**CONSTITUTION OF THE ACADEMIC SENATE**

**BERKELEY CITY COLLEGE**

**ARTICLE I**

**Name and Membership**: The name of this body shall be the Academic Senate of Berkeley City College, hereinafter referred to as the Academic Senate. The Academic Senate is comprised of all currently employed faculty both contract and adjunct with all rights and responsibilities thereunto.

The Academic Senate shall elect an Executive Council from its membership, hereinafter referred to as the Exec. The Executive Council shall consist of a President, Vice President, Secretary/third DAS representative, and At-Large Senators and shall serve as the representative body of the Academic Senate. At- Large Senators are elected by individual departments with the numbers for each department listed in Article I of the By-laws to this Constitution, as well as provision for one adjunct faculty representative. Any member of the Academic Senate may be elected to the Executive Council. (For purposes of clarification, no faculty member can hold more than one position in the Executive Council.)

 **ARTICLE II**

**Purpose**: The purpose of the Exec shall be, as the representative of the Academic Senate, to make recommendations to the Administration of Berkeley City College, the Peralta Community College District Academic Senate, the Board of Trustees, and to other appropriate individuals and bodies regarding academic and professional matters at Berkeley City College; and, as provided by law and agreement, to make joint decisions with college administration and the District Academic Senate, and when appropriate directly to the Board of Trustees, with respect to academic and professional matters; and to inform the Academic Senate of current issues and hold meetings for discussion.

Academic and professional matters include, but are not limited to, the following:

1. Curriculum, including establishing prerequisites and placing courses within disciplines.
2. Degree and certificate requirements.
3. Grading policies.
4. Educational program development.
5. Standards or policies regarding student preparation and success.
6. District and college governance structures, as related to faculty roles.
7. Faculty roles and involvement in accreditation processes, including self-study and annual reports.
8. Policies for faculty professional development activities.
9. Processes for program review.
10. Processes for institutional planning and budget development.
11. Other academic and professional matters as mutually agreed upon between the governing board and the academic senate. (Title 5 Regulations, Subchapter 2, Section 53200, 53203)

In each of the above areas, the Academic Senate will be the primary recommending body on academic and professional matters. This manner of consulting is through collegial consultation per Peralta Community College District Board Policy 2510.

**Additional Senate Responsibilities**: Additional responsibilities include but are not limited to:

1. Present a formal, representative voice on any matter affecting the conduct and welfare of Berkeley City College.
2. Recommend appointment of faculty representatives to committees requiring faculty representation. Appoint faculty to serve on college or district committees, task forces, or other groups dealing with academic and professional matters (section 53202, f).
3. Assume such appropriate responsibilities and functions as may be requested of it by college faculty.
4. Implement responsibilities, powers, and duties not denied faculty by union contract or law.
5. Promote communication and mutual understanding among and within all segments of the Berkeley City College community and with the other colleges of the Peralta Community College District, usually through the District Academic Senate. In addition, the senate will work closely with the faculty union particularly in areas where there is shared responsibility.
6. Promote best interests of higher education by sharing in the governance of Berkeley City College.
7. Direct the development of college hiring criteria and job descriptions as they affect college-wide faculty positions (section 87360).
8. Participate, through the District Academic Senate, in the implementation of district policies and procedures regarding equivalencies to minimum qualifications (section 87359), reassignment of administrators (section 87458), and exceptions to the minimum degree requirements for tenure (section 87458), and provide the administration with the advice and judgment of the faculty in regards to these matters.

No person or group shall be interpreted as speaking for the Academic Senate or the Executive Council unless so designated by the Academic Senate

**ARTICLE III**

**Election of Executive Council Officers and At-Large Senators**: The election of Exec Officers and At-Large Senators shall be by a secret electronic ballot, and shall be conducted every two years by an Elections Task Force appointed by the Exec.

It shall be the duty of the Elections Task Force to set the dates for nominations and elections, to publicly post and communicate the nomination and elections procedures to all faculty, to set up the electronic ballots on the college’s web-based management systems for surveys, and to tally the election results. The Elections Task Force will deliver the election results (determined by majority vote of the ballots cast) to the Senate President. Then the Elections Task Force will announce the election results to the electorate and to the college-wide community.

To be elected to the Executive Council, candidates for membership shall send written petition or email to the Election Task Force. Any member of the Senate may nominate another faculty member to the Executive Council. Senate members nominating someone else must receive written or email confirmation from the nominee that, if elected, will serve as a member of the Executive Council for the upcoming term.

Nominations can begin as early as March 15. For public information, Nomination and Election Procedures will be posted on the Academic Senate web site. Voting can begin as early as April 1, but must be completed no later than five weeks before the end of the spring semester.

If at the time for nominations to close, a petition for each open position has not been submitted, the Exec, in conjunction with the Election Task Force, shall postpone voting one week, during which time additional nominations will be solicited. The postponed voting shall then take place regardless of the number of candidates.

**ARTICLE IV**

**Term of Office**: Exec Officers and At-Large Senators shall serve for a two-year term beginning July 1 of the year of the election. No one shall serve more than three two-year terms as President.

If an Exec Officer or At-Large Senator leaves the Exec before the end of the term, an election will be held as soon as possible to fill the unexpired term. For purposes of this article, a partial term is regarded as a complete two-year term.

**ARTICLE V**

**Officers**: The officers of the Exec, as noted in Article III shall be the following: President, Vice President, and Secretary/third DAS representative.

1. The term of office for the President is two years.
2. The term of office for the Vice-President shall be for two years. The Vice President may be elected to subsequent terms.
3. The term of office for Secretary/third DAS representative shall be two years. The Secretary/ third DAS representative may be elected to subsequent terms.
4. The officers of the Executive Council shall be the officers of the Senate. In the event of a temporary absence of the President, the succession to the presidency shall be in the following order: Vice President, Secretary/ third DAS representative. If any office of the Exec is vacated, the Executive Council shall fill the office by election.

The duties of the Executive Council members are provided in Article III of the By-laws to this Constitution.

**ARTICLE VI**

**Meetings**: Regular meetings of the Exec shall be held at least twice a month during the academic year. Meeting times shall be set upon agreement of all Exec members. The time, date, and place of such meetings shall be published prior to each meeting. Members of the Academic Senate may attend any meeting of the Exec. They may speak on any issue.

The President must place an item on the agenda of the Exec meeting (a) at the request of any Exec member or (b) on receipt of written or e-mailed request to the President by a member of the Academic Senate.

The agenda for each Exec meeting shall be posted at least two school days prior to such a meeting through e-mail and in the faculty mailroom location.

The Exec may not take action on any matter not on the agenda unless a two-thirds vote of Exec members declares that matter to be an emergency matter. The minutes of the Exec meetings shall be posted on the Academic Senate page of the college web site.

Regular **plenary sessions** (as defined in Article II of the By-laws to this Constitution) of the Senate shall be held once during an academic year. Any matter within the purview of the Senate may be discussed and acted upon at a regular plenary session.

Special meetings of the Executive Council of the Academic Senate may be called in the following ways:

1. by the President,
2. on the petition of a majority of the Exec, or
3. on the petition of 10 members of the Senate.

No business other than that for which special meetings are called shall be transacted at such meetings.

**ARTICLE VII**

**Recommendations**: The Exec is authorized to make recommendations on behalf of the Senate subject to the following provisions:

1. The Exec may, on its own judgment and on its own initiative, refer to the Academic Senate any matter affecting the welfare of the Berkeley City College community.
2. The Exec , on its own judgment and on its own initiative, may forward recommendations to the Administration, the District Academic Senate, or the Board of Trustees, with respect to academic and professional matters.
3. If 10 members of the Senate disagree with any resolution passed by the Exec, those 10 members can request in writing that the entire Academic Senate be consulted regarding the specified resolution. Such a request must occur within three weeks of the posting of the official Exec minutes. Such a request shall be signed by the 10 members and delivered in writing to the President of the Senate. Consultation with the entire Academic Senate shall either be through a referendum by secret ballot or through a formal consideration at a meeting of the entire Academic Senate.
4. 10 members of the Senate can request in writing that a special meeting of the full-academic senate be called for a reason to be specified in the request for a special meeting. Such a request shall be delivered in writing to the President of the Senate. The President will schedule the requested special meeting as soon as possible after receipt of the request.
5. On matters on which the Administration or the Board of Trustees intend to act when the college is not in regular session, the Exec, after a special meeting, may make recommendations to the Administration or the Board of Trustees. The President of the Senate shall inform the Academic Senate of all such recommendations at the next plenary session. If the President of the Academic Senate receives within three weeks of the plenary session a petition signed by 10 members of the Senate objecting to any recommendation made to the Administration or Board of Trustees, the Exec shall be required to submit the disputed recommendation(s) to the Senate for ratification.
6. Nothing herein shall prohibit the President of the Senate from addressing the Board of Trustees as a representative of the Berkeley City College Academic Senate on any matter within the purview of the Academic Senate so long as the President does not make unauthorized recommendations on behalf of the Academic Senate.
7. Outside of the regular academic calendar, the President may act on behalf of the Exec, provided the President is following established Senate policies and reporting regularly to the Exec.

**ARTICLE VIII**

**Amendments**: Amendments to this constitution may be initiated by;

1. two-thirds of the Exec members, or
2. by petition of at least 25 members of the Academic Senate. Amendments so initiated must be ratified by a secret ballot by a majority vote of the ballots cast.

Amendments to the By-laws may be made by the vote of two-thirds of the Exec. These amendments must be submitted to the Academic Senate membership for their information at least ten instructional days before the Exec votes.

**ARTICLE IX**

**Committees**: Committees may be created at the discretion of the Executive Council. The Exec shall appoint faculty members to any committee requiring Academic Senate membership or representation.

**ARTICLE X**

**Removal of an Officer or Executive Council Member:** A vote to recall any officer or elected member of the Executive Council may be initiated by a petition signed by 25 members of the faculty and presented to the Executive Council.

The recall vote will take place by secret ballot of the Senate within three weeks of receipt of the recall petition. A two-thirds vote of the valid ballots cast will be required to recall any officer or member of the Executive Council. Replacement for a recalled officer or member of the Executive Council will be made by a special election within three week of the recall vote, if the vote affirms the recall of an officer of the Executive Council.

**BY LAWS OF THE ACADEMIC SENATE**

**BERKELEY CITY COLLEGE**

**ARTICLE I**

For the purpose of implementing Article III of the Constitution, Academic Senate members will be considered to belong to the department in which they work the greatest portion of their professional time. The departments are constituted as listed below, reflect the Department Chairs Council delineation of disciplines, and reference the number of elected At-Large Senators per department. Further provision has been made for the election of one adjunct faculty At-Large Senator to be elected by the part-timers/ adjunct faculty. This list may be revised by the Exec as changes occur with department configurations:

* Arts and Cultural Studies (one representative)
* Business/CIS (one representative)
* Counseling (one representative)
* English and Education (one representative)
* ESOL (one representative
* Library (one representative)
* Mathematics (one representative)
* Modern Languages (one representative)
* ASL (one representative)
* MMART (one representative)
* Sciences (one representative)
* Social Sciences (one representative)
* Part-time Representative (one representative

In addition to these 13 At-Large Senators, the Executive Council also includes the President, Vice President, and Secretary/third DAS representative for a total of a 16 member Executive Council. (As noted previously, no faculty member may hold more than one position on the Executive Council.)

**ARTICLE II**

**Plenary Sessions:** A Regular or Special Plenary Session shall be defined as an official meeting of the Academic Senate as a whole. Any Plenary Session must be held on an official college calendar day. Only Academic Senate members may vote. A quorum at a Plenary Session shall consist of the members present if notification of the meeting has been given seven days in advance. Any plenary session called by the Executive Council with less than seven days notice shall be defined as an Emergency Session, in which a quorum shall consist of 10 percent of the members of the Senate.

**ARTICLE III**

**Duties of the President:**

1. The President shall act as liaison between faculty and the college president and administration, the district chancellor, and the Board of Trustees.
2. The President shall preside at all Plenary Sessions of the Academic Senate and meetings of the Executive Council.
3. The President shall represent the faculty at all college functions.
4. The President shall represent the faculty at College Leadership Council meetings and other college and district committees wherein the President is an official or ex officio member.
5. The President shall endeavor to promote the interest and purpose of the Academic Senate and the Executive Council.
6. The President shall distribute the agenda for Exec meetings and plenary sessions seven days prior to those meetings.
7. The President may vote in Executive Council meetings in the case of a tie vote
8. The President shall work with the Executive Council to make all necessary faculty appointments to committees and task forces.
9. The President shall be one of three faculty representatives to the Peralta Community College District Academic Senate.
10. The President shall represent the Academic Senate at Board meetings.
11. The President shall represent the Academic Senate at Plenary Sessions of the Academic Senate of California Community Colleges, as well as attend Region B meetings.

**Duties of the Vice President:**

1. The Vice President shall represent the Academic Senate and the Executive Council on the Peralta Community College District Academic Senate.
2. Serving as Vice President in no way obligates the office holder to run for President.
3. The Vice President, through mutual agreement with the President, shall be assigned additional duties.

**Duties of the Secretary/third DAS representative:**

1. The Secretary shall keep the minutes of the Executive Council and Plenary Sessions. The Secretary will see that such minutes are posted on the college web site.
2. The Secretary shall keep a master copy of all pertinent documents and see that they are posted on the college web site.
3. The Secretary is one of the faculty representatives to the Peralta Community College District Academic Senate.

**Duties of an At-Large Senator of the Executive Council:**

1. An At-Large Senator (or designee) will represent her/his department at all Executive Council meetings.
2. An At-Large Senator will serve on committees or ad hoc committees as assigned and/or approved by the Executive Council.
3. If an At-Large Senator is unable to attend a scheduled Executive Council meeting, they may send a proxy with prior notification to the President.
4. Three consecutive absences by an At-Large Senator will be viewed as a resignation from the Executive Council.

**ARTICLE IV**

A quorum of any meeting of the Executive Council or any committee of the Academic Senate shall be a majority of the members thereof.

**ARTICLE V**

All meetings shall be conducted in accordance with Robert’s Rules of Order, Revised.

**ARTICLE VI**

The Executive Council is authorized to establish its own rules and procedures.

**ARTICLE VII**

Members of the Executive Council are expected to attend all Executive Council meetings. Members who are absent for three consecutive meetings or who take a leave of more than two months duration may be deemed by the Executive Council to have resigned, and their seats will be filled under the provisions of Article V of the Constitution.

**ARTICLE VIII**

1. Senate committees shall elect their own officers.
2. The Executive Council may set the length of term of service on any committee.
3. Members may be appointed to a committee at any time.
4. Each committee chairperson, in addition to sending notices of committee meetings to all committee members, also shall send copies of the notices to the President of the Executive Council.
5. Each committee shall keep minutes of all committee meetings, including names of all members who were present and all members who were absent, and shall furnish a copy of the minutes to every committee member and to the President of the Executive Council.
6. Reports made by committees to the Executive Council shall be in writing.
7. Any Academic Senate member may attend any meeting of an Academic Senate committee.
8. No committee or committee member is authorized to make recommendations on behalf of the Academic Senate to the College Administration or the Board of Trustees without prior Executive Council approval. (This shall not be interpreted to prevent faculty members of committees from functioning as members of those committees to the fullest extent possible.)
9. A committee member who is absent from three consecutive meetings of the committee shall be deemed to have resigned and shall no longer be counted in determining whether a quorum is present, beginning with the third consecutive absence.
10. The Academic Senate’s representatives to the College Leadership Council (or its successor organization) shall be the President and Vice President of the Academic Senate or their designee.