



San José State
UNIVERSITY

A campus of The California State University

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F05-1

At its meeting of September 26, 2005, the Academic Senate passed the following Policy Recommendation presented by Senator Parsons for the Organization and Government Committee.

**POLICY RESOLUTION
UPDATE OF SENATE BY-LAWS**

Whereas, Portions of the Senate by-laws are unclear because some positions and/or office titles are no longer used on campus, and

Whereas, The passage of new policies requires that the by-laws be amended, so be it

Resolved, That the wording and title/name changes and other clarifications noted below be made to the Senate by-laws

Approved: 5-2-05

Vote: 8-0-0

Present: Fee, Selter, Hilliard, Wilson, Hebert, Easter, Veregge

Not-present: Lam, Choo

Financial Impact: None

**BY-LAWS OF THE ACADEMIC SENATE
SAN JOSE STATE UNIVERSITY**

1. Election of Faculty Representatives

- 1.1 a) Faculty representatives shall be elected to the Academic Senate of this University from the following representative units: College of Applied Sciences and Arts, College of Business, College of Educat

resulting difference is the factor to be used in part b) to apportion faculty representatives among the several Colleges and the General Unit.

- b) Before each spring election, using the FTE/F of the preceding fall semester, the Election Committee shall determine the number of representatives allotted to each representative unit (as defined in By-Law 1.1). That number shall be determined by dividing the total FTE teaching faculty of the college units plus the FTE faculty and staff in the General Unit by the factor as determined in a) and then dividing this quotient into the FTE faculty of each of the college units and the FTE faculty and staff in the General Unit. If the allotment of any representative unit is thus determined to be less than one, it shall be increased to one. If the total number of faculty representatives thus determined exceeds the factor as determined in a), the factor as determined in a) shall be increased until the total number of representatives allotted is equal to the factor as determined in a) or less. If the total number allotted is less than the factor as determined in a), one additional representative shall be allotted in turn to each of the units in order of greatest fractional representation until the total number of representatives equals the factor as determined in a).

1.4 If it is determined by the above procedure that the number of representatives allotted to any college will be changed from the previous year, the Election Committee shall so report to the Academic Senate prior to the announcement of elections.

1.4.1 If a representative unit is allotted an additional seat and there is no vacancy in the representation of a unit losing a seat, the unit gaining a seat shall nevertheless elect an additional representative for a full term at the next general election. The next vacancy occurring, by expiration of term, resignation or otherwise, in the unit losing a seat shall not be filled.

1.5 4.6 Representatives to the Academic Senate shall be nominated by a petition signed by at least ten (10) members of the faculty electorate of the appropriate election unit. The candidate shall indicate by his/her signature on the petition his/her willingness to serve if selected.

1.6 4.7 When there is a vacancy of a faculty representative, his/her replacement for the remainder of the term shall be chosen TdeTjlegows: he annp

c) Faculty representatives, who accept one semester leaves with or without pay, may resign from the Senate or request the selection of a replacement for the one semester, following the procedures listed in (a) above.

1.7 ~~1.8~~ Members of the faculty assigned to more than one representative unit may vote in only one.

1.8 ~~1.9~~ No write-in votes are permitted.

1.9 ~~1.10~~ Procedures and forms for faculty elections shall be determined by the Election Committee, with the approval of the Executive Committee of the Academic Senate.

1.10 ~~1.11~~ The phrase "academic deans" as used in Article II, Section 2 of the Constitution means deans, the University Librarian, and associate vice presidents reporting directly to the Provost. Elections of representative deans shall be conducted and reported by the Provost, and vacancies shall be filled by special elections for the balance of unexpired terms.

1.12 ~~It is the responsibility of each member of the Academic Senate to assess the~~

2.12 The Vice Chair, who shall discharge the duties of the Chair during any temporary disability of the Chair, shall serve as a CSU Senator during the temporary disability of one of the SJSU representatives, and shall succeed to the office of Chair when the Chair's term or terms expire or if the Chair resigns or that office becomes vacant for any other reason.

2.13 The Associate Vice Chair, who shall be Chair of the Committee on Committees and the Election Committee, shall act as Vice Chair during the temporary disability of the Vice Chair, and shall act as Chair if both the Chair and the Vice Chair become temporarily unable to perform their duties.

2.14 The Past Chair, who is the person who served as Chair for the preceding year, provided that s/he is not the same person as the current Chair and does not hold any other Senate office.

2.15 The Faculty-at-large Representative, provided that there shall be no Faculty-at-large Representative when there is a Past Chair.

2.16 A CSU Senate Representative.

2.17 The Chairs of the Senate Policy Committees.

2.2 Election Procedures for Senate Officers

2.21 Senate officers, other than the Chair, Past Chair and Faculty-at-large Representative, shall be elected from the faculty members of the Senate annually for one-year terms.

2.22 a) If the Chair so requests, the agenda for the first regular meeting of the Senate in Spring semester shall include, as a special order of business preceding policy committee reports, a proposal to extend her/his term. When the special order item is reached, the Associate Vice Chair shall preside while the Senate debates and votes on the proposal. The vote shall be by secret ballot and approval of the extension shall require a two-thirds affirmative vote.

b) If the Senate approves the extension, the incumbent Chair is re-elected for the following year. The term of office of the Vice Chair is extended for one year. (If the term of the Vice Chair as an elected faculty representative expires at the end of the Spring semester, s/he shall take the place otherwise held by the Past Chair as an ex officio member.) The term of the Past Chair is not extended, and a Faculty-at-large Representative shall be elected at the end of Spring semester to fill the Past Chair's position on the Executive Committee for the following year.

c) If the Senate does not approve the extension of the Chair's term, the Vice Chair shall automatically succeed to the office of Chair at the adjournment of the last meeting of the current Senate in Spring semester.

d) No chair shall serve for more than two full terms in succession.

2.23 If the previous year's Chair is not the same person as the current Chair, the previous year's Chair will be a Senate officer called the Past Chair. However, if the Past Chair is elected to any other/Senate office, there will be no Past Chair that year and a Faculty-at-large Representative shall be elected instead.

2.24 As soon as possible after the election of new Senate members in the Spring, the Chair of the Senate shall appoint a nominating committee to prepare a slate of officers for the forthcoming academic year. This committee should nominate at least two candidates for each open Senate office. The committee shall also ascertain the willingness of the nominees to serve if elected. The committee shall produce a brief written document regarding the qualifications and goals of each candidate which shall be distributed to the Senate prior to the day of election.

2.25 The slate of nominees proposed by the nominating committee shall be communicated to the Senate prior to the last regular meeting of the academic year. On that day, two consecutive meetings of the Senate shall be held. The first meeting shall be the final meeting of the Senate of the current academic year. Immediately following the adjournment of that meeting, the first meeting of the Senate for the academic year next ensuing shall be held. The nominating committee shall make its report in the second meeting, further nominations from the floor shall be accepted, and an election held to fill all open Senate offices. Only the continuing and newly-elected members of the Senate, who will be members in the year ensuing, shall vote in the election.

2.26 Should a vacancy occur in the office of Senate Chair, the Vice Chair shall automatically succeed to the position for the balance of the vacant term. S/he shall then serve for the full term of the following year, and the full term shall be counted as her/his first year in office for purposes of 2.22b). Should a vacancy occur in any other Senate office, the Executive Committee shall nominate at least two candidates to fill the vacancy and present its nominees to the Senate. Additional nominations may be made from the floor. When nominations have been closed, the Senate shall elect a replacement to serve for the balance of the vacant position's term.

3. Senate Administrator

3.1 The senate administrative analyst (an employee position in the Senate Office) shall serve as the Senate Administrator.

3.2 The Senate Administrator may participate in Senate proceedings on the same basis as a member of the Senate, but shall not vote.

3.3 The Senate Administrator may speak at Senate and Executive Committee meetings on matters relevant to Senate operations and on other matters when requested by the Senate Chair.

3.4 The Senate Administrator may be present at executive sessions of the Senate and is subject to the same confidentiality requirements as are applicable to Senate members.

3.5 The Senate Administrator shall provide administrative support to the Senate Chair and the Associate Vice Chair, shall attend and take minutes of the Senate and Executive Committee meetings, shall have charge of the records and archives of Senate and its website, shall prepare committee appointment letters and maintain and update committee membership lists, and shall assist in the preparation of election materials and the administration of Senate elections.

3.6 The Senate Administrator shall be a non-voting adviser on the Committee on Committees and the Election Committees.

4. Executive Committee

4.1 The Executive Committee shall be composed of all Senate officers (as defined in By-Law 2), the President, the Provost, the Vice President for Administration and Finance, the Vice President for Student Affairs, the Vice President for Advancement, and the President of the Associated Students. For purposes of these By-Laws, the elected members of the Executive Committee are the Senate officers.

4.2 Any action taken by the Executive Committee requires the presence of a quorum of the elected members.

4.3 The duties of the Executive Committee shall be:

- a) To develop and approve the agenda for each Senate meeting.
- b) To act for the Academic Senate at such times as its members may not be available. In each such action, it shall distinguish whether it is expressing the position adopted by the Senate as a whole or of the Executive Committee alone.
- c) To formulate policy proposals.
- d) To refer matters of business to the appropriate agency.
- e) To handle external relations with elected officials and their staff, as appropriate, to allow for dialogue on matters of relevance to the well-being of the university. This duty shall be carried out in coordination with university employees involved with government relations and the Executive Committee is encourage to recruit an appropriate number of university employees and students to assist in its external relations efforts.
- ef) To act as an ad hoc advisory committee to the President on his/her request, provided that in this capacity only the elected members of the committee shall sit.
- g) Normally, the President should seek the advice of the full Senate on issues of policy, rather than that of the Executive Committee or its elected members.

5. Committee on Committees

5.1 The Committee on Committees shall be composed of:

- a) The Associate Vice Chair of the Senate who shall be chair, and
- b) One member from each of the representative units from which faculty representatives are elected, who shall be faculty entitled to vote in their respective units, but not members of the Senate, and
- c) The president of the Associated Students, or his/her designee.

- a) Nominate members to operating committees. Before recommending an appointment, the committee shall obtain an indication of the nominee's willingness to serve.
- b) Determine periodically the interests of faculty members in serving on operating committees.
- c) In cooperation with the Organization and Government Committee, make recommendations for the improvement of the Senate's committee operations and structure.
- d) Nominate support staff members for designated operating committee seats. Names of interested support staff shall be obtained by sending notices of vacancies to all University departments employing support staff, including both academic and non-academic offices. Before recommending appointments, the committee shall obtain from nominees an indication that they are willing to serve and that their duties will permit them to attend meetings.

5.3 The Committee on Committees shall also maintain a record of faculty serving on University-level administrative committees, and, on request of the President or other administrator making the appointments, may suggest names of faculty for service on such committees.

5.4 The Committee on Committees shall also serve as the Election Committee as specified in By-Law 8.1.

6. Standing Committees

6.1 The Academic Senate shall establish and appoint such standing committees as may be needed.

6.2 Except as otherwise provided in these By-Laws, appointments to policy committees of the Academic Senate shall be recommended by the elected members of the Executive Committee and approved by the Senate; appointments to operating committees shall be recommended by the Committee on Committees and approved by the Senate. When an appointment is recommended more than one week before the next regular meeting of the Senate, the recommending body may make its recommendation effective at once as a temporary appointment. These temporary appointments shall last until the next meeting of the Senate and must receive Senate approval to become permanent.

6.3 Committees concerned primarily with faculty affairs shall contain a majority of teaching
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Chair by the Associated Student's, Inc. Board of Directors, acting in accordance with the appointment rules and nomination procedures of that organization. The recommendations should be transmitted to the Associate Vice Chair by the second meeting of the new Academic Senate.

When appointments have been approved by the Senate, the Senate Administrator shall notify those appointed.

6.5.1 Should the Associated Students, Inc. Board of Directors not transmit recommendations of students for membership on Senate operating committees or policy committees by the fourth week of instruction, the following shall supercede the rules of the Associated Students, Inc. for nomination of students to policy and operating committees: student seats shall become university student-at-large seats for the balance of the academic year. These seats may be filled by any student in good standing at the university who self nominates or who is nominated by a member of the Academic Senate, and who is recommended by the elected members of the Executive Committee and approved by the Senate (subject to bylaw 5.2). All student nominees shall submit a statement of purpose to the Executive Committee.

6.5.2 Should a vacancy occur, the President of Associated Students, Inc. shall select a replacement to fill out the remainder of the term. This selection must be approved by a two-thirds majority of the total membership of the Board of Directors of the Associated Students, Inc. The name of the nominee should be transmitted to the Associate Vice Chair within 30 days of the time that the vacancy occurred for final approval by the Senate. When the appointment has been approved by the Senate, the Associate Vice Chair shall notify the appointee. If a nomination is not received with 30 days, the seat will be declared a student-at-large seat for the balance of the academic year and will be filled as eeti the Associate Vice 7za

seats within one week's time. The college representatives and deans shall be reminded that the seats will become faculty-at-large seats for the year if no college faculty to fill them can be found. The dean's recommendations shall be forwarded to the college's Committee on Committees representatives who shall present one name to the Associate Vice Chair to be reported to the Senate or to the Executive Committee, as appropriate under By-Law 6.2.

c) Following the fourth week of instruction, all vacant college seats on operating committees for which no faculty from the college have been recommended under paragraph b) above (or otherwise identified) shall become faculty-at-large seats for the balance of the year and all members of the Committee on Committees shall be requested to supply names of faculty from any representative unit to fill these vacancies.

d) Following the third week of instruction, all vacant college seats on policy committees shall become faculty-at-large seats for the balance of the year. First priority in filling these vacancies shall be given to elected faculty representatives not assigned to other policy committees. If all elected faculty representatives (other than Senate officers) have been appointed to policy committees and there are policy committee seats still remaining vacant, they shall be filled as provided in 6.12b) and c) for operating committees.

e) The Associate Vice Chair shall coordinate this selection process so as to maintain as far as possible a representative balance across committees and shall report one name for each vacancy to the Senate or the Executive Committee as appropriate under By-Law 6.2.

f) Elected faculty representatives (other than Senate officers) not appointed to seats designated for representative units and also not appointed to faculty-at-large seats as provided above shall be appointed as additional members-at-large of policy committees. If there is only one such member, s/he shall be appointed to the Organization and Government Committee. If there is a second, s/he shall be appointed to the Instruction and Student Affairs Committee. A third shall be appointed to the Professional Standards Committee and a fourth to the Curriculum and Research Committee. The provision shall be implemented in a manner consistent with Academic Senate By-Law 6.10.1.

7. Special Committees

7.1 The Senate shall establish and appoint such special committees and task forces as may be needed.

7.2 Unless otherwise provided by the Senate,

a) Members of special committees

12.44. Approval of Policies

12.01 Measures adopted by the Academic Senate intended to have binding effect on the University generally or on persons or matters external to the Senate itself are policy recommendations and are submitted to the President for approval under Article IV, Section 2, of the Senate Constitution. By-Laws adopted under Article III, Section 5, of the Constitution are also submitted to the President for approval. Measures affecting only the rules, procedures, committees or other internal affairs of the Senate, or expressing only the opinion of the Senate, are not policy recommendations and do not require approval of the President.

13.12—Representation, Academic Senate, CSU

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~~43.2~~ 14.2 a) Where no other procedure has been approved by the Academic Senate, appointments of faculty to presidential task forces and advisory committees and commissions shall be made by the following process: The elected members of the Executive Committee shall consult with the President in regard to these appointments. Nominations shall be presented to the Senate for approval.

b) Appointments of faculty to the boards of University auxiliary organizations shall be