

Moreno Valley College Academic Senate Constitution

Preamble: We, the Faculty of Moreno Valley College, Riverside Community College District (RCCD), do hereby establish the Moreno Valley College Academic Senate to represent the Faculty of Moreno Valley College in accordance with the mission of Moreno Valley College and of the RCCD.

Purposes: It shall be the primary function of the Academic Senate, in deference to RCCD Policy No. 4005 (References: Title 5 Sections 53200-53205), to

- A. Represent the Moreno Valley College Faculty in the formation of policies and procedures relating to academic and professional matters as provided for by AB 1725 and Title V, making recommendations to the RCCD Board of Trustees or its designees with respect to the following academic and professional matters as they apply to Moreno Valley College:
 1. Curriculum, including establishing prerequisites and placing courses within disciplines;
 2. Degree and certificate patterns;
 3. Grading policies;
 4. Educational program development;
 5. Standards or policies regarding student preparation and success;
 6. Policies for Faculty professional development activities; **
 7. District and College governance structures, as related to Faculty roles; **
 8. Faculty roles and involvement in accreditation processes, including self-study and annual reports; **
 9. Processes for program review;
 10. Processes for institutional planning and budget development; and
 11. Other academic and professional matters.

** 6, 7, and 8 now align with BP 4005; prior, their order was 8, 6, and 7.

- B. Represent the Moreno Valley College Faculty on the District Academic Senate.
- C. Provide a forum for the College community—including Faculty, administration, students, staff, and citizenry—to discuss any matters relating to the Faculty’s academic and professional concerns.

Powers: The power of the Moreno Valley College Academic Senate is derived from the California Education Code (since 1988 through AB 1725) and Title 5, Subchapter 2, Sections 53200-53206, of the California Administration Code.

In accordance with RCCD Board Policy 4005 (adopted April 22, 2008, replacing Policy and Regulation 3010), and with the understanding that Policy 4005 applies to each of the Faculty Senates of the three District’s Colleges, the RCCD Board of Trustees relies primarily upon the recommendations of the Moreno Valley College Academic Senate for items 1, 2, 3, 4, 5, and 8 6 enumerated above under Section A of “Purposes.” The Senate will work with the appropriate administrative office(s) while developing its positions.

As per RCCD BP 4005, the Moreno Valley College Academic Senate “will then forward its final recommendations to the Chancellor of the District, who will present them in a timely manner to the Board or Trustees with or without his/her endorsements or comments. When the Board relies primarily upon the advice and judgment of the Senate, the recommendation of the Senate will normally be accepted. In instances where a recommendation is not accepted, the Board’s decision must be based on a clear and substantive rationale that puts the explanation for the decision in an accurate, appropriate, and relevant context. The Board or its designee shall communicate its reason in writing to the Senate in a timely manner. If such recommendation is not accepted, existing policies and procedures will remain in effect.”

“Relies primarily on” means that all recommendations of the Moreno Valley College Academic Senate in the specified areas will be forwarded to the Board on behalf of the Academic Senate and will be accepted by the Board in most cases.

Again, in compliance with RCCD BP 4005, the Board of Trustees will receive items 7, 8, 9, and 10, and those matters developed in item 11, enumerated above under Section A of “Purposes,” as the result of mutual agreement, “reached by resolution, regulation or policy,” after consulting collegially with the Moreno Valley College Academic Senate.

“Mutual agreement” means that the policy and implementation recommended shall be prepared by the Moreno Valley Academic Senate or its representatives on the District Academic Senate, the Board or the Board’s designee, and jointly ratified by these same entities.

“In instances where agreement has not been reached, existing policy shall remain in effect unless the policy exposes the District to legal liability or fiscal hardship. In cases where there is no existing policy, or when legal liability or fiscal hardship requires

existing policy to be changed, the Board may act, after a good faith effort to reach agreement, but only for compelling legal, fiscal, or organizational reasons.

“Nothing in this Board Policy [4005] shall be construed to infringe upon the due process rights of Faculty, nor to detract from any negotiated agreements between collective bargaining representatives and the Board of Trustees.

“Collegial consultation will take place in accordance with existing practices.”

Although the Moreno Valley College Academic Senate may choose to mediate recommendations through the District Academic Senate, the Moreno Valley College Academic Senate, “after consultation with the Chancellor,” reserves the right to “present its written views and recommendations [directly] to the Board of Trustees” in academic and professional matters directly related to Moreno Valley College. “The Board of Trustees shall consider and may respond to such views and recommendations.”

The resolution process shall be the sole method by which policies of the Moreno Valley College Academic Senate are adopted.

(Revised, April 17, 2012)

The Moreno Valley Campus/College Academic Senate By-Laws

Article I Definitions

Section 1. Definitions

The following terms are to be understood in the sense herein defined.

- A. The Campus/College: Moreno Valley Campus/College.
- B. The District: Riverside Community College District
- C. The Senate: The Moreno Valley Campus/College Academic Senate
- D. Full-time Faculty: District faculty who are active under a yearly contract and who have at least 60% of their annual assignment at Moreno Valley Campus/College.
- E. Part-time Faculty: Faculty who have a current part-time assignment at Moreno Valley Campus/College.
- F. The Faculty: All current full-time and part-time faculty at Moreno Valley Campus/College

Article II Representation

Section 1. Representation: The Academic Senate represents all full-time and part-time faculty members employed by the District who teach at Moreno Valley Campus/College and who do not perform any services for the District or College that are identified in the District or College structure as administrative or supervisory.

Article III Composition and Terms of Office

Section 1: Composition: The Academic Senate shall be composed of a President, Vice-President, Secretary-Treasurer, Department Senators, a Part-time Faculty Senator, and a Senator-at-Large.

Section 2: Terms of Office: The Senate President and Senator at Large shall be elected by general vote of the faculty to three-year terms (revision approved 10/05/09). The Vice President and Secretary/Treasurer of the Senate shall be elected by majority vote of the Senate (revision approved 10/05/09). The term of the Vice President shall be for three years, but **shall not** coincide with the three-year term of the Senate President. The Secretary/Treasurer shall be elected annually (revision approved 10/05/09). The Associate Faculty Representative (Part-time Faculty Representative) shall continue to

be elected by majority vote of the Associate Faculty to a term of one year. Any vacancies shall be filled by special elections, as specified in the Senate Rules.

Article IV Senate Meetings

Section 1: Regular Meetings: The Senate shall hold regular meetings not less than once a month during the fall and spring semesters. The Senate may hold meetings in the summer and winter sessions if it so chooses.

Section 2: Special Meetings: Special meetings of the Senate may be called by the Senate President, by three members of the Senate, or by seven members of the College Faculty. At least three days notice shall be provided.

Section 3: Open Meetings: All Senate meetings, and all agencies authorized by the Senate, shall be open to all members of the faculty, the administration, the student body, and the public, except in matters where an open meeting could infringe on an individual's right to privacy.

Section 4: Agenda: The Senate shall establish its own agenda by majority vote of the members present. Any member of the Campus/College Senate or the District Senate Coordinating Council may submit agenda items to the Campus/College Senate. Suspension of the established agenda may be made by majority vote, or by consensus of the members present, or on petition of seven members of the Faculty.

Section 5. Campus-Wide Faculty Vote: On petition of seven members of the Moreno Valley Campus/College Faculty or by a simple majority vote of the Senate, any items of business shall be put to a vote of the faculty.

Section 6. Open Hearing: Every Senate meeting shall provide the College community with an open hearing listed in every meeting agenda.

Article V Committees

Section 1: Standing Committees: Standing committees shall be specified in the Senate Rules.

Section 2: Ad Hoc Committees: The Senate may create and dissolve ad hoc committees as needed and name members as it sees fit or as specified in the Senate Rules.

Article VI Action

Section 1: Quorum: A quorum for the conduct of Senate business shall consist of a number equal to a majority of the membership of the Senate.

Section 2: Resolution Process: The Senate shall establish and maintain means by which to adopt resolutions.

Section 3: Referendum:

- A. Within four weeks following an official action by the Senate, except for a specifically declared emergency action, a petition to reverse such action may be filed.
- B. At least seven signatures of the faculty shall be required to validate the petition.
- C. Upon receipt of a valid petition by the Senate president, the Senate action in question shall be suspended until a vote of the faculty is taken.
- D. This vote shall take place within ten working days of the petition's filing.
- E. A majority of those faculty voting shall be necessary to rescind an action of the Senate

Section 4: Communications: The Senate shall make available to all faculty agendas and minutes of its meetings, committee reports, and other pertinent information on pending matters.

**Article VII
Amendment of Constitution and By-Laws**

Section 1: Constitutional Amendment by Election: Any article or section of the Constitution may be amended by a majority of the votes cast by the faculty in an election held for that purpose (Constitution was revised to exclude amendment of the Bylaws by general vote, May, 2009), provided that written notice of the proposed amendment has been given one week in advance of the vote.

Bylaws Amendment by Election: Any article or section of the Bylaws may be amended by majority vote of Senate (May, 2009).

Section 2: Proposal of Amendments: Amendments may be proposed by a majority vote of the Senate or by a petition signed by at least seven faculty of the Campus/College.

**Article VIII
Senate Rules and Procedures**

Section 1: Senate Rules: The Senate shall adopt rules to implement the intent and purposes of these By-Laws. In cases not provided for in the Senate Rules, the Senate shall follow the procedures prescribed in the most recent edition of Robert's Rules of Order.

Section 2: Adoption of Senate Rules: The Senate shall adopt or change Senate Rules by resolution.

The Moreno Valley Campus/College Academic Senate Rules
(Provisional; Pending Modification and Adoption by the Moreno Valley Campus/College Academic Senate)

I. Election Rules and Procedures

- A. **Eligibility:** Senate positions, with the exception of Part-time Faculty Senator, are open to Full-time Faculty.
- B. **Election Schedule:** All elections--except those for Vice-President and Secretary-Treasurer (see "G" below)--shall take place in the spring semester, and all terms shall begin the next fall semester, on the first contract day of service of the College calendar. (*PROVISO: Those Senators elected in the first election shall begin their service at the first Moreno Valley Campus/College Academic Senate Meeting.*)
- C. **Election of Departmental Senators:** Each instructional department shall be represented by the number of Senators equaling 15% (to the nearest whole integer) of the tenure-track positions within that department. Each department will have at least one representative. Departments will be responsible for conducting nominations and elections for departmental Senators in the spring semester. Departments shall conduct elections following the guidelines provided herein below.
- D. **Election of the Part-time Faculty Senator:** The Part-time Faculty Senator shall be elected each spring by Part-time Faculty working at the College at the time of the election. The Senate shall be responsible for conducting the nomination and election. Part-time Faculty Senators may serve only so long as they have a part-time faculty assignment at Moreno Valley College.
- E. **Election of the Senator-at-Large:** The Senator-at-Large shall be elected by the faculty as a whole. The Senate shall be responsible for conducting the nomination and election.
- F. **Election of the President:** The President shall be elected by the faculty as a whole. The Senate shall be responsible for conducting the nomination and election.
- G. **Election of the Vice-President and the Secretary-Treasurer.** The Vice-President and the Secretary-Treasurer shall be elected by the Senate from among its own members at the first meeting of the Senate during the Fall semester, or as soon as possible. (*PROVISO: Those Senators elected in the*

first election shall elect the Vice-President and the Secretary-Treasurer at the first Moreno Valley Academic Senate Meeting.)

H. **Vacancies:** The Senate or the appropriate department, as applicable, shall act in a timely fashion to hold special elections to fill any vacancies. The replacement shall hold office for the remainder of the term of the position.

I. **Procedures for Nominations and Elections:**

1. The Vice-President of the Senate shall convene and chair meetings of the Nominating Committee, which shall conduct Senate elections.
2. The Nominating Committee shall be composed of the Vice-President and four faculty members named by the Senate. No officer other than the Vice-President shall be eligible to serve on the Nominating Committee. If the Vice-President is nominated for office, however, then the Secretary-Treasurer shall serve in place. If the Secretary-Treasurer is nominated for office, then the Senate shall name another Senator to serve on the committee as its chair.
3. The Nominating Committee shall prepare a ballot for the following positions in the Senate and shall make every attempt to provide at least two nominees for each position: President, Part-time Faculty Senator, At-Large Senator, and other elected positions that the Senate deems appropriate.
4. The Nominating Committee's proposed ballot shall be presented to all Faculty departments in advance of the election. The Nominating Committee shall, if requested, accept additional nominations forwarded by the departments.
5. The Nominating Committee will verify the consent of all nominees, either verbally or in writing, prior to the printing of ballots.
6. The President, Part-time Faculty Senator, and At-large Senator shall be elected by majority vote. Other positions may be elected either by majority or by plurality, as determined by the Nominating Committee and specified on the ballot. Qualified faculty shall have one vote each.
7. Departments shall elect their Senators through a democratic process with each full-time faculty member of the Department having one vote. Faculty members with assignments in two or more departments will exercise their one vote in their designated primary department. Disputes concerning the selection of Department Senators shall be resolved by the Senate, whose decisions with regard to processes and eligibility shall be final.

II. Officers' Powers and Duties

A. The President shall

1. develop agendas and conduct meetings of the Academic Senate, and preside over general Faculty meetings called by the Senate.
2. serve as Senate spokesperson and advocate in all relevant matters, particularly to the following: the District Senate Coordinating Council; College and District Administrations; the District Board of Trustees; the governing Board; pertinent administrative agencies.
3. report regularly to the Senate on all relevant issues.
4. participate, as requested in the evaluation of administrative staff.
5. meet regularly with the College and District leadership of the bargaining agent to ensure that the academic and professional aspects of negotiable issues reflect the Senate's concerns and to help maintain open lines of communication and cooperation.
6. upon consent of the Senate, register Senate endorsement of documents sent to relevant authorities such as 50% Law, Matriculation Plan, Accreditation Report, Staff Development Plan, Affirmative Action Plan, and Facilities Plan.
7. address academic and professional aspects of regulatory issues in the Education Code and Title 5, and organize a Senate response in a collegial and timely manner.
8. interact with the Academic Senate for California Community Colleges and the academic senates of other California Community Colleges, and attend conferences, meetings, and seminars of organizations that relate to California Community Colleges.
9. assure adequate resources for Senate operations and, with the Secretary-Treasurer, manage them.
10. appoint faculty members to committees or other task forces, and maintain communication with those groups.
11. appoint a Parliamentarian from among the Senators.
12. make appointments not otherwise provided for in this Constitution, such appointments to be ratified by a simple majority of the Senate.

13. present to the Senate a brief summary of the activities of the Standing and Ad Hoc committees at the end of the academic year.

14. perform such other functions as the Senate assigns for carrying out the purposes and policies of the Senate.

B. The Vice-President shall

1. act in the capacity of the President in any case where the President is unable to serve.
2. assist the president as Senate spokesperson and advocate as needed.
3. preside at meetings of the Nomination Committee and at all faculty meetings called to seek nominations for elections.
4. conduct nominations and elections for the Academic Senate under the provisions of these Senate Rules.
5. convene the first yearly meeting of any standing committee whenever such a committee shall be without a chairperson.
6. serve as liaison to local area UC and CSU academic senates and report to the Senate on relevant issues.
7. perform such other functions as the Senate or the Senate president assigns for carrying out the purposes and policies of the Senate.

C. The Secretary-Treasurer shall

1. keep minutes of all regular and special Senate meetings.
2. make these minutes available to the entire faculty following Senate approval, and communicate all official Senate proceedings to the faculty.
3. maintain a file of all minutes and official documents (e.g. a dated copy of the Constitution, By-Laws, and Senate Rules; expiration dates of all terms of office; lists of Senate members and committee members, etc.).
4. maintain a resource file on faculty affairs for the use of the members of the Senate.
5. keep current all Senate mailing lists.

6. ensure that all necessary written material be ready for dissemination at Senate meetings.
7. distribute agendas to all members of the Senate at least two days prior to scheduled meetings.
8. keep the accounts, books, tax status, and other financial records up to date and in good order.
9. upon request of the President or the Senate, give oral and written testimony as relates to the financial status of the Senate.
10. with the approval of the President, make all properly authorized payments which are not inconsistent with the Constitution, the By-Laws, the Senate Rules, or Senate orders, and which do not threaten the solvency of the Senate.
11. assist the President in preparing an annual budget to be submitted to the Senate for adoption at its first meeting in each school year.
12. serve as liaison to other College agencies with respect to institutional budget development.
13. maintain records on Senate fundraising activities and supervise all contracts for services provide the Senate.
14. perform such other functions as the Senate or the President assigns for the carrying out of the purposes and policies of the Senate that are in keeping with the office of Secretary-Treasurer.

D. Senators shall

1. be accountable to all Campus/College Faculty.
2. participate in regularly scheduled Senate meetings as active and informed representatives of their constituencies.
3. ratify appointments by the President.
4. authorize the execution of contracts and other agreements entered into by the Senate.
5. approve the annual Senate budget submitted by the President.

6. inform their constituents of problems facing the District, the College, and pending Senate business in particular.
7. keep the President apprised of relevant constituent concerns and of the activities Senate committees.
8. assist the President in gathering data pertinent to Senate projects and concerns.
9. foster open communications among senators, faculty, staff, student government, and administration of the College, and likewise with the same entities at other District colleges, and with the District administration and Board of Trustees.
10. inform potential or newly elected Senators of the purposes and policies of the Academic Senate.
11. serve, when possible, on the Senate's ad hoc and other committees as requested by the Senate President.
12. encourage faculty members to become involved in the Academic Senate through participation in Academic Senate committees and through attendance at general faculty meetings.

III. Committees

- A. Standing Committees: The Senate shall create and keep a list of such standing committees as it deems necessary for the fulfillment of its purposes and policies. These Senate rules shall list such committees, describe their functions, and explain membership selection processes.
- B. Ad Hoc Committees: The Senate shall create such ad hoc committees as it shall feel necessary to conduct the business of the Senate or to fulfill any of its governance responsibilities. Membership on ad hoc committees may come from the Senate or from the faculty at large or from a combination of sources as the Senate sees fit. The President shall name members of ad hoc committees with the approval, by majority vote or by consensus, of the Senate.