

BYLAWS OF THE ACADEMIC SENATE SAN JOSE STATE UNIVERSITY

1. Elections and Faculty and Staff Representatives

1.1 Faculty representatives shall be elected to the Academic Senate of this University from the following representative units: College of Health and Human Sciences, College of Business, College of Education, College of Engineering, College of Humanities and the Arts, College of Science, College of Social Sciences, and the General Unit.

1.1.1 Members of the General Unit

b) Employees classified as Student Services Professional (SSP) III and IV.

1.4 Subject to approval of the Executive Committee, the Election Committee is authorized to decide questions of interpretation of this bylaw and may recommend amendments to it to the Organization and Government Committee.

1.5 The number of faculty senators must be twice the number of senators who are eligible to vote on policy resolutions and not faculty members [currently 20: Deans (3), AS President and students (7), VPs (4), SSP Staff Representatives (2), General Staff Representatives (2), an Emeritus Representative (1), and an Alumni Representative (1)].

1.5.1 The number of faculty representatives to be apportioned among the colleges and the General Unit is the total number of faculty senators minus the number of ex officio faculty senators (Academic Senate of the CSU (ASCSU) senators, SJSU Senate Chair and Past Chair). The resulting difference is the number to be used in part 1.5.2 to apportion faculty representatives among the several colleges and the General Unit.

1.5.2 Before each spring election, using the FTE/F of the preceding fall semester provided by University Personnel, the Senate Administrator shall determine, and the Associate Vice Chair verify, the number of representatives allotted to each representative unit (as defined in Bylaw 1.1). The number of representatives for each unit shall be determined by first dividing the combined total FTE teaching faculty of the college representative units plus the FTE faculty in the General Unit by the number determined in part 1.5.1 above and then dividing this value into the FTE faculty of each of the college units and the FTE faculty in the General Unit.

1.5.2.1 If the allotment of any representative unit is determined to be less than one, it shall be increased to one.

1.5.2.2 If the total number of faculty representatives on the Senate overall exceeds the number as determined in section 1.5 above, the number as determined in section 1.5.2 above shall be decreased until the total number of faculty representatives allotted is equal to the number determined in 1.5 (i.e., maintains the 2/3 proportion of voting members who have rights to vote on policy resolutions being faculty representatives).

1.5.2.3 If the total number of faculty representatives on the Senate overall is less than the number as determined in section 1.5 above, one additional representative shall be allotted in turn to each of the units in order of greatest fractional representa

Committee from those nominated.

1.8.2 When there is a permanent vacancy of a senator, the 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 or UP in the case of staff) shall hold a special election as soon as possible after the determination of the vacancy.

1.8.2.1 Vacancies are created by

resignation or recall from the Senate,
termination of employment,
removal from the Senate as a result of being absent from three Senate meetings in an academic year,
removal from a policy committee as a result of being absent from three regularly scheduled policy committee meetings,
removal from a policy committee due to failure to perform assigned policy committee duties as determined by the Executive Committee of the Senate in consultation with the policy committee chair,
leave, with or without pay, which covers more than one semester,
appointment to a full-time administrative (Management Personnel Plan) position,
election to the role of Academic Senate Chair, or
no candidate files for a vacant seat.

staff units election) shall not conduct an election but shall report to the Executive Committee, and the Executive Committee shall declare the single candidate elected.

1.8.2.6 If a vacancy occurs during the months of January or February, the seat shall be filled following the procedures listed in 1.8.1 above for temporary vacancies and the senator shall hold the seat for the remainder of the academic year. A permanent replacement shall be elected to fill out the remainder of the term as part of the next general election.

1.9 Faculty and Staff Voting Rights for Elections to the Senate

1.9.1 Tenured and tenure track faculty have full permanent voting rights for college representatives in the department of their primary assignment.

1.9.2 Lecturer faculty have proportional voting rights for college representatives in the department of their primary assignment. Lecturer faculty assigned to more than one representative unit may vote in each unit on a proportional basis determined by the percentage of their appointment in each unit.

1.9.3 Members of the general unit have voting rights proportional to their appointment(s).

1.9.4 Staff members have voting rights proportional to their appointment(s).

1.10 No write-in votes are permitted.

1.11 Procedures for faculty elections shall be determined by the Senate Election Committee, with the approval of the Executive Committee of the Academic Senate.

1.12 The phrase "academic deans" as used in Article II, Section 2 of the constitution means deans, a

electorate.

1.14 Whenever the phrase "faculty electorate" is used in the constitution, bylaws, or standing rules of the Academic Senate, it refers to those faculty members eligible to vote for representatives to the Senate (including members of the General Unit), with proportional votes for lecturer faculty, as specified in Article II, Section 3, Part c, of the Senate's constitution.

1.15 Whenever the word "staff" is used in connection with eligibility for or service on any committee and no other definition is stated, it means both a member of the SSP Staff and the General Staff electorates.

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2.1.2 The Vice Chair (who must be a faculty or SSP staff member), 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 to the ASCSU, and shall succeed to the office of Chair when the &KDLU¶V WHUP RU WHUPV H[SLUH RU LI WKH &KDLU UHV for any other reason.

2.1.3 The Associate Vice Chair (who must be a faculty or SSP staff member), 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.

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

2.1.5 The Faculty-at-Large Representative. There shall be no Faculty-at-Large Representative when there is a Past Chair.

2.1.6 ASCSU Representative to the Executive Committee

2.1.7 The Chairs of the Senate Policy Committees.

2.2 Election Procedures for Senate Officers

2.2.1 Senate officers, other than the Chair, Past Chair and Faculty-at-Large Representative, shall be elected from the faculty and SSP staff members of the Senate annually for one-year terms. Nominees for Chair of Professional Standards must be tenured full professors.

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2.2.2.1 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 propo VDO WR H[WHQG WKDW FK 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.

2.2.2.2 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

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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.

2.2.7 If the Senate Chair needs to take a leave of absence, the Vice Chair shall serve as Acting Senate Chair during the leave. The Acting Senate Chair shall K D Y H D O O W K H U L J K W V D Q G U H V S R Q V L E L O L W L H V R I W K may, upon approval of the Executive Committee, temporarily assign some of the & K D L U ¶ to Other Senators. If the Chair indicates an inability to return from leave, the position becomes vacant and the Vice Chair becomes Chair as per 2.2.6. Notification of leaves and vacancies are official when communicated in

4.1.1 The Academic Senate shall establish and appoint committees as may be needed.

4.1.2 Except as otherwise provided in these bylaws, university policy, or Senate Management Resolutions, all committees prepare, and submit to the Senate Chair, an annual report summarizing activities at the end of the academic year. These reports will be made available to the Senate.

4.1.3 Except as otherwise provided in these bylaws, university policy, or Senate Management Resolutions, 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,

policy committees, operating committees, special agencies and other committees for which no faculty from that college willing to serve have been found by the date specified on the appointment calendar shall become faculty-at-large seats for the balance of the academic year.

4.1.6.3 By the date specified on the appointment calendar, the Associate Vice Chair of the Senate shall inform each college representative and

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The college representative(s) on the Senate and deans shall be reminded that the seats will become faculty-at-large seats for the year if no college

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shall present one name to the Associate Vice Chair of the Senate to be reported to the Senate or to the Executive Committee, as appropriate under bylaw 4.1.3.

4.1.6.4 By the date specified on the appointment calendar, all vacant college seats on operating committees, special agencies and other committees for which no faculty from the college have been recommended under paragraph 4.1.6.3 above (or otherwise identified) shall become faculty-at-large seats for the balance of the academic 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.

4.1.6.5 By the date specified on the appointment calendar, 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 on the Senate 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 4.1.6.3 for policy committees.

4.1.6.6 The Associate Vice Chair of the Senate 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 bylaw 4.1.3.

4.1.7 Elected faculty and staff 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, that

person shall be appointed to the Organization and Government Committee. If there is a second, that person 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 bylaw 4.5.2.1.

4.1.8 If a member (non-ex officio) of an Academic Senate committee (policy, operating, special agency, or other Senate committee) cannot complete the term for any reason, the chair of the committee may request, through the Associate Vice Chair of the Senate, that a replacement be appointed. The Associate Vice Chair, using the normal procedures of the Committee on Committees, then solicits nominations for a replacement and brings a recommendation to the Executive Committee and subsequently to the Senate via the consent calendar.

4.1.9 If a non-ex officio member of an Academic Senate committee (policy, operating, special agency, or other Senate committee) is absent from three regularly scheduled committee meetings in an academic year or repeatedly does not perform assigned committee duties, the chair of the committee may request, through the Associate Vice Chair of the Senate, that the person be removed from the committee. The Associate Vice Chair, following discussion with and approval from the Executive Committee for removal of the committee member will then solicit nominations for a replacement (or notify the relevant college if an election is needed) and bring a recommendation to the Executive Committee and subsequently to the Senate via the consent calendar.

4.1.10 Removal of a senator from their assigned policy committee will result in removal from the Senate.

4.1.11 Unless otherwise stipulated in university policy or Senate Management Resolutions, recommendation of students for membership on policy committees, operating committees, special agencies, and other Senate committees shall be made according to the recommendation procedures of thW* .08 235.7 s92 reu.mit on p2 2353 6

- VP, Student Affairs (EXO)
- Chief Diversity Officer (EXO)
- Statewide Senator (elected)
- AS President (EXO)
- Chair, Committee on Committees/Assoc. Vice Chair (elected)
- Chair, Curriculum & Research (elected)
- Chair, Instruction & Student Affairs (elected)
- Chair, Organization & Government (elected)
- Chair, Professional Standards (elected)

4.2.3 Any action taken by the Executive Committee requires the presence of a quorum of the elected members. When acting for the Academic Senate, the Executive Committee shall distinguish whether it is expressing the position adopted by the Senate as a whole or of the Executive Committee alone. In handling relations with elected officials or their staff, these shall be on matters of relevance to the well-being of the university, and this duty shall be carried out in coordination with university employees involved in government relations; the Executive Committee is encouraged to recruit an appropriate number of university employees and students to assist in its external relations efforts. In acting as an ad hoc Presidential advisory committee, only the elected members of the Executive Committee shall sit in this capacity. 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

4.3 Committee on Committees

4.3.1 Charge: Prepares nominations for policy committees, operating committees, special agencies, and other Senate committees as needed. In cooperation with the Organization and Government Committee, makes structure. Maintains a record of faculty, staff, students, and administrators currently serving on University- level committees. At the request of the President, or other administrator making the appointments, recruits nominees and suggests names of faculty, staff, and students for service on committees as needed. Acts as Election Committee.

4.3.2 Committee on Committees. Additionally, one faculty member from each of the 6 H Q D W H ¶ V U H S U S H W H S Q A V D W H L e m b e r s o f t h e S e n a t e . I f a s e a t L V Q R W I L O O H G D Q G E H F R P H V D Q μ D W O D U J H ¶ V H D W 6 there is a vacancy, who are already serving on a policy committee, would be eligible to serve on the Committee on Committees.

The Associate Vice Chair of the Senate [EXO], who shall be chair
1 faculty, College of Business
1 faculty, College of Education

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

4.5. Policy Committees

In general, these committees study policy issues and investigate policy problems in their areas at the request of the Academic Senate and prepare policy recommendations for official action. Current Policy committees:

Curriculum & Research (CR) Instruction & Student Affairs (ISA) Organization & Government (O&G) Professional Standards (PS)

4.5.1 The establishment or elimination of any policy committee shall require a two-thirds (2/3) majority of the Senate.

4.5.2 Policy committees shall normally be composed so that at least one half of the members of a policy committee are also members of the Senate. Generally, no person shall serve on more than one policy committee. Exceptions may be made for the President of the Associated Students, officers of the Senate, and university administrators.

4.5.2.1 Normally, each policy committee includes representation from each of the units from which faculty representatives are elected. In no instance shall more than two faculty members from any of the units from which faculty representatives are elected be assigned to one policy committee.

4.5.2.2 The senators representing the Emeritus and Retired Faculty Association and the Alumni Association are eligible for appointment to policy committees with the exception of the Professional Standards Committee. If they wish to serve, they shall, at the beginning of the academic year, request to the Associate Vice Chair to be appointed to a policy committee. Although they may request a specific committee assignment, they may be appointed to another committee where representation is needed. When appointed, these senators shall have the status of ex officio members.

4.5.3 All policy committee appointments shall be for one year, commencing with the first meeting of the new Senate for the year, which usually takes place in the last month of the Spring semester.

4.5.3.1 Seniority shall not be the primary factor in selecting members of policy committees.

4.5.3.2 To achieve the principle in 4.5.2, senators shall have priority in appointments to policy committees.

4.5.3.3 Tenured faculty should be given priority for appointment to the Professional Standards Committee.

4.5.4 Members of Senate policy committees, including ex officio members, can vote and be counted for quorum (defined in Senate Standing Rule 13) only if present in person or via remote attendance.

4.5.5 Chairs of policy committees shall be elected annually by the Senate from its faculty representatives.

4.5.5.1 Nominees for the Chair of Professional Standards must be tenured full professors.

4.5.6 Policy committees shall report to the Executive Committee of the Academic Senate.

4.5.7 \$OO SROLF\ FRPPLWWHH UHFRPPHQGDWLRQV IRU W show the names of the committee members present and absent; the vote totals,

term.

4.7 Special Agencies, Other Senate Committees, and Special Committees of the Senate

4.7.1 The Senate shall establish and appoint special agencies, other Senate committees or special committees of the Senate as may be needed. The establishment or elimination of any special agency, other Senate committee, or special committee of the Senate shall require a simple majority of the Senate.

4.7.2 Unless otherwise specified in a Senate Management Resolution or University Policy, reporting requirements for special agencies, other Senate committees, and special committees of the Senate follow bylaw 4.1.2.

4.7.3 Unless otherwise specified in a Senate Management Resolution or University Policy, a) members of special agencies, other Senate committees, and special committees of the Senate shall be nominated by the elected members of the Executive Committee; and

4.7.4 Unless otherwise specified in a Senate Management Resolution or University Policy, chairs of special agencies, other Senate committees, and special committees of the Senate may be designated by the elected members of the Executive Committee.

4.7.5 Student membership on special agencies, other Senate committees, and special committees of the Senate is normally for a one-year term.

4.7.6 Special Agencies

Special agencies are created as needed by the Senate. Their charge, membership, and reporting responsibilities are specified in the policy or Senate Management Resolution that established them. Current special agencies:

Accreditation Review Committee Alcohol & Drug Abuse Committee Athletics Board

Budget Advisory Committee Campus Planning Board

Strategic Planning Steering Committee Student Success

4.7.6.1 The following shall apply to all special agencies.

Unless otherwise provided in the policy or senate management resolution creating the special agency, at-large faculty members shall be nominated by the Committee on Committees.

A special agency and related policy committee may consult on any matter of common concern.

Special agency recommendations requiring changes in university policy shall be reported to the Executive Committee for referral to an appropriate policy committee for consideration.

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

circumstances. Appropriate administrative officers or designees shall be included as ex officio members.

4.7.7.4 Student membership is normally for a one-year term.

4.7.8 Special Committees of the Senate

Committees and task forces in this category are time-delimited bodies created to address specific issues. The Senate shall establish and appoint such special committees as may be needed.

4.7.8.1 Members of special committees and task forces shall be nominated by the elected members of the Executive Committee.

4.7.8.2 The charge, determined by the elected members of the Executive Committee, shall be specified in the resolution that establishes the special committee of the Senate.

4.7.8.3 Chairs of special committees and task forces may be designated by the elected members of the Executive Committee.

5. Procedure

5.1 Robert's Rules of Order, most recent edition, shall apply unless superseded by the constitution, bylaws, or standing rules of the Acrme7vBT /TThe Acrme7vBT /TThf rules c

6.1 It is the responsibility of each elected member of the Academic Senate to assess the attitudes and viewpoints of their constituency. However, each member represents and serves the entire university. Thus, no member shall come instructed as to how to vote on any item under consideration by the Senate or its committees.

6.2 Senators are to maintain communications with their constituency regarding Senate activities and accomplishments as needed.

7. Approval of Policies

7.1 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.

7.1.1 Bylaws adopted in accordance with standing rule 10.a.2 (Senate Management Resolutions) or resolutions expressing only the opinion of the Senate, are not policy recommendations and do not require approval of the President.

8. Representation, Academic Senate, CSU

8.1 The following are subject to applicable provisions of the constitution of the Academic Senate of the California State University (ASCSU).

8.1.1 Candidates for the ASCSU from the SJSU campus shall be nominated by the faculty electorate following procedures similar to those prescribed for nomination of candidates for the Academic Senate of San José State University.

8.1.2 Simultaneous candidacy of the same person for both the ASCSU and the Academic Senate SJSU at the same election is prohibited.

8.1.3 A faculty representative on the SJSU Senate who is elected to the ASCSU vacates their seat as an elected member of the SJSU Senate.

8.1.4 Temporary Vacancy

8.1.4.1 A temporary vacancy is defined as one in which a CSU Senator will be unable to perform their duties for a period of one semester or less. In such cases, the Vice Chair of the SJSU Academic Senate shall serve as temporary CSU Senator.

8.1.4.2 If the Vice Chair is unable to serve, the Chair of the SJSU

Academic Senate may designate any elected faculty representative of the current SJSU Academic Senate to act as temporary CSU Senator.

8.1.4.3 An SJSU senator temporarily serving as an ASCSU Senator shall remain a faculty representative of the SJSU Senate.

8.1.5 Permanent Vacancy

8.1.5.1 If a CSU Senator will be absent from the SJSU campus or unable to perform the duties of an ASCSU Senator for a period of longer than one semester, the seat held by that ASCSU senator shall be deemed vacant.

8.1.5.2 When a permanent vacancy occurs, 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. If there is no advance notice, the position will be filled temporarily as described in section above until an election can be held.

9. Faculty Appointments to Off-Campus and Presidential Bodies

9.1 Faculty (as defined in the Academic Senate Constitution) occasionally serve as representatives on bodies not established by nor under the authority of SJSU (e.g., system-wide or other off-campus agencies or committees). In instances in which no other procedure for their designation is prescribed, representatives shall be appointed by the Academic Senate on nomination of the Executive Committee.

9.2 Where no other procedure has been approved by the Academic Senate, appointments of faculty to presidential task forces, 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.

9.3 Appointments of faculty to the boards of University auxiliary organizations shall be made by the President after consultation with the elected members of the Executive Committee.

9.4 Appointments of faculty to the Instructionally Related Activities (IRA) Advisory Committee shall be made by the President after consultation with the elected members of the Executive Committee.

10. Editorial Changes - Senate Documents and Archiving Resolutions

10.1 When identifiers are changed, but the function, responsibilities, purpose, or content remain the same, the Senate Ch2 re W6Edo92 plac mementn(c SCh)3 tthe

were specifically so listed in the subsequent policy, the Senate administrator shall notify the Senate chair and the appropriate policy committee chair. The committee shall review the policies and, if satisfied that the older policies were superseded and should be specifically designated as rescinded, the Senate chair shall authorize the administrator to note their rescission in the Senate records.

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Committee, and the Senate administrator shall record the information in the minutes.