

**ACADEMIC SENATE OF PORTERVILLE COLLEGE
CONSTITUTION AND BY-LAWS**

CONSTITUTION

ARTICLE I – NAME

- Section 1** The name of this organization shall be the Academic Senate Association of Porterville College, referred to herein as the “Association.”
- Section 2** The name of the legislative body shall be the Academic Senate of Porterville College, referred to herein as the “Senate.”

ARTICLE II – DEFINITION OF TERMS

- Section 1** Association refers to all personnel designated under ARTICLE IV – membership – of this constitution.
- Section 2** College refers to the organization of all elements, and any combination of such elements, that comprise the institution known as Porterville College.
- Section 3** Division refers to any grouping of the college that is presided over by a Division Chair.
- Section 4** Representative refers to a person who is elected to represent a Division or adjunct faculty on the Senate.
- Section 5** Board of Trustees refers to the Kern Community College District Board of Trustees.
- Section 6** ASCCC refers to the Academic Senate for California Community Colleges and its official representatives.
- Section 7** College-wide committees refer to those committees that involve faculty and other segments of the college such as administration, classified staff, and students.
- Section 8** Collective Bargaining Representative is the exclusive representative of certificated employees of the Kern Community College District.

ARTICLE III – PURPOSE

- Section 1** The purpose of the Senate is to provide the means to represent the faculty in the formation and implementation of policy on academic and professional matters.

Section 2 In implementing policies, the Senate will represent the faculty to the College President and to the Board of Trustees with respect to academic and professional matters and exercise powers granted by the California Education Code and the Board of Governors or as may be provided by other statutes.

Title 5, Article 2, Section 53200: Academic Senate

Academic Senate means an organization whose primary function is to make recommendations with respect to academic and professional matters.

“Academic and Professional Matters” means the following policy development and implementation matters:

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.
8. Policies for faculty professional development.
9. Processes for program review.
10. Processes for institutional planning and budget development.
11. Other academic and professional matters as mutually agreed upon between the governing board and the academic senate.

Section 3 The Senate shall maintain active membership in the ASCCC.

ARTICLE IV – MEMBERSHIP

Section 1 All certificated personnel not designated as management or confidential employees whose current assignment places them on the “Kern Community College District Basic Faculty Salary Schedule” or members of the Faculty.

ARTICLE V – REPRESENTATION

Section 1 Faculty Representation

- A. Each Division shall be represented on the Senate by one voting representative, in accordance with Article IV of the By-laws.

- B. A representative of the adjunct faculty shall be a voting member of the Senate, annually appointed by the Senate President.
- C. The college chair or designee of the collective bargaining unit shall be a non-voting member, but ineligible to serve as Senate President (see by-laws, Article VII, Section 1).
- D. Standing committee chairs shall be non-voting members and shall report to the Senate at the direction of the Senate President.

Section 2 Nomination and Election of Representatives

- A. Nomination and election procedures are defined in Article IV of the by-laws.
- B. Vacancies occurring at irregular times shall be filled by a special election in accordance with policies and procedures.

Section 3 Term of Office

- A. Representatives shall serve for a term of two consecutive academic years, beginning at the fall term.
- B. One-half of the division's representatives shall be elected annually. Divisions will be notified by the Immediate Past President when a new representative is to be selected.
- C. If a representative needs to be replaced while on any authorized, extended leave from the college, the division shall select a replacement subject to division policies and procedures.
- D. When any representative is incapable of performing the duties outlined below, a representative shall be selected using division policies and procedures to determine a successor.
- E. A vacancy shall be filled for no longer than the original term of office.

Section 4 Responsibilities of Representatives

- A. A representative shall attend all meetings of the Senate.

- B. If a representative misses three or more meetings of the Senate in any academic year the Senate President may notify the division of its lack of representation and allow the division to act to ensure its representation.

Section 5 Installation of Representatives

- A. At the last Senate meeting of the academic year, the newly elected representatives and officers shall be installed and shall conduct all business of the Senate.

ARTICLE VI – EXECUTIVE BOARD

Section 1 The Executive Board is made-up of the officers of the Senate as described in Article VII. No fewer than three Senate officers shall constitute a quorum of the Executive Board. The Senate President may appoint any Senate member to temporarily serve as a member of the Executive Board on an as-needed basis.

Section 2 The Executive Board shall meet as needed to recommend decisions on academic and professional matters to the full Senate. In an instance of urgency, the Executive Board may speak on behalf of the full Senate, and any decision made by the Executive Board is subject to a vote by the full Senate at its next regularly scheduled meeting.

ARTICLE VII – OFFICERS

Section 1 Voting officers of the Senate shall be the President, Vice-President, President-elect, Secretary/Treasurer, and Immediate Past President. The President-elect shall be nominated and elected by the faculty at-large. The Vice-President and the Secretary/Treasurer shall be appointed (with Senate approval) by the President from the Senate membership. The Secretary/Treasurer shall be paid a stipend, the amount of which shall be reconfirmed annually with the College President. Officers shall attend all Senate meetings.

Section 2 Nomination and Election of Officers

- A. Nomination and election procedures are defined in Article IV of the by-laws.

Section 3 Term of Service for Officers

- A. The Senate President shall serve a term of one year and may serve for no more than two consecutive terms.

- B. At the conclusion of the Senate President's term of service, the President-elect shall become President and the President shall become Immediate Past President.
- C. The Past President shall serve a term of one year and may serve for no more than two consecutive terms.

Section 4 Duties of the President

- A. The President shall preside over meetings of the Senate and shall vote in the case of a tie.
- B. The President shall publish the agenda for all regular and special Senate meetings.
- C. The President or designee shall chair the Executive Board.
- D. The President shall appoint members to serve on campus and Senate committees as needed and shall make these appointments known to the Senate.
- E. The President may serve as an ex-officio member of all committees that represent the Association with notification to the Senate.
- F. The President shall be the spokesperson for the Senate in all matters, but not at variance with Senate policy.
- G. The President or designee shall represent the Senate to the Board of Trustees at all board meetings.
- H. The President shall act as the agent of the Senate in ongoing business.
- I. The President and President-elect shall represent the Senate to the Chancellor's Cabinet.
- J. The President shall manage the Senate office and be available by appointment.
- K. The President shall receive reassigned time, the commitment to which shall be reconfirmed annually with the College President.

Section 5 Duties of the President-elect

- A. The President-elect shall act as Senate Liaison with Division Chairs and/or Association committees, as directed by the Senate President

- B. The President-elect may serve as an ex-officio member of all committees that represent the Association.

Section 6 Duties of the Immediate Past President

- A. The Immediate Past President shall act in an advisory capacity to the President and Executive Board.
- B. The Immediate Past President shall serve as an ex-officio member of all committees that represent the Association.
- C. The Immediate Past President shall oversee the election of Division Chairs in accordance with the current contract.

Section 7 Duties of the Vice-President

- A. The Vice-President shall assume the duties of the President when the President is absent.
- B. The Vice-President shall attend all meetings of the Executive Board.
- C. The Vice-President shall assist the Senate President in the preparation and distribution of meeting agendas and other documents as needed.
- D. The Vice-President shall succeed the Senate President and serve until the timely installation of the President-Elect should the Senate President not be able to fulfill his/her current term of office for any reason.

Section 8 Duties of the Secretary/Treasurer

- A. The Secretary/Treasurer shall publish the minutes of the Senate meetings, reports of committees, and other appropriate documents.
- B. The Secretary/Treasurer shall report communications to the Senate and initiate correspondence as directed by the Senate.
- C. The Secretary/Treasurer shall maintain a list of Division faculty, including names and numbers within each Division.

- D. The Secretary/Treasurer shall be responsible for maintaining records of all income and expenditures of the Senate.
- E. The Secretary/Treasurer shall make reports to the Senate as needed.
- F. The Secretary/Treasurer shall disburse funds at the direction of the Senate or its Executive Board.

Section 9 Duties of the Delegate voting representative of Senate to the ASCCC

- A. The Delegate shall be the Senate President or designee.
- B. The Delegate shall attend ASCCC meetings and be the voting representative of the Association.
- C. The Delegate to the ASCCC shall report the proceedings of the fall and spring state meetings to the Senate and the Board of Trustees.

Section 10 Installation of Officers

At the conclusion of Old Business at the last Senate meeting of the academic year, the newly elected officers shall be installed and shall conduct all New Business of the Senate.

ARTICLE VIII – REFERENDUM

Section 1 Upon presentation to the Senate of a referendum petition, signed by twenty-five percent of the Association members, protesting an action by the Senate, the President shall suspend such action until a referendum election is held.

Section 2 Within three weeks, excluding recesses and holidays, of the suspension action, an election shall be conducted. If a majority of the Association members vote against the Senate action, with at least two-thirds of the members voting, then the Senate action shall be null and void.

ARTICLE IX – RECALL

Section 1 If a recall petition asking for the recall of any officer, signed by twenty-five percent of the Association membership, is presented to the Senate, a recall election shall be held.

- Section 2** If a recall petition asking for the recall of any elected Representative, signed by twenty-five percent of the membership in the area of representation, is presented to the President, a recall election among the members of the Division shall be held.
- Section 3** All recall elections shall be held within three weeks, excluding recesses and holidays, of receipt of the recall petition.
- Section 4** An officer shall be recalled if at least two-thirds of the Association cast a ballot and a majority of votes are in favor of recall.
- Section 5** A representative shall be recalled if at least two-thirds of the Division cast a ballot and a majority of votes are in favor of recall.

ARTICLE X – RATIFICATION

- Section 1** This Constitution shall be ratified by a two-thirds affirmative vote of the ballots cast.
- Section 2** Voting shall be conducted by a mail ballot or at a general faculty meeting with at least two-thirds of the Association members present.
- Section 3** Ratification of this Constitution shall revoke any and all previous Constitutions of the Association and/or Senate.

ARTICLE XI – AMENDMENTS

- Section 1** Amendments to this Constitution may be proposed to the Senate by any member of the Association. Upon a two-thirds affirmative vote of the Senate, the Senate shall submit the proposed amendment to the Association for ratification vote.
- Section 2** Amendments to this Constitution shall also be placed before the Association for a ratification vote if proposed amendments are submitted to the Senate and endorsed with the signatures of twenty-five percent of the membership of the Association.
- Section 3** Ratification of proposed Constitutional amendments shall require a two-thirds affirmative vote of the Association and, additionally, shall be ratified only if at least two-thirds of the Association members cast ballots.