

BYLAWS OF THE ACADEMIC SENATE SAN JOSE STATE UNIVERSITY

1. Elections and Faculty 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.

appropriate election unit. The candidate shall indicate, by signature on the petition, their willingness to serve if selected.

1.5.1 If there is no candidate for an Academic Senate seat by the end of the filing period, that seat shall be declared vacant and shall be filled according to the procedures outlined in 1.6.2.4.

1.6 When there is a vacancy of a faculty representative (excluding CSU Senators) the replacement for the remainder of the term shall be chosen as follows:

1.6.1 If a senator will be unable to perform their duties as senator for one semester or less, a temporary replacement will be selected in accordance with the following procedures:

1.6.1.1 The dean of the college from which the senator serves shall call for nominations for a temporary replacement to be chosen by chairs and directors of that college from those nominated.

1.6.1.2 For the General Unit, the Senate Administrator shall call for nominations for a temporary replacement to be chosen by the Executive Committee from those nominated.

1.6.2 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) shall hold a special election as soon as possible after the determination of the vacancy.

1.6.2.1 Vacancies are created by

- a) resignation or recall from the Senate,
- b) termination of employment,
- c) removal from the Senate as a result of being absent from three Senate meetings in an academic year,
- d) removal from a policy committee as a result of being absent from three regularly scheduled policy committee meetings,
- e) 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,
- f) leave, with or without pay, which covers more than one semester,
- g) appointment to a full-time administrative (Management Personnel Plan) position,
- h) election to the role of Academic Senate Chair, or
- i) no candidate files for a vacant seat.

- 1.6.2.2 When a Senate seat is vacated, the associated seat on that senator's assigned policy committee would become vacant.
- 1.6.2.3 Faculty representatives who accept one semester leaves with or without pay may resign from the Senate or request the selection of a replacement for one semester following the procedures listed in 1.6.1 above.
- 1.6.2.4 If no candidate files for that vacancy, it shall be filled for one year by a person in that constituency selected by the Executive Committee after consultation with the Senators from that constituency. A permanent replacement shall be elected to fill out the remainder of the term as part of the next general election.
- 1.6.2.5 If only one candidate files a nominating petition for a vacancy, the dean (or Senate Administrator for the General Unit election) shall not conduct an election but shall so report to the Executive Committee, and the Executive Committee shall declare the single candidate elected.
- 1.6.2.6 If a vacancy occurs during the months of January or February, the seat shall be filled following the procedures listed in 1.6.1 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.

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- 1.10 The phrase "academic deans" as used in Article II, Section 2 of the constitution means deans, and associate deans (MPP) in the academic affairs division. Elections of representative academic deans shall be conducted and reported by the Provost, and vacancies shall be filled by special elections for the balance of unexpired terms.
- 1.11 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.
- 1.12 Whenever the word "faculty" is used in connection with eligibility for or service on any committee and no other definition is stated, it means a member of the faculty electorate.
- 1.13 Whenever the phrase "teaching faculty" is used in connection with committee eligibility or service and no other definition is stated, it means university personnel holding the title of professor, associate professor, assistant professor, or lecturer whose primary assignment is instruction and not more than 50 percent of whose workload is administrative or other non-instructional duties (other than as department chair or equivalent). Reimbursed or re-assigned time for research, curriculum development, committee service, etc., is instructional.

2. Senate Officers

- 2.1 The following are officers of the Academic Senate:
 - 2.1.1 The Chair of the Senate (who must be a faculty member), who shall be its presiding officer, as provided in the constitution, and shall also be Chair of the Executive Committee, and general faculty meetings.
 - 2.1.2 The Vice Chair (who must be a faculty 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 Chair's term or terms expire or if the Chair resigns or that office becomes vacant for any other reason.
 - 2.1.3 The Associate Vice Chair (who must be a faculty 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 members of the Senate annually for one-year terms. Nominees for Chair of Professional Standards must be tenured full professors.
 - 2.2.2 Extension of Senate Chair's term
 - 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 proposal to extend that chair's 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.
 - 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 representative expires at the end of the spring semester the Vice Chair 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.
 - 2.2.2.3 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.

- 2.2.2.4 No chair shall serve for more than two full terms in succession.
- 2.2.3 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.
- 2.2.4 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.
- 2.2.5 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 nex-0.7 (hai)7.2 (e f p)-17.6 (25.1 (eet)-7.2 (

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

4.2 Executive Committee

4.2.1 Charge: Acts as an Ad Hoc Advisory Committee to the President on request; acts for the Academic Senate at such times when the members may not be available; formulates policy proposals; refers matters of business to the appropriate agencies; develops and approves the agenda for Senate meetings; handles external relations with elected officials and their staff, as appropriate; prepares nominations/appointments as needed to policy committees, operating committees, special agencies, and other Senate committees for Senate (or administrator) approval.

4.2.2 Membership:

- a. Senate Chair (elected)
- b. Vice Chair (elected)
- c. Past Chair, or Faculty at Large in years when there is no Past Chair (elected)
- d. President (EXO)
- e. Provost (EXO)
- f. VP, Administration & Finance (EXO)
- g. VP, Student Affairs (EXO)
- h. Chief Diversity Officer (EXO)
- i. Statewide Senator (elected)
- j. AS President (EXO)
- k. Chair, Committee on Committees/Assoc. Vice Chair (elected)
- l. Chair, Curriculum & Research (elected)
- m. Chair, Instruction & Student Affairs (elected)
- n. Chair, Organization & Government (elected)
- o. 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 recommendations for the improvement of the Senate's committee operations and structure. Maintains a record of faculty, staff, students, and administrators currently serving on University-level committees. At the

- c) The workload impact of the policy, that is, whether and how much compliance will increase or decrease required activity or expenditure of time by faculty, staff, or students.

4.6 Operating Committees

In the context of their charge, operating committees serve a range of functions including the preparation of reports and making recommendations for changes in policy to their designated policy committees. Current Operating Committees:

Faculty Diversity Committee (reporting to PS)
 General Education Advisory Committee (reporting to CR)
 Graduate Studies & Research Committee (reporting to CR)
 Institutional Review Board (reporting to CR)
 International Programs & Students Committee (reporting to ISA)
 Program Planning Committee (reporting to CR)
 Student Evaluation Review Board (reporting to PS)
 Student Fairness Committee (reporting to ISA)
 Undergraduate Studies Committee (reporting to CR)

- 4.6.1 The establishment or elimination of any operating committee shall require a simple majority of the Senate.
- 4.6.2 All operating committees shall report to their designated policy committees.
- 4.6.3 Except as otherwise provided in these bylaws, University Policy, or Senate Management Resolution, chairs of operating committees shall be elected by the members of the operating committee. Any member of the committee, except an ex officio member, is eligible to serve as chair.
- 4.6.4 Near the end of each spring semester, each operating committee shall elect from among its continuing membership, a chair for the following academic year. The outgoing committee chair shall recommend, through the appropriate policy committee, to the Organization and Government Committee any changes in committee responsibility or organization.
- 4.6.5 Appointments of faculty to operating committees shall be for staggered three-year terms unless otherwise specified. After service for a full three-year term, members should be reappointed only in special circumstances. Appropriate administrative officers or their officers or designees shall be included on operating committees as ex officio members.
 - 4.6.5.1 Faculty serving on a policy committee are ineligible to serve on any operating committee reporting to that same policy committee.
 - 4.6.5.2 The Committee on Committees chair will assure that, when appointments are made, they take into consideration part 4.6.5.1.

- 4.6.5.3 To the extent possible, administrative designees to operating committees and their parent policy committee should not result in concurrent membership.
- 4.6.6 Student membership on operating committees is normally for a one-year 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.

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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.

- a) 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.
- b) A special agency and related policy committee may consult on any matter of common concern.
- c) Special agency recommendations requiring changes in university policy shall be reported to the Executive Committee for referral to an appropriate policy committee for consideration.
- d) 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.
- e) When filling faculty appointments, the Associate Vice Chair of the Academic Senate shall have the responsibility to stagger the terms, unless otherwise specified by policy.

4.7.6.2 Appointments of faculty to special agencies shall be for staggered three-year terms unless otherwise specified. After service for a full three-year term, members should be reappointed only in special circumstances. Appropriate administrative officers or designees shall be included on special agencies as ex officio members.

- 5.2 The meetings of the Academic Senate are open, but the number of non-members present shall not exceed the room capacity, and preference shall be given to guests officially invited by the Senate Chair. The Chair shall request audio-visual coverage of meetings when necessary.
- 5.3 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 the Chair's discretion, the Chair may recess the meeting.
- 5.4 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 and are not published within the senate minutes.

6. Senators as Representatives

- 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.

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- 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.
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