

**DIABLO VALLEY COLLEGE
CONSTITUTION OF THE ACADEMIC SENATE**

(Adopted 5/16/91, amended 10/11/94, amended 10/8/02, amended 9/12/06, amended 5/19/15)

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PREAMBLE

In the academic world there has long existed a tradition of faculty leadership in the formulation of educational and professional policies of colleges and universities. This tradition has reflected a general recognition of the unique and preeminent qualifications of faculties in such matters, and it has derived from the experience that faculty morale, effectiveness and institutional commitment are all enhanced according to the degree of faculty involvement in policy making, through traditional democratic procedures. The California Legislature has endorsed this principle of faculty participation in governance and has provided a basis in law for its implementation. Title 5 of the Official California Code of Regulations establishes the right of community college faculties to form academic senates and describes their powers and duties (Division 6, Chapter 4, Subchapter 2, Article 2, Sections 53200 -53206). Building on this foundation Assembly Bill 1725 (C.973, Statutes 1988) has further expanded the faculty's role in governance. Specific language in this law requires that the governing board of a district "reach joint agreement" or "rely primarily on the advice and judgment of the academic senate in academic and professional matters." This expanded faculty role in governance brings increased responsibilities along with a more influential voice, and it is recognized that constant communication and consultation among faculty, board, and administration are essential.

Under the new statutes it is clearly understood that the making of policy concerning academic and professional matters lies jointly with the Governing Board of the District and the senates. The provisions set forth in this Constitution are based upon the faculty's confidence that increasingly the board and the administration will recognize the wisdom of maximizing faculty influence and participation in policy making, in a partnership of shared governance.

Article I: Name

The name of this organization shall be the Academic Senate of Diablo Valley College.

Article II: Responsibilities of the Academic Senate

The Academic Senate shall formulate, with the Governing Board or its representatives in the Administration, all educational policies of this institution including academic, professional, and personnel matters.

Article III: Organization of the Academic Senate

Section 1. Membership

Members of the Academic Senate shall be all faculty members, not designated as supervisory or management (Title 5, official California Code of Regulations, Section 53200a).

Section 2. Officers

Officers of the Academic Senate shall be a President, a Vice-President, and a Corresponding Secretary, who shall also serve as officers of the Academic Senate Council.

Section 3. Meetings

General meetings of the Senate may be convened by the Senate President with the advice of the Senate Council, or by petition of at least ten percent (10%) of the Senators.

Article IV: Council Officers & Representatives

Section 1. Responsibilities of the Academic Senate Council

The Council shall:

- A. meet at least once a month during the academic year.
- B. advise the Agenda Work Group, as may be requested, in developing agendas for meetings of the Senate Council and for any general meetings of the Academic Senate called by the Senate President with the advice of the Council.
- C. coordinate and monitor the efforts of the Standing Committees of the Academic Senate and refer agenda items to appropriate committees; review and/or act upon the deliberations and recommendations of the Standing Committees as necessary.
- D. refer issues of sufficient importance to a vote of the Academic Senate as a whole.
The Council will seek implementation of the will of the faculty as expressed by such votes. Issues may originate with the Council, be referred to the Council by a Standing Committee, or be mandated by a petition of fifteen percent (15%) of the Academic Senate.
- E. consider, recommend, and seek implementation of programs and policies of educational significance.
- F. approve faculty appointments to all committees and other groups dealing with

academic and professional matters.

- G. advise the college administration and Governing Board regularly, through the Senate President, of the recommendations of the Academic Senate and Council.
- H. recognize faculty interest groups, provided they supply the Council with their name, statement of purpose, proposed duration and contact person(s). Such recognition shall not constitute an endorsement by the Academic Senate or Council.

Section 2. Membership of the Academic Senate Council

- A. Membership of the Academic Senate Council shall be the following:
 - 1. the officers of the Academic Senate
 - 2. one elected full-time tenured faculty member from each instructional division
 - 3. the Professional Development Coordinator - if a faculty member
 - 4. two (2) representatives elected from and by the part-time faculty
 - 5. one at-large representative elected by the faculty
 - 6. a librarian selected by the library department when there is not a librarian on the Council in another capacity
 - 7. one student representative selected by the ASDVC (non-voting)
- B. Council members not able to attend Council meetings may not be substituted for unless the duration will be more than three (3) successive meetings. Substitutes will be elected by the appropriate constituency.
- C. No provision is recognized for proxy voting by Council members.
- D. The quorum for the Council shall be a majority of the Council membership, excluding vacancies.
- E. All faculty members of the Council shall have full voting privileges.

Section 3. Responsibilities of the Officers of the Academic Senate Council

- A. Responsibilities of the President

The Senate President shall:

1. preside over meetings of the Senate Council and the Academic Senate and conduct them according to "Robert's Rules of Order," most current edition
2. present the recommendations of the Academic Senate Council to the college administration and to the District Governing Board and/or its representatives,
3. represent views of the faculty at meetings of appropriate committees at the college, district, and state levels,
4. recruit faculty representatives for all committees as appropriate and present to the Council for appointment
5. establish or terminate, with the advice and consent of the Senate Council, sub-committees, standing and ad hoc committees of the Senate Council.

B. Duties of the Vice-President

The Vice-President shall:

1. perform the duties of the Senate President in his/her absence.
2. serve on or attend meetings of appropriate committees at the college, district and state levels,
3. assist the Senate President as needed in delegated tasks and duties.

C. Duties of the Corresponding Secretary

The Corresponding Secretary shall:

1. draft correspondence for the Senate President or Council as required.
2. assist the Senate President as needed in delegated tasks and duties.

Article V: Academic Senate Standing Committees

Section 1. Responsibilities

- A. the Standing Committees, informed and guided by the Senate Council, shall represent the Academic Senate in their respective areas of competence.

- B. the chair of each Standing Committee shall submit to the Senate Council all minutes and reports of its actions and report to the Senate Council as needed.
- C. at the discretion of a committee, any matter of committee business may be referred to the Senate Council through the Senate President,
- D. each Standing Committee shall agree upon and file with the Senate Council, for its approval, a statement of philosophy for that committee.

Section 2. Additional Responsibilities and Procedures

The names of the Standing Committees, other responsibilities, membership, voting, and terms of office shall be described in the Bylaws for Academic Senate and Senate Council.

Article VI: Elections

Section 1. The Election Process

- A. The Senate President shall, in the fall of each election year, declare dates for general elections to be held during the spring term.
Elections for President and Vice president will be held in the spring term of odd-numbered years.
Elections for Corresponding secretary and Full-time Representative-At-large will be held in the spring term of even-numbered years.
Elections for the part-time representative(s) for one position will be held at the beginning of the Fall term in even-numbered years, and the election for the second position will be held at the beginning of the Fall term in odd-numbered years.
- B. Nominations for officers of the Academic Senate shall be submitted to the Academic Senate Office. The nomination petition with signatures from (10) ten full-time faculty in support of a candidacy may be submitted via email.
- C. Nominations for the part-time faculty representative(s) to the Senate Council shall be submitted to the Academic Senate Office.
The nomination petition with signatures from (10) ten part-time faculty in support of a candidacy may be submitted via email.
- D. A candidate for President, Vice-President, Corresponding Secretary or representative-at-large of the Academic Senate who receives a majority of the votes cast for that office shall be elected. In the event that no candidate receives a majority, a run-off election shall be held between the two candidates

with the largest pluralities.

- E. In an election for a part-time faculty at-large representative to the Senate council, the candidate who receives the largest number of votes cast for that position shall be elected.
- F. Division representatives to the Senate Council shall be elected in accordance with Division Bylaws.

Section 3. Terms, Eligibility, Qualifications, and Restrictions

- A. Senate officers, division representatives to the Senate Council, and the part-time faculty representative(s) elected to the Senate Council shall serve two-year terms.
- B. Terms for Senate Standing Committee members may vary and shall be detailed in the Committees' charges.
- C. All terms of office for elected officers shall begin on the day following the end of the fiscal year.
- D. Terms for the part-time representative(s) shall begin in the fall term.
- E. Voting in all elections shall be by secret ballot.
- F. A senator teaching in more than one division shall be considered a member of, and vote in that division in which the majority of his/her teaching occurs for that semester.
- F. No provision is here recognized for write-in voting or for voting by proxy.
- H. Absentee voting in elections shall be permitted for senators who are on sick leave, administrative leave, or other official leaves of short duration or who are on sabbatical leave, but not for those on extended leaves of absence, i.e. leaves for which the senator is not on contract with the district. It shall be the responsibility of the senator to acquire and cast the ballot.
- I. A part-time faculty member shall have a one-third (1/3) vote in all votes of the Senate as a whole. When voting for a part-time representative at-large to the Senate Council, a part-time Faculty member shall have one (1) full vote.
- J. All faculty members who run for any Senate office shall be full-time tenured faculty members. All faculty members who serve on standing committees or the Council shall have been employed in the district for at least one (1) year.

Section 4. Special Elections

A. Recall

When a number of Senators equal to thirty per cent (30%) of the regular faculty shall have signed a petition requesting the recall of an officer of the Senate, or when thirty percent (30%) of the part-time faculty shall have signed a petition requesting the recall of a part-time representative to the Senate Council, a recall election shall be held within two (2) weeks of the receipt of the petition by the Senate Staff Secretary. The recall of division representatives to the Council or standing committees shall be the responsibility of the divisions, in accordance with division bylaws or procedures. If a majority of the appropriate constituency vote to recall an incumbent, that slot shall be considered vacant and shall be filled by special election.

B. Vacancies

1. Any vacancy among the Senate officers shall be filled by special election for the duration of the unexpired term. In the case of a temporary interim vacancy of one (1) semester or less, the Senate President may fill the vacancy by appointment with the consent of the Senate Council. If an elected office goes unfilled at the end of the spring term in an election year, the Senate President may fill the vacancy by appointment with the consent of the Senate Council.
2. Any vacancy on a Standing Committee with one representative appointed from a division or among division representatives to the Senate Council, when declared by the Senate Council, shall be filled by division action. If a division fails to act within thirty (30) days of the declaration of vacancy, the Senate President may fill the vacancy by appointment from the appropriate division, with the consent of the Senate Council.
3. Any faculty vacancy on a Senate advisory committee, ad hoc committee, task force or work group may be filled by appointment by the Senate President, with the consent of the Senate Council.
4. Any vacancy of a full-time or part-time rep at large will be filled by the Senate President with the consent of the Senate Council.

Article VII: Amendments

This constitution may be amended by two-thirds (2/3) of the senators voting, provided that such amendment is referred by the Senate Council for a vote or that a petition

signed by twenty percent (20%) of the regular faculty is presented to the Senate President.

Voting will take place after discussion of the amendment has been provided for in a general meeting of the Senate and shall be conducted according to the election procedures set forth in Article VI.

Article VIII: Changes in the Bylaws

The bylaws for the Faculty Senate and Senate Council may be changed by a two-thirds (2/3) vote of the Senate Council.