

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. Academic Senate representatives on standing North Orange Continuing Education and/or District committees shall report to the Academic Senate regarding committee activities at regular Academic 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 Academic Senate or a Senate committee to be a member shall be, with rights clearly designated at the time of the invitation or as outlined in the Academic Senate or Senate committee Bylaws.
- 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 Academic Senate in this Constitution, or in the Bylaws, or in any official document produced by the Academic 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 regularly scheduled elections shall be announced no later than the March Academic Senate meeting. To be elected to any office, a candidate must receive 50% plus 1 vote of the votes cast for that office, with at least a quorum of the Academic Senate participating in the vote.
- 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 senator, or elected Senate committee chair seat becomes vacant during the term, the Academic Senate Vice President shall hold a special election to fill the vacancy. The newly elected Executive Council member, adjunct senator, or Senate committee chair shall hold the seat for the remainder of the initial term that was vacated. Should the position of Vice President be vacated, the Academic Senate President shall hold the special election.

Article VI Officers

Section 1 The officers of the Academic Senate shall be a President, Immediate Past President, Vice-President, and Secretary/Treasurer.

Section 2 The Academic Senate shall choose its President, Vice-President, and Secretary/Treasurer from among the members of the-full-time Electorate.

Section 3 Elections shall be conducted through electronic ballot following the election schedule as outlined in the Bylaws. 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 conclusion of the last meeting of the academic year. All officers shall be provided compensation commensurate with the ongoing responsibilities.

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 Academic 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 Academic Senate;
- c. represent the Academic Senate as required to fulfill shared/participatory 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. engage in ongoing institutional accreditation and strategic planning efforts in collaboration with faculty leaders and other constituent groups;
- g. serve as the voting delegate for ASCCC Plenary sessions;
- h. perform other duties as authorized and directed by a majority vote of the Academic Senate.

Section 2 The Vice-President of the Academic 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 Academic Senate meetings;
- c. shall conduct all elections according to procedures specified in the Bylaws.
- d. represent the Academic Senate to fulfill shared/participatory governance processes and mandated obligations as needed;
- e. whenever possible, serve as the voting delegate for ASCCC Plenary sessions in the absence of the President;
- f. engage in ongoing institutional accreditation and strategic planning efforts in collaboration with faculty leaders and other constituent groups;
- g. serve as a faculty advisor to the NOCE Student Leadership Team;
- h. perform other duties as authorized and directed by a majority vote of the Academic Senate.

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 Academic Senate and serve as a member of the Executive Council only if faculty status is maintained;
- b. represent the Academic Senate to fulfill shared/participatory governance processes and mandated obligations as needed;
- c. engage in ongoing institutional accreditation and strategic planning efforts in collaboration with faculty leaders and other constituent groups;
- d. perform other duties authorized and directed by a majority vote of the Academic Senate.

Section 4 The Secretary-Treasurer of the Academic Senate shall:

- a. keep record of the proceedings of the Academic 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 Academic Senate official minutes and agenda;
- e. receive funds and assist the President in keeping an accurate accounting of all revenues and expenditures of the Academic Senate;
- f. schedule meeting rooms and/or virtual meeting platforms/links;
- g. keep the Academic Senate website current with approved agendas, approved minutes, current committee appointments, and any other documents voted on, approved by, or presented to the Academic Senate;
- h. engage in ongoing institutional accreditation and strategic planning efforts in collaboration with faculty leaders and other constituent groups;
- i. perform other duties as authorized and directed by a majority vote of the Academic Senate.

Article VIII Faculty Leaders

Section 1 Appointments

- a. The Academic Senate shall take a vote to support the appointment of institutional faculty leaders, including but not limited to the Accreditation Faculty Chair, Student Learning Outcomes (SLO) Coordinator, and Professional Development Committee Faculty Chair.

Article IX Duties of Senators

Section 1 Senators shall:

- a. attend and participate actively in all Academic Senate meetings;
- b. review all Academic 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;
- d. participate in all regularly scheduled and special elections.

Article X 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 Academic 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 Academic 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 XI

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 XII **Liaison Procedure**

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| Section 1 | The President of NOCE or designee may attend meetings of the Academic Senate. |
| Section 2 | The President of NOCE, 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 of NOCE. |
| Section 4 | If the President of NOCE 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 departmental 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 Academic 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 Academic 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 XIII **Adoption**

This Constitution shall go into effect immediately upon approval by 50% plus 1 vote of the members of the Academic Senate, with at least a quorum of the Academic Senate participating in the vote.

Article XIV **Amendments**

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

**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

- Section 1 Teaching and Counseling Schedules
- Teaching and counseling schedules of Academic Senate members shall, whenever possible, be arranged so that there will be no conflict with the meetings of the Academic Senate.
- Section 2 Voting
- Secret votes may not be held (Government Code 54953.c) on action items. Voting for officers, Senate committee chairs, and adjunct senators will be conducted through credentialed electronic ballots.
- If members are attending through an electronic medium where all senators are not visible to the Academic Senate President or meeting facilitator, a roll call vote must be conducted.

All Academic 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 Academic 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 Academic 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 Academic Senate membership.

Section 3 Rules of Procedure

- a. Matters not specifically covered in the Constitution or Bylaws 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 Academic Senate.

Section 4 Agendas

Posting of agendas shall comply with the Brown Act. The agenda for regularly scheduled meetings shall be posted at all locations 72 hours in advance. The agenda for special meetings shall be posted at all locations 24 hours in advance. The discussion of new business is limited per parliamentary procedure and in accordance with the Brown Act.

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

Section 8 Local, state, and federal states of emergency may be grounds for Academic 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 of NOCE, 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**

- Section 1 The Academic Senate representatives to the President's Cabinet shall be the President and one additional member of the Executive Council.
- Section 2 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 3 Two appointed Academic Senate members shall attend the District Curriculum Coordinating Committee (DCCC), with one being the Curriculum Committee Chair whenever possible. The term of membership shall be two years unless otherwise specified by the DCCC Charter or Bylaws.
- Section 4 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 5 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 Academic Senate President cannot attend. The delegate shall have full voting rights as an Academic Senate representative.

Article V **Elections**

- Section 1 All elections conducted by the Academic Senate for officers and Senate committee chairs shall be decided based on 50% plus 1 vote, with at least a quorum of the Academic Senate participating in the vote.
- Section 2 Adjunct Faculty Academic Senate Representatives
- a. The Academic Senate Vice President shall solicit nominations from the adjunct faculty.
 - b. The adjunct senator shall be elected from a list of nominations.
 - 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. Whenever possible, 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 Academic 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. If the Vice President receives no nominations, a second special election will be held the following semester.

Section 3

Schedule of Elections

- a. Nominations for the regular annual election of Academic Senate officers, Senate committee chairs, and/or adjunct senators shall be open within two business days of the December Academic Senate meeting.
- b. Ballots for the regular annual election of Academic Senate officers, Senate committee chairs, and/or adjunct senators shall be distributed within two business days of the February Academic Senate meeting. A write-in option shall be included in the ballot.
- c. The regular annual election of Academic Senate officers, Senate committee chairs, and/or adjunct senators shall be completed by the March Academic Senate meeting. Election results shall be announced at the March meeting.
- d. Special elections shall provide at a minimum four business days for the submission of nominations and nine business days for the submission of ballots. A write-in option shall be included in the ballot.
- e. Results of a special election may be announced via electronic mail.
- f. For regular annual elections, all elected Academic Senate officers, Senate committee chairs, and adjunct senators shall assume their responsibilities at the conclusion of the last meeting of the academic year.

Article VI Senate Committees

Section 1

Chairs of Senate committees (Curriculum Committee and Distance Education Committee) shall be nominated and elected by the Academic Senate by a 50% plus 1 vote, with at least a quorum of the Academic Senate participating in the vote during normal or special 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 Academic 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 Academic Senate by 50% plus 1 vote of the voting members present. Voting members of committees shall be members of the Academic Senate. Additional members identified in Senate committee Bylaws may be granted an advisory vote.

- 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. Time served due to a special election will not be factored into the maximum two consecutive terms if the chair filled the vacancy for fewer than two semesters. In the case where no other faculty member runs for office, the current Senate committee chair may choose to run for another term or an agreed upon timeframe with the approval of the Academic Senate.
- 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 or special committee meeting. The results of that vote shall be reported at the time its recommendations are presented to the Academic 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 Academic 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 established Bylaws approved by the Academic 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 Academic 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 Academic 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. Academic Senate President and Executive Officers and/or Senate committee chairs can be removed by the Academic Senate following a formal hearing and a 50% plus 1 vote of the voting members present, with at least a quorum of the Academic Senate participating in the vote. 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 Academic 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 an Academic Senate meeting by a voting member. The hearing may take place at the next regularly scheduled Academic 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 with at least a quorum of the Academic Senate participating in the vote 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 shall take place in a timely manner.

Article IX

Adoption and Amendments

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| Section 1 | All proposed amendments to the Bylaws shall be submitted in writing to the Academic Senate at least one meeting prior to voting. |
| Section 2 | These Bylaws shall be adopted by 50% plus 1 vote of the voting members present with at least a quorum of the Academic Senate participating in the vote and shall be effective immediately. |
| Section 3 | To be ratified, amendments to the Bylaws must receive an affirmative 50% plus 1 vote of the voting members present, with at least a quorum of the Academic Senate participating in the vote. |