

By-laws of the De Anza College Academic Senate

[Note: Each By-law carries the same number as its associated Constitutional article.]

~~2004-2005 2016~~ 2020

I. NAME

De Anza College Academic Senate

II. PURPOSE AND FUNCTION

By-laws of the De Anza College Academic Senate (henceforth referred to as 'By-laws) are written to act as the current operating procedures of the Academic Senate.

By-laws will be updated and confirmed by the Executive Committee in the year of accreditation self study and at the mid point of the accreditation cycle to reflect any changes in the organization of De Anza College or the Academic Senate. Each By-law carries the same number as its associated Constitutional article.

Code of Conduct:

Officers, Senators, Members, and Associate Members of the Executive Committee shall:

- Fulfill the “Duties of the Executive Committee” described herein;
- Faithfully abide by the Constitution, By-laws, and policies of Academic Senate;
- Uphold the official positions taken by the Academic Senate through resolutions and policies;
- Follow through and complete accepted tasks;
- Promote collaboration, cooperation, and partnership within the Academic Senate;
- Maintain a professional level of courtesy, respect, and commitment in all Academic Senate activities;
- Keep personal opinions and actions separate from those made as a representative of this organization;
- Respect the diversity of opinions as expressed or acted upon by the Executive Committee;
- Respect dissenting opinions as expressed or acted upon by the Executive Committee.

Officers, Senators, Members, and Associate Members of the Executive Committee shall not:

- Engage in harassing or discriminatory behavior based on ~~race, gender identity, religion, age, national origin, disability, [from BP 4640: ethnic group identification, race, religion, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex or gender, age, sexual orientation, or any other legally protected status, or on the basis of these perceived characteristics or based on association with a person or group with one or more of these actual or perceived characteristics, or any other status protected by law;~~
- Engage in expression which is obscene, libelous or slanderous;
- Utilize any De Anza College resource to promote personal gain;

Personal gain includes, but is not limited to:

- the use of any of the faculty listservs in promotion of candidacy for office;
- misappropriation of Academic Senate funds;

Any violation of the Code of Conduct is sufficient grounds for the introduction of a Resolution for Removal from Office in the Executive Committee.

III. MEMBERSHIP

Duties of Membership

It is expected that the faculty of De Anza College will:

- support the officers and elected representatives of the De Anza Academic Senate through informed suggestions, recommendations, feedback, and voting on issues under discussion
- initiate recommendations and suggestions to the officers and elected representatives aimed at improving the educational welfare of De Anza's students and the professional growth of the faculty
- fulfill their professional obligations as members of the Academic Senate
- pay dues to the organization.

Commented [I1]: Can we change sex to gender identity and add sexual orientation and citizenship to the list

Commented [KC2R1]: great idea Cheryl. Can you phrase this as a proposed amendment instead of a question?

Commented [KC3R1]: Propose changing "sex" to "gender identity" and also add "sexual orientation" and "citizenship" to the list of identities in the first bullet point under "shall not..."

Commented [SK4R1]: <http://hr.fhda.edu/downloads/BP%204640.pdf>

Commented [SK5R1]: Scott Olsen's suggestion: "...such as, but not limited to..."

IV. DUES

The dues for this organization are \$5 per contract month. Faculty can arrange for a payroll deduction of dues by completing the appropriate form (which can be obtained from the Executive Secretary) or may simply write a check to the Academic Senate for \$50 once per year.

V. OFFICERS

Reassign Released Time

The District and College provides in the vicinity of 1.5 FTEF for use by the Officers of the Academic Senate. 1.0 of this amount is guaranteed through the faculty contract. Specific reassign released time for each Officer varies based on the load factor variables in the regular faculty load of the person holding the office. The split is approximately one half of the total reassign released time for the president, one third of the total reassign released time for the vice president, and one sixth of the total reassign released time for the executive secretary.

Compensation for Officer Positions held by Part-Time Faculty

In the event that a Senate Officer position is held by a Part-Time faculty member, the compensation for this position will be equivalent to the amount of FTEF on the appropriate salary scale

Summer Stipend

The college provides a \$6,000 summer stipend for the officers as a group to be available during the months of July and August and to provide a predictable on campus presence for faculty, administrators, and members of the public. The stipend shall be split among the Officers based on the time they will provide to service. Typically, the split is equal shares.

Meetings and special empowerments

During the academic year, the Senate officers will meet twice per week, typically each Monday from 1:30 pm to 2:30 pm and Wednesday from 1:30 to 2:30 pm for planning purposes.

The officers will meet in the summer as appropriate to conduct tasks, projects, and other meetings. The officers have the authority to recruit and confirm faculty for various committees that have shown a need to

Commented [6]: can we add something about the officers alerting the exec committee to any decisions made during these officer meetings, especially during summer months?

Commented [KC7R6]: Yes, please phrase an amendment for consideration.
Phrase added in yellow highlight

meet before the beginning of the fall quarter. The officers may appoint themselves to committees as they see fit, especially in cases where delaying in order to recruit would be problematic. The officers will report any decisions made during the summer at the first Executive Committee meeting of the following Fall quarter.

In case of an emergency academic senate meeting, a simple majority vote of the present academic members will inform the decision of the Academic Senate officers.

Duties of the President

The President serves as the chief executive officer of the Academic Senate and the Executive Committee and as such has the following responsibilities:

- Prepare an agenda for and preside over all meetings of the Academic Senate and Executive Committee
- Supervise all affairs of the Academic Senate
- Execute such plans and policies as the members of the Academic Senate or Executive Committee may have authorized, directed or approved
- Maintain a list of current members of the Executive Committee. Inform Division Deans of the need for division Senators or in the event that Senators miss 4 or more meetings in a quarter
- Attend the following committee meetings
 - Board of Trustees
 - College Council
 - Chancellor's Advisory Committee
 - Academic and Professional Matters Committee
 - Classified Senate
 - State Plenary sessions
- Prepare and present a financial report of the Academic Senate bank account funds to the Executive Committee at the beginning of each quarter.
- Make recommendations on behalf of the Academic Senate to the Governing Board with respect to academic and professional matters
- Represent the Academic Senate at District and College functions
- Act as co-chair of the College Council and attend District Budget committee meetings (or assign a designee)

- Coordinate and conduct regular communications to the Academic Senate, which may include any or all of the following: newsletter; email communications; Academic Senate website updates; other means of communications approved by the Executive Committee

Duties of the Vice President

The primary function of the Vice President is to assume, in the absence or at the request of the President, the duties of that office. In addition, the Vice President has the following responsibilities:

- Assist the President in agenda building
- Monitor the list of committees needing faculty representatives and recruit faculty to serve on committees following procedure set by the Executive Committee.
- In conjunction with the Diversity Coordinator and the Tenure Review Coordinator for Tenure Review Committees, present faculty for confirmation to committees
- Perform other duties as requested by the President or the Executive Committee
- Attend State Plenary Sessions
- Co-Chair the Instructional and Planning Budget Team
- Assist and support the Academic Senate Officers and Executive Committee with regular communications to the Academic Senate, which may include any or all of the following: newsletter; email communications; Academic Senate website updates; other means of communications approved by the Executive Committee.

Duties of the Executive Secretary

The primary function of the Executive Secretary is to maintain an ongoing record of discussions and actions of the Executive Committee. In addition, the Executive Secretary has the following responsibilities:

- Act as Treasurer for the Academic Senate which means depositing dues, paying bills, balancing the checkbook and reporting to the Executive Committee on the checkbook balance in October and in January
- Maintain (or supervise) as current the Academic Senate's web page
- Act as Editor of the Academic Senate Newsletter to be published at least quarterly
- Assist and support the Academic Senate Officers and Executive Committee with regular communications to the Academic Senate, which may include any or all of the following: newsletter; email communications; Academic Senate website updates; other means of communications approved by the Executive Committee
- Maintain the *College Courses Into Disciplines and FSAs Report*, update the report annually, and preside over a confirmation of the report by all faculty input and Executive Committee approval every three years. Additionally, provide training for faculty and administration on assigning courses, attend ASCCC plenary sessions on minimum qualifications, and monitor changes and proposed changes to the state minimum qualifications for faculty and administrators.
- Attend State Plenary Sessions
- The primary responsibility for the integrity of votes taken in the Executive Committee falls upon the Executive Secretary. However, all Officers are duty bound to protect the democratic process. Any eligible voting member of the Executive Committee can call for a roll call vote (to assure accuracy) at any time.

Removal from Office

A recall election to remove an officer from office may be called by the Executive Committee at any time during an officer's term by a petition signed by two-thirds to the Executive Committee membership.

Officer removal requires two steps:

Step 1: an affirmative Resolution of a simple majority of all eligible voting members of the Executive Committee;

Step 2: an affirmative vote of the resolution by two-thirds of all eligible voting members of the Academic Senate casting an electronic vote.

The burden of proof for a factual finding confirming the allegations against Officers or Senators shall be by “clear and convincing” evidence. No Resolution for Removal from Office shall be considered in the same meeting where said Resolution is introduced.

“Clear and convincing” means the evidence is highly and substantially more likely to be true than untrue; the trier of fact must have an abiding conviction that the truth of the factual contention is highly probable. (Colorado v. New Mexico, 467 U.S. 310 (1984).

VI. THE EXECUTIVE COMMITTEE

The Executive Committee of the Academic Senate meets each Monday during the academic year from 2:30 – 4:30 with the exception of holidays, the first week of class, and Finals week. Agendas for Executive Committee meetings are normally distributed the Wednesday or Thursday afternoon prior to an Executive Committee meeting the following Monday. In all cases, agendas are distributed prior to 2:30 PM on Fridays prior to Executive Committee meetings the following Monday. Items to be included on the agenda or in the agenda packet for Senators must be by in the possession of the President by noon on Wednesday.

A quorum is considered present at Executive Committee meetings if there is 1 person more than half the sum of all voting members of the Executive Committee. ~~of division confirmed Senators and Officers present.~~

Areas will have the following representation as Academic Senate Executive Committee Voting Members :

Biological Health and Environmental Sciences 2
Business, Computer Science, and Applied Technologies 2
Career Technical Education and Workforce 2
Creative Arts 2
International Intercultural Studies 2
Language Arts 2
Physical Education 2
Social Sciences and Humanities 2
Physical Sciences, Mathematics and Engineering 2
General Counseling 2
Embedded Counselors(*see description of what this includes below) 2
DSPS (includes APE) 2
Academic Services and Learning Resources 1
Student Development 1
Equity and Engagement 1

Embedded Counselors includes:

Student Success & Retention Services –
First Year Experience (1),
Puente/ LEAD(1),
UMOJA (1),
IMPACT AAPI (1)
<https://www.deanza.edu/ssrsc/>

International Students Program (2)
<https://www.deanza.edu/international/>

English Performance Success – including Adult Ed consortium (3)
<https://www.deanza.edu/languagearts/eps-counselors/index.html>

Math Performance Success (3)
<https://www.deanza.edu/mps/>

Men of Color (2)
<https://www.deanza.edu/mc2/>

College Promise / Outreach (6)
<https://www.deanza.edu/outreach/>

Career Training (2)

<https://www.deanza.edu/career-training/>

Veterans (1)

<https://www.deanza.edu/veterans/>

REACH (1)

<https://www.deanza.edu/reach/>

Biological, Health & Environmental Sciences (1)

<https://www.deanza.edu/bhes/our-counselors.html>

Total of 25 Embedded Counselors

Duties of the Executive Committee

As members of the Executive Committee, the Officers and Senators have the following responsibilities:

- Know the Constitution of the Academic Senate
- Carry out the purpose and function of the Academic Senate as a whole as outlined in Article II of the Constitution
- Recommend and make policies and decisions for the Academic Senate which are consistent with the Constitution
- Review current policies and procedures initiated by the College and District, and make recommendations for changes in these as necessary as outlined in Section 3 of Article II of the Constitution
- Deliberate and act on all proposals and matters of concern to the collective and individual membership of the Academic Senate
- Maintain a strong liaison with the Foothill College Academic Senate, the Faculty Association, the Classified Senate, the De Anza Student Body Senate and College and District administration, as well as with such regional, state, and national organizations that are deemed important and relevant to De Anza College and its faculty
- Be responsible for confirming all faculty to all committees
- Review and approve the annual Academic Senate College B budget presented by the President by October 15 of each year.
- Review, at least quarterly, the expenses/revenues of the Academic Senate private dues account at U.S. Bank as presented

Commented [8]: if it's our duty as on the Exec Committee to know the Constitution and By-laws, they should be emailed to all Officers and VM each time they are elected or re-elected to keep them fresh in mind.

Commented [9]: Do we review the AS budget quarterly or semi-annually? Perhaps for clarity we should name a meeting e.g. budget report the 2nd meeting of each quarter (Summer excluded)

by the Executive Secretary.

Duties of Senators

In addition to representing the interests of their division's faculty, Senators have the following responsibilities:

- Attend all meetings of the Executive Committee. Teaching schedules should be such as to allow attendance for the full meeting time. Notify the President when not attending an Executive Committee meeting
- Bring their division's faculty concerns or recommendations to the Executive Committee
- Communicate to their division's faculty, on a weekly basis, the discussions and actions of the Executive Committee
- Serve, as needed, on at least one other College or District governance committee
- Assume a leadership position with regard to academic issues within their division.

Commented [10]: Is there an official policy on VM appointing surrogates for meetings/quarters they can't attend? If it's up to the Divisions, should each Division's policy be kept on record with AS

Part-time Faculty Stipends

The two part-time at-large senators shall each receive a \$300 quarterly stipend. Additionally, this stipend will also apply to any part-time faculty members appointed by the Academic Senate serving on any college committee. Part-time faculty serving as senators should consult their division deans regarding compensation.

Commented [11]: 2 PBTs are already approved, this would extend it to any committee where the Academic Senate appoints or confirms faculty membership

Associate Membership.

The people holding the following positions are granted associate membership on the Executive Committee:

- Vice President of Instruction (or designee)
- Classified Senate President (or designee)
- Faculty Co-chairs of Decision Making Teams (Currently three Planning and Budget Teams and the Campus Budget Team)
- President (or designee) of campus wide employee groups recognized by Academic Senate, such as Black Faculty, Staff, and Administrators' Association (BFSA); Asian Pacific American Staff Association (APASA); De Anza Latinx Association (DALA)
- Faculty Association President (or designee)
- Two DASB-appointed Student Representatives

Commented [12]: Should DASB be associate members or voting members

Commented [13R12]: I think they should be VM, and we should actually extend membership to 2 DASB designees

Commented [14R12]: respectfully disagree :)

Commented [KC15R12]: There is a proposed amendment on Constitution Article VI. A. proposing that DASB appoint two voting members

Update: DASB Representatives withdrew the proposed change to have two DASB voting members on Academic Senate; they are fine with having two Associate members.

Removal from Office

For the two At Large Part Time Faculty Representatives, removal requires two steps:

Step 1: an affirmative Resolution of a simple majority of all eligible voting members of the Executive Committee;

Step 2: an affirmative vote of the resolution by two-thirds of all eligible voting members of the Academic Senate casting an electronic vote.

The burden of proof for a factual finding confirming the allegations against Officers or Senators shall be by “clear and convincing” evidence. No Resolution for Removal from Office shall be considered in the same meeting where said Resolution is introduced.

“Clear and convincing” means the evidence is highly and substantially more likely to be true than untrue; the trier of fact must have an abiding conviction that the truth of the factual contention is highly probable. (*Colorado v. New Mexico*, 467 U.S. 310 (1984).)

By-law VII. ELECTIONS

Nominating and Election Committee

A Nominating and Election Committee (NEC) will be formed no later than the sixth week of winter quarter each year. The NEC will consist of a chairperson and two members (all chosen from the Executive Committee membership). Neither officers nor persons running for office shall be members of the NEC. The NEC has the following responsibilities:

- put out an invitation to all faculty to run for office or nominate another faculty member to run
- contact nominated faculty to see if they are indeed interested in running
- accept Candidate Statements from faculty running for office (Statements must be submitted to the NEC chairperson no later than May 1.)

- request a list of full and part-time faculty from Human Resources at least 3 weeks prior to the election date (Only faculty listed will be allowed to vote.)
- publish the official ballot with Candidate Statements, including making it available on the Academic Senate website, no later than one week before election date
- ~~arrange for faculty to~~ Supervise the election. (Neither officers nor persons running for office shall supervise the election.)
- ~~count the ballots~~ Arrange for electronic balloting, gather the results from ASAP after the polls close, and submit the results to the Executive Committee for certification of the votes. ~~by announcing the results~~
- keep ~~ballots~~ means of voting secure at all times.

Campaigning

Campaigning by and for candidates or other issues on the ballot is allowed as long as it is done at no cost to the college. This includes campaigning on the Academic Senate-managed email listservs (e.g. the all-faculty listserv and the part-time listserv). Any information about the elections may only be put out on the listservs at the direction of the NEC (Nominations and Elections Committee) and not by the individual candidate. ~~and there is no campaigning at the election site on election days.~~

Faculty supervising the election may not campaign, make recommendations, or advocate for any individual or issues on the ballot. ~~Election supervisors can provide faculty an information sheet (available at the poll) should they have questions.~~

Any violation of Code of Conduct by a candidate, as stated in the By-laws, will result in immediate disqualification from holding office for the current term.

Election dates

Election of Officers and At-Large Part-Time Senators shall occur sometime in May to June. In the event that a recall election is called for, it will be held as needed. Elections for office, and for recall from office shall be held electronically. Only faculty not running for office may supervise elections. ~~An election poll shall be open and supervised~~

~~each day. Only faculty not running for office may supervise elections.~~

~~Installation~~ Introduction of Officers

The ~~installation~~ introduction of newly elected Officers and At-Large Part-Time Senator shall occur by way of introduction to the Executive Committee shall occur at the last meeting of spring quarter.

Removal From Office

Recall of an Academic Senate Officer or any Senator of the Executive Committee

- A. A proposal to recall an Academic Senate Officer or any Senator of the Executive Committee must be in the form of a resolution from a Senator.
- B. The resolution must include a signature of support from 1/3 of the members of the Executive Committee eligible to vote.
- C. Upon receipt of the recall resolution, the President shall distribute ballots on the recall to each eligible voting member within 15 days of receiving the resolution requesting removal.
- D. Ballots must be returned within 30 days from the day the ballots were distributed. The recall shall be approved if 2/3 of eligible voting members vote in favor of it.
- E. If the recall is approved, then the vacancy may be filled in accordance with the [section IV of Constitution](#).

By-law VIII. COMMITTEES: Academic Senate sub-committee, ad-hoc committees, task teams, Campus Decision making teams

Decision making at De Anza is done via ~~four (4)~~(3) Planning and Budgeting Teams ~~a Campus Budget team,~~ and a College Council. The Academic Senate appoints a co-chair (these are two year terms) to the following decision making teams:

- Instructional Planning and Budgeting Team
- Student Services Planning and Budgeting Team
- ~~Workforce~~ Administrative Services Planning and Budgeting Team

Commented [16]: who serves as co-chair in SSPBT and APBT?

Commented [KC17R16]: Their websites should state that

The President of the Academic Senate serves as co-chair of the College Council.

The Vice President of the Academic Senate serves as co-chair of Instructional Planning and Budget Team

Duties of co-chairs

- attend all meetings of the team
- attend College Council meetings
- attend, when requested, Executive Committee meetings
- prepare agendas for team meetings with the respective committee co-chair
- represent, along with other team faculty members, the position of the Academic Senate to their team
- report regularly to the Executive Committee the discussions and decisions of their team
- report regularly to the Executive Committee any concerns they have about discussions and decisions of their team

Duties of faculty on committees

- attend all meetings of the team/committee
- represent the position of the Academic Senate to their team/committee
- when a faculty co-chair does not exist, report regularly to the Executive Committee the discussions and decisions of their team/committee
- report to the Executive Committee any concerns they have about discussions and decisions of their team/committee

By-law IX. CONSTITUTION ADOPTION, AMENDMENTS, AND BY-LAWS

None.

By-law X. OTHER

Academic Senate Checkbook

The Academic Senate checking account is located at Chase U.S. Bank,

~~20573 Stevens Creek Blvd., Cupertino, CA 95014.~~ Only current Officers shall have signature authority on the checking account.

Senate Scholarships for students

In order to fulfill the following resolves from a Spring 2002 resolution, "Be it further resolved, that a review committee established by the Financial Aid Office consisting of De Anza College faculty and at least one officer/senator of the Academic Senate make the decision as to whom to award the scholarships and, Annual Academic Senates of the California Community Colleges (ASCCC) dues are paid by the college district from the Academic Senate B budget funds set aside for the purpose."

General Education Review

Per a motion passed on April 22, 2002, the president of the Academic Senate shall assure that the following timeline is followed for the review of General Education Philosophy/Criteria and implementation.

1. The Winter quarter following each Accreditation visit, the Academic Senate will form a General Education Review Committee in order to begin a process of General Education review including a review of the General Education Philosophy/Criteria established in the last review and consideration of any new requirements or elimination of any requirements proposed since the previous review.
2. Upon confirmation of the GE Philosophy/Criteria and consideration of any proposed additions or deletions from current requirements, the Academic Senate through the Curriculum Committee will make any necessary adjustments to the De Anza associate degree requirements so that catalog changes are in place no more than two years after the accreditation visit.
3. Upon finishing the adjustments to the De Anza associate degree requirements, the Academic Senate through the Curriculum Committee will make any necessary adjustments to GE certification via IGETC and CSU GE so that catalog changes are in place no more than three years after the accreditation visit.

APPROVED May 2001 Updated October 2001 Updated June 2002
Updated June 2004 Updated June 2010 Updated March, 2016 Updated
November 2020