has elected in Policy 4103 to rely primarily upon the advice and judgment of the Senate, those recommendations may be rejected only in exceptional circumstances and for compelling reasons, and that, in those instances where the Board has elected to provide for mutual agreement with the Senate, those recommendations will be the basis for any new District policy and the current policy must prevail unless continuing with such policy exposes the District to legal liability or causes substantial financial hardship.
 - D. Participate in the shared governance of the College and District, assisting in the implementation of policy through the Senate committees, through the appointment of Faculty Members to College and District committees, and by directing its officers to carry Senate resolutions to the College and District Councils.

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**ARTICLE III.
MEMBERSHIP AND REPRESENTATION**

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SECTION 1. Membership

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- A. Any Faculty Member of Modesto Junior College may become a member of the Academic Senate. (Refer to Article I, Section 2.) Members have a right to be recognized in debate, a right to speak as governed by Robert's Rules of Order (Revised) and the presiding officer, and other participatory rights of the body (Article I, Section 2.C.)
 - B. One student designated by the Associated Students of Modesto Junior College will represent that body at the Senate. The student representative has a right to be recognized in debate and other speaking rights as governed by Robert's Rules of Order (Revised) and the presiding officer. The student representative does not have the right to introduce resolutions or to vote at any Academic Senate session.

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SECTION 2. Representation

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- A. Each of the instructional divisions will be represented by one Senator for every ten full-time Faculty Members in the division, rounded to the nearest ten (e.g., a division of 15 to 24 Faculty Members will have two Senators; a division of 25 to 34 Faculty Members will have three Senators.) Every division will have at least one representative. Each spring the Secretary of the Senate will inform the Senators from each of the divisions as to the number of Senators who will represent that division in the next academic year. Senators at-large, the Secretary, President and Vice President do not count as representatives of their divisions.
 - B. The Library will be represented by one Senator.

- 1 C. Student Services representation will be determined as follows:
2
3 1. One Senator from Special Programs (e.g. DSPS, EOPS, Veterans,
4 CalWorks, Health Services, Campus Life) for every ten full-time faculty
5 members in the program, rounded to the nearest ten.
6
7 2. One Senator for every ten full-time, certificated general counselors,
8 rounded to the nearest ten.
9
10 D. Two Senators shall be elected by the general faculty as Senators-at-
11 Large, serving a two-year term.
12
13 E. Two Senators will represent adjunct faculty as at-large representatives,
14 serving a two-year term. These Senators may not be full-time Faculty
15 Members. They shall be elected by adjunct Faculty Members.
16
17 F. One Senator will represent faculty who teach online as an at-large
18 representative, serving a two-year term in both the Senate and on the
19 Distance Education Committee. This Senator shall be elected by all Faculty
20 Members who teach online or hybrid courses.
21
22

23 **SECTION 3. Election and Term of Office**

- 24
25 A. Each unit or division will determine in democratic fashion the Senators who
26 will represent that unit or division and their terms. Before the first general
27 meeting of each academic year the Senators from each unit or division will
28 forward a list of their names to the Senate office along with a brief
29 description of the election procedure. The list and procedure will be made
30 available to all members of the unit or division. Absent timely objection from
31 members of the unit or division, those on the list will be the Senators
32 representing that unit or division for that academic year. If objection arises,
33 the President will appoint an ad hoc committee to investigate the matter and
34 bring a suggested resolution to the full Senate for final determination. If,
35 during the course of the year a Senator is no longer able to serve, the same
36 procedure will be followed for selecting his/her replacement
37
38 B. Senators-at-Large will be nominated in accordance with the Academic
39 Senate Rules.
40
41 C. Vacancies in the position of Senators at-Large or Adjunct Senators-at-Large
42 will be filled in accordance with Academic Senate Rules.
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45 **ARTICLE IV.**

46 **OFFICERS**

47 **SECTION 1. List of Officers**

48 The officers of the Academic Senate shall include the President, Vice President,
49 Secretary, Legislative Analyst, Parliamentarian, and Immediate Past-President.
50
51

52 **SECTION 2. Elections**

53 All officers except the President, Vice President, and Immediate Past-President shall be
54 elected at a general session, said election to take place in accordance with the Academic
55 Senate Rules. Officers are to assume their positions July 1st.
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2 **SECTION 3. Nomination and Election of the President and Vice President**
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- 4 A. The nomination for the President and Vice President shall take place bi-annually
5 at the first regularly scheduled general session in October of the Modesto Junior
6 College Academic Senate, or at a subsequent regularly scheduled general session
7 until such time as nominations are closed.
8
- 9 B. The election of the President and Vice President shall take place in the first week
10 of December by secret ballot of the entire faculty (full- and part-time) of Modesto
11 Junior College in accordance with the Academic Senate Rules.
12
- 13 C. Upon election, the new President-Elect and/or Vice President Elect shall become
14 a non-voting member of the Executive Board until he/she assumes office. In a
15 normal election cycle, if the new President-Elect has not served a term on the MJC
16 Curriculum Committee, he/she shall serve the Spring Semester as a non-voting
17 member of that committee before assuming office. In addition, the President-Elect
18 is expected to attend the ASCCC Spring Plenary Session and the ASCCC
19 Leadership Institute before assuming office.
20
- 21 D. The name of any tenured Faculty Member who has previously served as an
22 Executive Board member of the Academic Senate may be placed in nomination
23 for the offices of President or Vice President. Also, the name of any tenured
24 Faculty Member who is currently serving in the Academic Senate and will have
25 served two semesters by the time of assuming the office of President or Vice
26 President may be placed in nomination. In addition, any former tenured member
27 of the MJC Academic Senate who has served at least four semesters, and has
28 also served at least one semester within the previous two years on any MJC
29 governance council, or on the MJC Curriculum Committee, may be placed in
30 nomination.
31
- 32 E. If the President resigns (or is otherwise unable to complete a term) sometime
33 during the academic year, the Vice President will finish that academic year as the
34 Acting President. The resignation will be officially announced at the next meeting
35 of the Senate. At the meeting subsequent to the meeting in which the resignation
36 was announced, an Acting Vice President will be elected from current Senate
37 membership, beginning with nominations from the floor. Once elected the Acting
38 Vice President will serve in that position for the rest of the academic year. If no
39 candidate is identified from the Senate floor, the Acting President, under
40 advisement of the Executive Board, will, as soon as feasible, appoint an Acting
41 Vice President, who must then be confirmed by the Senate. As soon as feasible,
42 there will be a faculty-wide election to select a new President. The Acting
43 President may run for the position of Senate President while holding the office of
44 Acting President. If the Acting President is then elected President, a faculty-wide
45 election will be organized as soon as feasible for the position Vice President; if
46 he/she is not elected President, any remaining term as Vice President will continue
47 when service as Acting President has concluded.
48
- 49 F. If the Vice President resigns (or is otherwise unable to complete a term) sometime
50 during the academic year, an Acting Vice President will be elected at the next
51 meeting of the Senate from current Senate membership, beginning with
52 nominations from the floor. A faculty-wide election will be organized as soon as
53 feasible, for the position Vice President.
54
55

56 **SECTION 4. Past President**
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58 The President, only upon completion of his/her final elected term of office, shall serve as
59 Immediate Past-President.

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3 **SECTION 5. Vacancy in Office**

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

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8 **SECTION 6. Terms of Office**

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10 A. The term of office for President shall be two years.
11 B. The term of office of the Vice President shall be two years.
12 C. The term of office of the Immediate Past President shall be one semester.
13 D. The term of office for Secretary shall be one year.
14 E. The term of office for the Legislative Analyst shall be one year.
15 F. The term of office for the Parliamentarian shall be one year.
16

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18 **ARTICLE V.**
19 **RECALL**

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21 **SECTION 1. Recall**

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23 A. Any Senator or Senator-at-Large may be recalled by a two-thirds vote of his/her
24 electorate.
25
26 B. Any Senate officer, with the exception of the President and Vice President may be
27 recalled by two-thirds vote of the Senate membership.
28
29 C. The Senate, by a two-thirds vote, may initiate a recall election of the President or
30 Vice President. The President or the Vice President of the Academic Senate may
31 be recalled from office by a majority vote of the entire faculty of Modesto Junior
32 College.
33
34 D. In the event that the President is recalled, the Vice President will finish that
35 academic year as Acting President. The Acting President will begin his or her own
36 two-year term as President at the beginning of the next academic year. The
37 position of Vice President will remain vacant until the regularly scheduled election
38 occurs.
39
40

41 **ARTICLE VI.**
42 **EXECUTIVE BOARD**

43
44 **SECTION 1. Membership**

45
46 The Executive Board shall consist of the officers of the Academic Senate. (Refer to
47 Article IV Sections 1 and 2). The President may also appoint up to three additional
48 Executive Board members. These members must be Senators or Senate appointees
49 from shared governance councils. Such appointments require ratification by a majority
50 vote of the full Senate. Terms shall not exceed one year, however, the appointments
51 are renewable and subject to ratification
52

53 **SECTION 2. Meetings**

- 54
55 A. The Executive Board shall meet in advance of each general session of the Academic
56 Senate. Special meetings of the Executive Board may be called for cause by the
57 President of the Senate.

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3 B. The Executive Board need not meet prior to a special meeting of the Academic Senate
4 unless deemed necessary by the President of the Senate.
5

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7 **SECTION 3. Powers and Duties**
8

9 The Executive Board shall implement policies adopted by the general session, act on
10 behalf of the Academic Senate in the period between general sessions, transact
11 business, and perform other functions not inconsistent with the intent, purposes and
12 provisions of the Bylaws and Senate Rules.
13

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15 **ARTICLE VII.**
16 **COMMITTEES AND APPOINTMENTS**
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19 **SECTION 1. Committees**
20

- 21 A. Standing committees shall be specified in the Senate Rules. The charge of each
22 standing committee shall be reviewed and approved by the full Senate once a year.
23 Formal actions of standing committees must be ratified by the full Senate to take
24 effect, with the exception of issues clearly specified in committees' charges on
25 which the committee may act without ratification. Any such designation may be
26 revoked by a vote of the full Senate. Such designation is most appropriate for
27 routine decisions and may not constitute delegation by the Senate of its
28 responsibilities as described in YCCD Board Policy 4103.
29
30 B. The President shall create all other Senate committees and make appointments to
31 all committees, subject to the approval by majority vote of the full Senate.
32

33
34 **SECTION 2. Special Assignments**
35

36 With the approval of the Executive Board, the President may assign various individuals
37 special tasks that are from time to time deemed necessary.
38

39
40 **SECTION 3. Terms and Removal**
41

42 Except for the Standing Committees of the Senate, the terms of all persons appointed to
43 committees or special assignments shall be for the duration of the President's term or any
44 other period of time specified by the Senate. Any appointee can be removed by a simple
45 majority vote of the Senate.
46

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48 **ARTICLE VIII.**
49 **ACTION**
50

51 **SECTION 1. Quorum**
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53 A quorum for the conduct of a general or special session of the Academic Senate for
54 Modesto Junior College shall be a number equal to two thirds of the number of serving
55 Senators.
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4 **ARTICLE IX.**
5 **AMENDMENTS OF THE BYLAWS**
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7 **SECTION 1. Proposal**
8

9 Proposed amendments are initiated by

- 10
11 A. a majority of elected Senators, or
12
13 B. a petition of ten percent (10%) of the full-time faculty, or
14
15 C. the Executive Board.
16

17 After receiving a proposed amendment, the President is required to bring it to the Senate
18 for the first reading.
19

20
21 **SECTION 2. Ratification**
22

23 Ratification for adoption shall require a two-thirds vote of the Senate members. (Article
24 1, Section 2.C.)
25

26
27 **ARTICLE X.**
28 **PROCEDURES**
29

30 **SECTION 1. Senate Rules**
31

32 The Academic Senate of Modesto Junior College may adopt Senate Rules to establish
33 provisions for implementing the intents and purposes of the Bylaws. In cases not provided
34 for in the Senate Rules, Robert's Rules of Order, (Revised), shall govern the meetings of
35 the general sessions and Senate committees.
36

37
38 **SECTION 2. Adoption**
39

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