

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

CONSTITUTION

ARTICLE I -- NAME

- Section 1 The name of this organization shall be the Academic Senate of Bakersfield College, referred to herein as the Academic Senate.
- Section 2 The name of the legislative body shall be the Academic Senate of Bakersfield College, referred to herein as the Academic Senate.

ARTICLE II -- DEFINITION OF TERMS

- Section 1 The Academic Senate refers to the organization comprised of all personnel designated under ARTICLE IV -- MEMBERSHIP of this constitution.
- Section 2 The Senate (body of representatives), "Senate (body rep.," hereafter, refers to all elected officers and elected senators who represent the Academic Senate.
- Section 3 The College refers to the organization of all elements, and any combination of such elements, that compose the institution known as Bakersfield College.
- Section 4 A Department refers to any formal college department or grouping of disciplines which includes faculty (e.g. instructional/library/student support services)
- Section 5 A Senator refers to a person who is elected by a department to serve on the Senate (body rep.).
- Section 6 The Board of Trustees refers to the Kern Community College Board of Trustees and its official representatives.
- Section 7 The Board of Governors refers to the Board of Governors of the California Community Colleges and its official representatives.
- Section 8 ASCCC refers to the Academic Senate for California Community Colleges and its official representatives.
- Section 9 Committee refers to any group of people involving faculty who represent the Academic Senate and are tasked with decision-making of any set

time period (e.g., standing committee, college-wide committee, screening committee, task force, work group, temporary ad hoc committee, etc.), except for groups internal to a single department and those solely appointed by the bargaining agent.

College-wide committees refer to those committees which involve faculty and other segments of the college, such as administration, classified staff, and students.

- Section 10 Faculty Caucus refers to a group of faculty members (full time/part time) who are part of a committee.
- Section 11 Executive Board refers to the Executive Board of the Academic Senate.
- Section 12 Time-oriented references refer to contractual working days during Fall and Spring semesters.

ARTICLE III -- PURPOSE

- Section 1 The purpose of the Academic Senate is to provide the means to represent faculty in the formation and implementation of policy on academic and professional matters.
- Section 2 In implementing policies, the Senate (body rep.) will represent the Academic Senate to the President of the College 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.
- Section 3 The Senate (body rep.) shall assume primary responsibility in the areas of curriculum and academic standards as specified in the California Education Code.
- Section 4 The Senate (body rep.) shall maintain active membership in the ASCCC.

ARTICLE IV – MEMBERSHIP

- Section 1 All faculty not designated as management, confidential employees, or supervisors and employed by the College on fifty percent or more contracts whose current assignment places them on the Basic Faculty Salary Schedule shall be members of the Academic Senate.
- Section 2 Part-time, non-contract faculty members shall be associate members. Associate members do not have the rights and privileges of regular

members, but they may elect two senators as voting members of the Academic Senate.

ARTICLE V -- REPRESENTATION

Section 1 Each Department shall be represented on the Senate (body rep.) by one or more senators, in accordance with ARTICLE V (Representation and Reapportionment) of the BY-LAWS.

Section 2 Nomination and Election of Senators

- a. Any nominee who receives a plurality of the votes cast shall be declared elected. In the event of a tie, a run-off between the two top candidates for senator shall be held within two weeks of the original election.
- b. If there is no nominee for an office, that position shall remain vacant until the next regularly scheduled Academic Senate election.

Section 3 Terms of Office

- a. A senator shall serve for a term of two consecutive years.
- b. One-half of the senators shall be elected annually.
- c. If it becomes necessary to temporarily replace a senator ("original senator" in this section), the Department may select their interim replacement subject to confirmation by the Senate (body rep.). Failing either, the position will remain vacant until the next regularly scheduled election. The interim senator would serve until the original senator is able to resume their duties or until the next regularly scheduled election, whichever comes first.

A copy of this policy will be emailed to the original senator, the department chair, and the department secretary. The original senator or 2nd senator from the area and chair will work together to find a replacement, and the department chair will notify the Senate Office.

- d. Vacancies occurring at irregular times shall be filled by a special election within thirty days after the vacancy occurs, in accordance with the nomination and election procedures.
- e. When any senator is incapable of performing the duties outlined below, the President shall conduct an election of that senator's department according to the nomination and election rules to determine a successor.

- f. A vacancy that has been filled shall be filled for no longer than the original term of office.

Section 4 Reapportionment

The Senate (body rep.) shall evaluate its own structure prior to each annual election and, when appropriate, reapportion itself in accordance with ARTICLE V (Representation and Reapportionment) of the BY-LAWS.

Section 5 Responsibilities of Senators

- a. A senator shall attend all meetings of the Senate (body rep.).
- b. If a senator misses three or more meetings of the Senate (body rep.) per year, they may be removed from office by a two-thirds vote of the Senate (body rep.).
- c. A senator shall communicate business items and other concerns between their Department and the Senate (body rep.).

Section 6 Installation of Senators

At the conclusion of Old Business at the last Senate (body rep.) meeting of the academic year, the newly elected representatives shall be installed and shall conduct all New Business of the Senate (body rep.).

ARTICLE VI -- OFFICERS

Section 1 Officers

The following shall be the officers of the Academic Senate:

- President
- Vice-President
- Secretary
- Treasurer
- Delegate to the ASCCC

Officers shall be full-time tenured/tenure-track faculty. Officers shall attend all Senate (body rep.) meetings.

Section 2 Parliamentarian

A Parliamentarian may be appointed by the President.

Section 3 Nomination and Election of Officers

- a. Nomination and election procedures are defined in ARTICLE V (Representation and Reapportionment) of the BY-LAWS.

Section 4 Terms of Office for Officers

- a. The elected officers, with the exception of the President and the Delegate to the ASCCC, shall serve for one year.
- b. The President and the Delegate to the ASCCC shall serve for two consecutive years.

Section 5 Duties of the President

- a. The President shall preside over meetings of the Senate (body rep.).
- b. The President shall chair the Executive Board.
- c. The President shall, with the approval of the Senate (body rep.), appoint all members who serve on all committees that represent the Academic Senate.
- d. The President may serve as an ex-officio member of any committee that represents the Academic Senate.
- e. The President shall be the spokesperson for the Academic Senate in all matters, but not at variance with Academic Senate policy.
- f. The President shall report the activities and the concerns of the Academic Senate to the Board of Trustees on a regular basis.
- g. The President shall act as the agent of the Academic Senate for ordinary and ongoing business.
- h. The President shall manage the Senate office and maintain posted office hours. In addition to tasks described in the By-Laws, the Senate's administrative staff shall maintain a list of departments, including names and count of Academic Senate members within each department and they shall maintain a list of all Academic Senate members.

Section 6 Duties of the Vice-President

- a. The Vice-President shall assume the duties of the President when the President is incapacitated or absent.
- b. The Vice-President shall act as Senate (body rep.) liaison with Department and/or Academic Senate committees, as directed by the President.

- c. The Vice-President may serve as an ex-officio member of any committee that represents the Academic Senate.

Section 7 Duties of the Treasurer

- a. The Treasurer shall be responsible for maintaining records of all income and expenditures of the Senate (body rep.).
- b. The Treasurer shall make regular reports to the Senate (body rep.).
- c. The Treasurer may disburse funds at the direction of the Senate (body rep.) or the Executive Board.

Section 8 Duties of the Secretary

- a. The Secretary shall review the minutes of Senate (body rep.) and Executive Board meetings before the posting deadline.
- b. The Secretary shall report communications to the Senate (body rep.) and initiate correspondence and acknowledgements as directed by the Senate (body rep.).
- c. The Secretary shall send out highlights of Senate (body rep.) meetings.

Section 9 Duties of the Delegate to the ASCCC

- a. The Delegate of the ASCCC shall attend ASCCC meetings.
- b. The Delegate to the ASCCC shall report the proceedings of the fall and spring state meetings to the Senate (body rep.) and, if requested by the President, to the Board of Trustees.
- c. The Delegate to the ASCCC shall communicate statewide legislation and other concerns to the Senate (body rep.).

Section 10 Installation of Officers

At the conclusion of Unfinished Business at the last Senate (body rep.) meeting of the academic year, the newly elected officers shall be installed and shall conduct all New Business of the Senate (body rep.).

ARTICLE VII -- REFERENDUM

- Section 1 Upon presentation to the Senate (body rep.) of a referendum petition, signed by fifteen percent of the Academic Senate members protesting an action by the Senate (body rep.), 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 Academic Senate members vote against the Senate (body rep.) action, then the Senate (body rep.) action shall be null and void.

ARTICLE VIII -- RECALL

- Section 1 If a recall petition asking for the recall of any officer, signed by fifteen percent of the Academic Senate membership, is presented to the Senate (body rep.), 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 an area of representation, is presented to the President, a recall election among the members of the representation area shall be held. For full members of the Academic Senate, the area of representation is the Department. For associate members, the area of representation is the entire body of part-time, non-contract faculty at the time the recall petition is presented to the President.
- 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 fifty percent of the Academic Senate cast a ballot and a majority of votes are in favor of recall.
- Section 5 A senator shall be recalled if at least fifty percent of the department cast a ballot and a majority of votes are in favor of recall.

ARTICLE IX -- RATIFICATION

- Section 1 Ratification of this Constitution shall require a two-thirds affirmative vote of the membership casting ballots and, additionally, shall be ratified only if at least fifty percent of the Academic Senate membership casts ballots.
- Section 2 Voting shall be conducted by official ballot. The voting period shall be two weeks long.
- Section 3 Ratification of this Constitution shall revoke any and all previous Constitutions of the Academic Senate and/or the Senate (body rep.).

ARTICLE X – AMENDMENTS

- Section 1 Amendments to this Constitution may be proposed to the Senate (body rep.) which, upon a two-thirds affirmative vote, shall submit the proposed amendment to the Academic Senate for a ratification vote.
- Section 2 Amendments to this Constitution shall also be placed before the Academic Senate for a ratification vote if a proposed amendment is submitted to the Senate (body rep.) endorsed with the signatures of fifteen percent of the membership of the Academic Senate.
- Section 3 Ratification of a proposed Constitutional amendment shall require a two-thirds affirmative vote of the membership voting and, additionally, shall be ratified only if at least fifty percent of the Academic Senate members cast ballots.