

NORTH ORANGE CONTINUING EDUCATION
ACADEMIC SENATE CONSTITUTION AND BYLAWS

NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT

ESTABLISHED UNDER THE AUTHORITY OF
TITLE FIVE OF THE CALIFORNIA ADMINISTRATIVE CODE

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**North Orange Continuing Education
Academic Senate**

CONSTITUTION

We, the faculty of North Orange Continuing Education, do hereby establish the North Orange Continuing Education Academic Senate.

Article I

Name

The organization shall be known as the North Orange Continuing Education Academic Senate, hereinafter referred to as the Academic Senate.

Article II

Purpose

- Section 1 The purpose of this organization shall be to represent all North Orange Continuing Education faculty members and to make recommendations to the Administration, Governing Board, and other appropriate individuals and bodies regarding academic and professional matters affecting the welfare of faculty and students at North Orange Continuing Education.
- a. It is the primary function of the Academic Senate to make recommendations to the Board of Trustees for the eleven academic and professional matters as specified in statute:
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, and
 11. Other academic and professional matters as mutually agreed upon between the governing board and the Academic Senate.
- b. As defined by Board policy, the district governing board will rely primarily upon the advice and judgment of the Academic Senate regarding these matters OR the District governing board or such representatives as it may designate, and the

representatives of the Academic Senate shall have the obligation to reach mutual agreement.

- Section 2 The Academic Senate shall have the responsibility to provide representatives to meet with the administration and the Board of Trustees, or their designated representatives, with respect to recommendations made or proposed to be made by the Academic Senate.
- Section 3 The Academic Senate shall promote communication and mutual understanding among faculty, within North Orange Continuing Education and on other campuses, and with other groups having common concerns.
- Section 4 The Academic Senate is committed to creating a collegial and professional climate in which to share ideas and engage discourse. The Senate is committed to the principles of respect and decorum. Senators will conduct themselves in a manner that is respectful of others, recognizing that disagreement and debate can occur without demeaning and disparaging one another.

Article III Composition

- Section 1 **Electorate**
- a. The full-time Electorate (hereinafter referred to as the full-time senators) shall be limited to those non-management academic persons who are employed at or more than sixty-percent contract. [Code. 53200]
 - b. The part-time Electorate (hereinafter referred to as adjunct senators) shall be limited to those non-management academic persons who are employed on less than sixty percent contract. [Code. 53200] The adjunct faculty shall elect the adjunct senators. Eight adjunct senators will be elected with an attempt to have representation from all campuses/locations.
 - c. Appointment and election to the various committees shall be from among the membership of the faculty.
 - d. Senate representatives on standing North Orange Continuing Education and/or District committees shall report to the Senate regarding committee activities at regular Senate meetings.
- Section 2 **Organization**
- a. All full-time faculty, and adjunct faculty elected to their representative positions, from North Orange Continuing Education shall comprise the Academic Senate.
 - b. There shall be a total of eight adjunct senators.

- c. Any administrator who has been specifically invited by the Senate to be a member shall be, with rights clearly designated at the time of the invitation.
- d. Although liaisons with other committees and organizations may be invited to participate in Senate meetings on a continuing basis, the membership of the Senate is limited to the positions named above, and any reference to “member(s)” or “membership” of the Senate in this Constitution, or in the By-Laws, or in any official document produced by the Senate is understood to refer only to the above positions.

Article IV Powers and Responsibilities

- Section 1 The primary function of the Academic Senate is to act as the representative body of the faculty, making recommendations to the administration and the governing board of the school district with respect to academic and professional matters. [Code. 53203]
- Section 2 The Academic Senate may assume such responsibilities and perform such functions as may be requested of it by the administration or Board of Trustees. [Code. 53205]
- Section 3 The Academic Senate shall have the power to fix and amend its own constitution, structure, and procedures.
- Section 4 The Academic Senate shall have the exclusive right to appoint the faculty members who serve on North Orange Continuing Education and/or District committees, task forces, or other groups dealing with academic and professional matters.

Article V Election

- Section 1 Results of the election shall be announced at the last Senate meeting of the academic year. To be elected to any office, a candidate must receive 50% plus 1 vote of the votes cast for that office.
- Section 2 The term of office shall be one (1) year for Immediate Past President, and two (2) years for the President, Vice President, Secretary/Treasurer. President, Vice President, and Secretary/Treasurer can serve a maximum of two consecutive terms in a given position, followed by at least one academic year away from the position before serving in the same position again.
- Section 3 The nominations for adjunct senators shall be solicited from the adjunct faculty pool.

Adjunct senators shall be elected for two-year terms. Adjunct senators can serve a maximum of two consecutive terms, followed by at least one academic year away from office before serving again.

- Section 4 If any Executive Council, adjunct senators, or elected Senate subcommittee chair seat becomes vacant during the term, the Senate Vice President will hold a special election to fill the vacancy. The newly elected Executive Council member, adjunct senator, or Senate subcommittee chair will hold the seat for the remainder of the initial term that was vacated.

Article VI Officers

- Section 1 The officers of the Senate shall be a President, Immediate Past President, Vice-President, and Secretary/Treasurer.
- Section 2 The Academic Senate shall choose its President, Vice-President, Secretary/Treasurer from among the members of the-full-time Electorate.
- Section 3 Elections shall be conducted at the second to last meeting of the academic year. Nominations for each office shall be followed by election before proceeding to the nomination and election of the subsequent office. The order for election shall be President, Vice-President, and Secretary/Treasurer.
- Section 4 Officers shall assume their responsibilities at the last meeting of the academic year.
- Section 5 During the first year of the President's term, the Executive Council will be composed of the President, Vice President, Secretary/Treasurer, and Immediate Past President. During the second year of the President's term, the Executive Council will be composed of the President, Vice President, and Secretary/Treasurer.
- Section 6 The purpose of the Executive Council is to advise the Academic Senate President.

Article VII Duties of The Officers

- Section 1 The President of the Senate shall:
- a. establish the agenda, call meetings, and preside over meetings of the Senate and the Senate Executive Council;
 - b. approve expenditure of funds and assist the Secretary/Treasurer in keeping an accurate accounting of all revenues and expenditures of the Senate;
 - c. represent the Senate as required to fulfill shared governance processes and mandated obligations; and at meetings of the Board of Trustees;
 - d. appoint faculty representatives to standing or ad hoc committees. Such appointments may be overruled by 50% plus 1 vote of the Academic Senate;

- e. with the advice and consent of a majority of the Executive Council, appoint all committee members;
- f. perform other duties as authorized and directed by a majority vote of the Academic Senate.

Section 2 The Vice-President of the Senate shall:

- a. preside in the absence of the President, and shall complete the President's term, if the President is unable to fulfill the term of office;
- b. serve as the parliamentarian during Senate meetings;
- c. shall conduct all elections according to procedures specified in the By-Laws.

Section 3 The Immediate Past President, during the first year after completion of a two-year term as President shall:

- a. be considered an officer of the Senate and serve as a member of the Executive Council only if a faculty status is maintained;
- b. represent the Senate to fulfill shared governance processes and mandated obligations as needed;
- c. perform other duties authorized and directed by a majority vote of the Senate.

Section 4 The Secretary-Treasurer of the Senate shall:

- a. keep record of the proceedings of the Senate or appoint a designee to keep the records in their absence;
- b. call for agenda items from faculty and management and publish or post announcements of meetings and agendas
- c. distribute the unofficial minutes of the Senate to Senators for review prior to a meeting;
- d. prepare and distribute Senate official minutes and agenda;
- e. receive funds and assist the President in keeping an accurate accounting of all revenues and expenditures of the Senate;
- f. schedule meeting rooms and/or virtual meeting platforms/links;
- g. keep the Senate website current with approved agendas, approved minutes, current committee appointments, and any other documents voted on, approved by, or presented to the Senate;
- h. perform other duties as authorized by the Academic Senate.

Article VIII

Duties of Senators

Section 1 Senators shall:

- a. attend and participate actively in all Senate meetings;
- b. review all Senate-related materials in a timely manner;

- c. submit agenda items, in a timely manner, provided they fall within the purview of the Academic Senate.

Article IX **Meetings/Procedures**

- Section 1 Meetings of the Academic Senate shall be held as deemed necessary by a 50% plus 1 vote of the Academic Senate members or by the President of the Academic Senate.
- a. Regular meetings of the Academic Senate shall be held at least once a month during the academic year. The President shall establish a calendar of meeting dates.
 - b. Regular meetings must meet quorum. A quorum is defined as fifty percent plus one (50%+1) of the Senate membership. When no quorum is present any substantive action taken is invalid.
 - c. Special meetings may be called by the President of the Academic Senate, or at the request of any three members of the Senate.
 - d. All meetings of the Academic Senate shall be open to any interested parties.
 - e. Actions of the Academic Senate shall be in the form of motions or resolutions approved by 50% plus 1 vote of the members present.
 - f. Each voting member shall have only one vote and must be present to vote.
- Section 2 The Academic Senate shall of its own determination concern itself with any or all the following academic and professional matters and any other matters deemed important to the welfare of NOCE.
- a. Professional Rights and Responsibilities (e.g., academic freedom, ethical standards, equity)
 - b. Professional Standards (e.g., professional competence, minimum qualifications, equivalencies)
 - c. Professional Personnel Practices (e.g., assignment and teaching load, selection and retention of competent faculty, selection and retention of administrative personnel, and sabbatical leaves)
 - d. Academic Policies (e.g., curriculum, retention of students)
 - e. Institutional Philosophy (e.g., division goals and objectives and relations with the community)
 - f. Student Personnel Policies (e.g., conduct, discipline, standards)
 - g. Education Expenditures (e.g., instructional programs, maintenance of facilities)

Article X **Liaison**

- Section 1 The President of the Academic Senate shall establish adequate liaison between the Academic Senate and the administration of NOCE.

- Section 2 The President of the Academic Senate shall establish adequate liaison between the Academic Senate, the North Orange County Community College District, and the Board of Trustees.
- Section 3 The President of the Academic Senate shall establish adequate liaison between the Academic Senate and the other Academic Senates of the North Orange County Community College District.
- Section 4 The President of the Academic Senate shall establish adequate liaison between the Academic Senate and the state and national organizations such as, but not limited to, the American Federation of Teachers (AFT), California Teacher Association (CTA), Faculty Association of California Community Colleges (FACCC), the State Department of Education, the National Education Association (NEA), and the Academic Senate of California Community Colleges (ASCCC).

Article XI **Liaison Procedure**

- Section 1 The President or designee may attend meetings of the Academic Senate.
- Section 2 The President, the Chancellor of the District, or the Board of Trustees may request a meeting with the Academic Senate through regularly established channels.
- Section 3 Upon direction of the Academic Senate, the Secretary/Treasurer shall forward all specific recommendations to the President.
- Section 4 If the President approves the specific recommendation, it shall become a regulation of NOCE. If the President disapproves of the specific recommendations, the President shall notify the Academic Senate of that disapproval and the reasons therefore in writing.
- Section 5 Receipt of all recommendations from the Division administration shall be acknowledged immediately and shall be placed on the agenda of the Academic Senate's regular meeting.
- Section 6 After consultation with NOCE administration, the Senate may present its views and recommendations directly to the Board of Trustees through regularly established channels.
- Section 7 In accordance with the California Administrative Code, the Board of Trustees shall consider such views and recommendations as stated in Section 3 above. It may entertain oral presentations thereof by the Senate at any Board meeting.
- Section 8 The President of the Senate or designee, when in attendance at the meeting of the Board of Trustees, shall be heard on matters of faculty concern which are included on any Board meeting agenda.

Article XII
Adoption

This Constitution shall go into effect immediately upon approval by 50% plus 1 vote of the members of the Senate.

Article XIII
Amendments

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| Section 1 | Amendments to this Constitution may be proposed by the Senate. |
| Section 2 | All proposed amendments shall be submitted in writing to the Senate at least one meeting before the vote. |
| Section 3 | To be ratified, amendments must receive an affirmative 50% plus 1 vote of the entire Senate membership. |

**North Orange Continuing Education
Academic Senate**

BYLAWS

Article I
Rules of Procedure

Matters not specifically covered in the Constitution or Bylaws shall be governed by the latest version of Robert's Rules of Order, Revised.

Article II
Meetings

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| Section 1 | Teaching and Counseling Schedules |
| | Teaching and counseling schedules of Senate members shall, when possible, be arranged so that there will be no conflict with the meetings of the Senate. |
| Section 2 | Voting |

Secret votes may not be held (Government Code 54953.c), including voting for officers.

If members are attending through an electronic medium, a roll call vote must be conducted.

All Senate members (full-time and adjunct) have standing voting rights throughout their terms. Business at all meetings may be conducted and approved by 50% plus 1 vote of the Senate members present. The 50% plus 1 vote at each meeting will be used as the determining factor to reach decisions and make recommendations as an Academic Senate. If directed by the Senate members present, the President may conduct a census of the members absent to obtain a final vote on critical issues that require immediate response from the entire Senate membership.

Section 3 Rules of Procedure

- a. Matters not specifically covered in the Constitution or By-laws shall be governed by the latest version of Robert's Rules of Order: Revised.
- b. Motions proposed to the Academic Senate may be voted on in the same meeting they are proposed. However, if it is determined that voting on the motion be delayed, such voting may be conducted at the next meeting of the Senate.

Section 4 Additions to Agenda

After the agenda has been established, and prior to the meeting, any proposed additions must be submitted to the President in writing (email is permitted). Additions may be added to the agenda by 50% plus 1 vote of the Senate members present. Once the meeting has started, verbal requests can be made. Verbal requests may be added to the agenda by 50% plus 1 vote of the Senate members present.

Section 5 Meetings shall be held at least once a month during the academic year. Special meetings may be called by the President or at the request of three members of the Senate.

Section 6 A quorum must be reached to conduct a meeting. Quorum shall consist of a majority (50% plus 1) of the voting membership.

Section 7 Videoconference meetings may be held if the agenda specifically identifies all videoconference locations; such locations must be fully accessible to members of the public, with the agenda posted at all locations 72 hours in advance.

Section 8 Local, state, and federal states of emergencies may be grounds for Senate meetings to be held via videoconferencing with specific locations for attendees not included on the agenda. The meeting should remain fully accessible to members of the public.

Article III
Academic Senate Recommendations

Upon the direction of the Academic Senate, the President of the Academic Senate shall forward all specific recommendations and concerns to the President, the Chancellor and/or to the Board of Trustees of the North Orange County Community College District, pursuant to policies established under Title 5.

Article IV
Academic Senate Representation

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| Section 1 | The Academic Senate representatives to the President's Cabinet shall be the members of the Executive Council. |
| Section 2 | The President of the Academic Senate shall attend the President's Cabinet as the Academic Senate representative for North Orange Continuing Education. |
| Section 3 | The President and Past-President and/or Vice President shall attend the District Consultation Council as voting members to represent the interests and concerns of North Orange Continuing Education. |
| Section 4 | Two elected Senate members shall attend the District Curriculum Coordinating Committee. The term of membership shall be two years. |
| Section 5 | The Academic Senate President or an appointed representative will serve as liaison and meet with representatives of other Academic Senates within the district whenever it is deemed advisable. |
| Section 6 | The Academic Senate President may appoint a delegate to attend meetings pertaining to the Academic Senate for California Community Colleges (ASCCC) in the event the Senate President cannot attend. The delegate shall have full voting rights as a Senate representative. |

Article V
Elections

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| Section 1 | All elections conducted by the Academic Senate for officers and members of committees responsible to the Academic Senate shall be decided based on 50% plus 1 vote, with at least a quorum of the Senate participating in the vote. |
| Section 2 | <p>Adjunct Faculty Senate Representatives</p> <ul style="list-style-type: none">a. The Vice President shall solicit nominations from the adjunct faculty one month prior to elections, and then hold an election to determine who shall serve as adjunct senators.b. The adjunct senator shall be elected from a list of nominations by the second to the last meeting of the academic year. |

- c. The adjunct senator shall serve as a voting member and representative as specified in the Constitution for a two-year term, with a maximum of two consecutive terms, followed by at least one academic year away from office before serving again. To provide for terms that alternate every year, four adjunct senators shall be elected on even-numbered years and four shall be elected on odd-numbered years.
- d. If at any time the position of an adjunct senator is vacated before their term expires, the Senate Vice President will hold a special election to fill the vacancy. The newly elected adjunct senator will hold the seat for the remainder of the initial term that was vacated.

Section 3 All elected Senators shall assume their responsibilities at the last general meeting.

Article VI

Senate Committees

- Section 1 Chairs of Senate committees (Curriculum Committee and Distance Education Committee) shall be nominated and elected by the Senate by a 50% plus 1 vote, with at least a quorum of the Senate participating in the vote during normal elections. Chairs of Senate committees must be members of the full-time Electorate.
- Section 2 If at any time, the Chair of a Senate committee is vacated before their term expires, the Senate Vice President will hold a special election to fill the vacancy. The newly elected Chair will hold the seat for the remainder of the initial term that was vacated.
- Section 3 Members of Senate committees shall be appointed and approved by the Senate by 50% plus 1 vote of the voting members present. Members of committees shall be members of the Senate.
- Section 4 The term of office shall be two (2) years for the Chair of a Senate committee. The Chair can serve a maximum of two consecutive terms, followed by at least one academic year away from the position before serving again.
- Section 5 Committee recommendations on matters referred to the committee or recommendations initiated by a committee shall be based on a vote of committee members at a regular committee meeting. The results of that vote shall be reported to the Senate at the time its recommendations are presented to the Senate. Minority views must be presented with the majority recommendation.
- Section 6 The Curriculum Committee shall be responsible for reviewing issues and making recommendations related to curriculum and curriculum related matters as outlined in the committee's guiding documents. The committee shall have established bylaws approved by the Senate. The Academic Senate bylaws hold precedent.
- Section 7 The Distance Education Committee shall provide recommendations to the Academic Senate related to distance education and distance education matters as outlined in

the committee's guiding documents. The committee shall have an established bylaws approved by the Senate. The Academic Senate bylaws hold precedent.

Article VII

Appealing Senate Committee Recommendations/Decisions

- Section 1 A formal appeal of a Senate committee recommendation or decision can be presented to the Senate in writing with a signature of support of at least three Senators. The written appeal should be submitted as an agenda item to be addressed in the following Senate meeting.
- Section 2 The written appeal will be an action item and decided by a 50% plus 1 vote of the voting members present. The decision of the Academic Senate shall be final.

Article VIII

Removal and Succession of Executive Officers and/or Senate Committee Chairs

- Section 1 Removal and Succession of Executive Officers and/or Senate Committee Chairs
- a. Senate President and Executive Officers and/or Senate Committee Chairs can be removed by the Senate following a formal hearing and a 50% plus 1 vote of the voting members present. The criteria and procedures for removal are specified in these Bylaws.
 - b. Removal Hearings
 1. A hearing for the consideration of removal may be called by voting members of the Senate under the following conditions: a violation of Board BP/AP; a violation of the North Orange Continuing Education Code of Conduct; failure to perform the duties outlined in the North Orange Continuing Education Academic Senate Constitution; and/or violation of District Code(s) of Ethics
 2. A motion for hearing can be called at any point during a Senate meeting by a voting member. The hearing may take place at the next regularly scheduled Senate meeting or by submitting a request for a Special meeting as outlined in these Bylaws.
 3. The subject of the hearing must be informed within 24 hours of the request.
 4. The hearing shall begin with a summary of the charges made by those who called for the hearing. The Executive Officer and/or Senate Committee Chair being charged shall then respond to the charges.
 5. The hearing will conclude with a vote to recall or remove the Executive Officer and/or Senate Committee Chair. A 50% plus 1 vote of the voting members present is required for recall or removal.
 - c. Upon removal of an Executive Officer and/or Senate Committee Chair, the election and placement of a successor officer shall take place in a timely manner.

Article IX
Adoption and Amendments

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| Section 1 | All proposed amendments to the By-laws shall be submitted in writing to the Academic Senate at least one meeting prior to voting. |
| Section 2 | These By-laws shall be adopted by 50% plus 1 vote of the voting members present and shall be effective immediately. Amendments shall be ratified by 50% plus 1 vote of the voting members present and approval of the Board of Trustees of the North Orange County Community College District. |
| Section 3 | To be ratified, amendments to the By-laws must receive an affirmative 50% plus 1 vote of the voting members present. |