



San José State
UNIVERSITY

A campus of The California State University

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S06-2

At its meeting of March 13, 2006, the Academic Senate passed the following Policy Recommendation presented by Senator Parsons for the Organization and Government Committee.

POLICY RECOMMENDATION

UPDATE OF SENATE BY-LAWS

Whereas, The By-Laws presently contain various provisions relating to Senate representation of the College of Social Work, and

Whereas, the University administration has seen fit to dissolve the College of Social Work, and

Whereas, arrangements for the Spring Senate election will be facilitated by elimination of the By-Law provisions referred to, now, therefore, be it

RESOLVED that

- 1) By-Law 1.1 b) be repealed and 1.1 c) become 1.1 b);
- 2) By-Law 1.2 a) be amended by inserting a period after units and deleting remainder of sentence.
- 3)
- 3) senf3v tence.
- 3)

**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

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 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 When there is a vacancy of a faculty representative, his/her replacement for the remainder of the term shall be chosen as follows: the appropriate college dean (or Senate Administrator in the case of the General Unit) ~~MCID 2 9/MCID 2ciP <~~

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.

2.22a) 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 of the Senate 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 re

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

- 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.

Appointments to the Committee on Committees shall be recommended by the elected members of the Executive Committee and approved by the Senate. Members (other than the Chair and the Associated Students president) shall serve for staggered two-year terms.

5.2 The Committee on Committees shall:

- 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.

8.3 The Election Committee shall determine the allotment of representation based on Article I of these By-Laws. The determination of FTE is to be based on eligible staff as of November 1 and will be reported to the Academic Senate.

8.4 The Election Committee shall be responsible for the establishment of voting procedures and their supervision.

8.5 The Election Committee shall assure that the results of the elections will be available for presentation to the Academic Senate by not later than May 15.

8.6 In carrying out a referendum under Article V of the Constitution, the Election Committee shall prepare a ballot which indicates the specific action of the Academic Senate which is being referred to the faculty electorate. The question to be voted on will be stated as follows: "Shall the action of the Academic Senate specified above be sustained?" The ballot in a referendum may be accompanied by pro and con arguments of not more than 300 words each. If such arguments are to be included, the Chair of the Senate will designate one or more persons to write the pro argument; the person(s) offering the motion or submitting the petition for a referendum will designate one or more persons to write the con argument. In the event that persons requesting the referendum are in support of the Senate action which is the subject of the referendum, then the Chair of the Senate will designate one or more persons opposed to the Senate action to write the con argument. Failure to submit an argument on one side shall not prevent distribution of an argument submitted by the other side.

9. Procedure

9.1 Robert's Rules of Order, most recent edition, shall apply unless superseded by the Constitution, By-Laws, or Standing Rules of the Academic Senate.

9.2 The meetings of the Academic Senate are open, but the number of non-members present shall not exceed the number of seats available for them and preference shall be given to representatives of the press and other media and officially invited guests. The Chair shall request audio-visual coverage of meetings when necessary.

9.3 Spectators at Senate meetings shall not take part in or attempt to influence the proceedings of the Senate, except as may be authorized in the Standing Rules. Violators shall be excluded. At his/her discretion, the Chair may recess the meeting.

9.4 The Academic Senate shall be called into Executive Session by the Chair upon approval of a majority of the members present. Only Academic Senate members and the Senate Administrator may be present during Executive Sessions. Normally, only personnel or fiscal matters may be discussed in Executive Sessions, but final action on all matters shall be taken in regular Academic Senate meetings. Proceedings in executive session are confidential.

10. Special Agencies

(By-law 10 is pending revision in Fall 2005. Underlined agencies were added and the University Information Technology Board was dissolved in Spring 2005).

10.1 Existing special agencies are:

- a) Alcohol and Drug Abuse Prevention Committee
- b) Athletics Board
- c) Campus Planning Board
- d) University Library Board
- e) Goals Advisory Council
- f) University Planning Council
- g) Resource Planning Board
- h) University Planning Council Planning Advisory Panels
- i) Heritage, Preservation, and Public History Committee

10.2 Special agencies are bodies created by policies recommended by the Academic Senate which, because of functions or membership, are not designated as Senate committees. Subject to the provisions of 10.3, special agencies shall be appointed, their officers selected and they shall report as provided in the policies creating them.

10.3 The following shall apply to all special agencies.

- a) At-large faculty members shall be nominated by the Committee on Committees.
- b) In addition to any reports required by its policy, each special agency shall make an information report annually to the Executive Committee. The Executive Committee shall, at its discretion, refer this report to appropriate policy committee/s. The report shall summarize the agency's activities for the preceding year.
- c) A special agency and the designated policy committee may consult on any matter of common concern.
- d) Special agency recommendations requiring changes in University policy recommended originally by the Senate shall be reported to the Executive Committee for recommendation to the Senate.
- e) The Executive Committee (or a designated policy committee at the request of the Executive Committee) may, from time to time, review the policy establishing a special agency and may require reports from special agencies.

11. Senators as Representatives

11.1 It is the responsibility of each elected member of the Academic Senate to assess the attitudes and viewpoints of the constituency that elected him/her. However, it is a policy that no member shall come instructed and that, in voting, each member represents the entire University.

11.2 Senators are to maintain regular communications with their constituency regarding Senate activities and accomplishments.

12. Approval of Policies

121 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. Representation, Academic Senate, CSU

131 Subject to applicable provisions of the Constitution of the Academic Senate of the California State University,

- a) Candidates for that body from this campus shall be nominated by the faculty electorate from the faculty electorate-at-large, following procedures similar to those prescribed for nomination of candidates for the Academic Senate of San José State University.
- b) Candidacy of the same person for both the Academic Senate CSU and the Academic Senate SJSU at the same election is not permitted.
- c) When there is a permanent vacancy in the SJSU representation on the CSU Senate and the balance of the unexpired term exceeds one semester, a special election shall be held to fill the vacancy for the balance of the term. The election shall be held promptly after the determination is made that there is or will be such a vacancy.
- d) When a permanent vacancy occurs for one semester or less before the end of the term of office, or there is a brief period during which an incumbent CSU Senator will be unable to attend meetings, the Vice Chair of the SJSU Senate shall act as interim CSU Senator. If the Vice Chair is unable to act, the SJSU Senate Chair may designate any elected member of the current SJSU Academic Senate (other than the CSU Senator) to act as interim CSU Senator. Such an interim CSU Senator shall be an SJSU Senator for all other purposes of the SJSU Senate.
- e) When it appears that a CSU Senator, whose term has more than one semester to run, will be unable, by reason or leave or otherwise, to attend meetings of the CSU Senate for more than one semester, the seat shall be deemed vacant and the vacancy filled by special election under paragraph c of this by-law.
- f) A faculty representative on the SJSU Senate who is elected to the CSU Senate vacates his/her seat as an elected member of the SJSU Senate.

14. Faculty Appointments to Off-Campus and Presidential Bodies

14.1 Occasionally faculty (as defined in the Academic Senate Constitution) are required or permitted to serve as