

1 **CONSTITUTION OF THE MOORPARK COLLEGE ACADEMIC SENATE**

2
3 As authorized under Title 5 of the California Administrative Code, Chapter 1, Subchapter 8,
4 Sections 53200-53205, we, the members of the faculty of Moorpark College, are uniting to form
5 the Moorpark College Academic Senate. We are inspired by a common desire to assist
6 Moorpark College in vigorously promoting the quality of community college education by
7 whatever words and actions are appropriate and necessary.

8
9 We also believe that the Academic Senate is essential for realizing the fullest educational and
10 professional potential of each member of the faculty, and for furthering the aims and goals of
11 Moorpark College. Towards these endeavors we pledge our mutual support and consideration.

12 ARTICLE I – NAME

13 The name of this organization shall be The Moorpark College Academic Senate.

14 ARTICLE II – PURPOSE

15 The purpose of this organization is to implement the philosophy that members of the Academic
16 Senate have the right and responsibility, through a formal and effective procedure, to participate
17 in the formation and implementation of college and district policies on academic and
18 professional matters.

19 ARTICLE III – MEMBERSHIP

20 In accordance with Education Code Title 5, Subchapter 8, Section 53201, full-time and part-time
21 certificated persons who are not designated as management by the college administration shall be
22 voting members of the Moorpark College Academic Senate.

ARTICLE IV – ORGANIZATION

Section A: Business. The business of the Academic Senate shall be carried out through the Senate Council and the committees of the Senate. Final authority remains with the Academic Senate, which retains the rights of initiative, recall and petition, and may be the majority of votes cast countermand action taken by the Senate Council, provided that one-third or more of the general membership participate in the voting.

Section B: Meetings. The Academic Senate shall meet on campus as specified in Article III of the By-Laws. A special meeting shall be called upon petition of at least ten percent of the membership, or upon majority vote of the Senate Council.

Section C: Assessments. Assessments may be levied annually by the Senate Council, but shall not be a condition of membership.

Section D: Rules. The most recent edition of *Roberts' Rules of Order* shall govern the Academic Senate on all matters not specifically covered by this constitution and its by-laws.

ARTICLE V – SENATE COUNCIL

The affairs of the Academic Senate as herein specified shall be conducted by the Academic Senate Council.

Section A: Membership. The membership of the Academic Senate Council shall include the following elected and voting officials:

President, Vice President, Secretary, Treasurer, a representative from each Moorpark College department (see By-Laws). The immediate Past-President shall serve as an ex-officio, non-voting member of the Academic Senate Council.

1 Section B: Duties. The duties of the elected officers, chairpersons, and representatives shall be
2 those outlined in *Roberts' Rules of Order* and detailed by the By-Laws of the Academic
3 Senate.

4 Section C: Terms. The term of office for each elected officer shall be two years, beginning the
5 first day of June of odd-numbered years, and for each representative shall be one year,
6 beginning the first day of June.

7 Section D: Nominations and Elections. Elections for the offices of President, Vice-President,
8 Secretary and Treasurer shall be run by an Elections Committee. This committee shall be
9 comprised of five members reporting to the Academic Senate Council. Its duties shall
10 include receiving nominations, collating and distributing the position statements of all
11 candidates running in the election, declaring the results, and adjudicating any disputes
12 that may arise. All decisions of the Committee shall be final subject to approval by the
13 Academic Senate.

14
15 Volunteers for the Elections Committee shall be called for and its membership confirmed
16 during a meeting of the Academic Senate by March during Academic Senate election
17 years. Any voting member of the ASC may volunteer, unless running for election, and if
18 necessary the ASC shall determine by vote the committee's final membership. Upon first
19 meeting, the Committee shall appoint a chair and vice-chair. The ASC Faculty Statement
20 of Ethics shall provide the guiding principles for the decisions and actions of the
21 Elections Committee.

1 All nominations for the executive officers shall be submitted to the Elections Committee
2 no later than the first meeting in April, when it will announce the list of candidates to the
3 ASC.

4
5 The Committee shall ensure that elections are held before the first meeting in May.
6 Voting shall be by secret ballot. A simple majority of those Academic Senate members
7 voting shall be sufficient for election. If no candidate receives a majority on the first
8 ballot, a run-off election shall be held between the two candidates receiving the most
9 votes on the first ballot. Any disputes before or during the election shall be resolved by
10 the Elections Committee.

11
12 The Elections Committee shall announce the results of the election at the first meeting in
13 May, upon acceptance of which by the ASC, the Committee shall disband.

14
15 Representatives from the college departments shall be elected as specified in the By-
16 Laws.

17 Section E: Vacancies on the Senate Council. Resignation from any position on the Academic
18 Senate Council shall be presented in writing to the Academic Senate President. An
19 election for the removal of any elected officer shall take place when the Academic Senate
20 Council is presented with a petition so requesting, and that petition has been signed by
21 fifty percent of the number of those Academic Senate members voting in the most recent
22 election. A two-thirds majority of those voting shall be required to recall an official. The
23 terms of recalled officers shall end at the end of the semester during which the recall

1 election takes place. Vacancies caused by resignation shall be filled by a two-thirds vote
2 of the Academic Senate Council. Vacancies caused by recall shall be filled by a special
3 election of the Academic Senate as a whole.

4 Section F: Committees. Standing Committee chairpersons (see By-Laws) shall be elected by the
5 Academic Senate. Membership of such committees shall be appointed by the Academic
6 Senate Council. Committee chairpersons shall be non-voting members of the Academic
7 Senate Council.

8
9 *Ad Hoc* committees may be appointed by the Academic Senate Council as the need
10 arises. The chairperson of each *ad hoc* committee shall be named by the Academic
11 Senate Council.

12
13 The Academic Senate Council shall determine committee jurisdiction and
14 responsibilities.

15
16 It shall be the duty of the committees:

- 17 a) To consider, study, and make recommendations on all matters submitted to it by the
18 Academic Senate President and senate Council, Committee chairperson, or the
19 Academic Senate.
- 20 b) To report to the Academic Senate Council, and thereafter to the Academic Senate,
21 with or without the approval of the Academic Senate Council.
- 22 c) To submit a proposal to the Academic Senate Council for review prior to undertaking
23 a study or investigation. In the event that the Academic Senate council disapproves

1 the proposal, the committee may appeal the decision of the Academic Senate Council
2 to the Academic Senate in regular session or petition and ballot.

3
4 It shall be the duty of the committee chairperson:

- 5 a) To call regular meetings of the committee and to publish notice of committee
6 meetings in sufficient time to inform all Academic Senate members.
- 7 b) To prepare agendas for committee meetings, to be responsible for maintaining all
8 committee records, and to report committee actions to the Academic Senate Council
9 and to the Academic Senate.
- 10 c) To maintain liaison with other committees and with the Academic Senate Council.

11 ARTICLE VI – AMENDMENTS

12 Section A: Proposal. An amendment to the Academic Senate Constitution or its By-Laws may
13 be proposed by a majority vote of the Academic Senate Council or by a written petition
14 signed by at least ten percent of the Academic Senate membership. The proposed
15 amendment shall be placed in faculty mailboxes at least two weeks prior to a regular
16 meeting of the membership at which it will appear on the agenda, or one month prior to a
17 written ballot of the Academic Senate membership.

18 Section B: Adoption. Adoption of an amendment to this Constitution shall require a two-thirds
19 majority of those voting. An amendment to the By-Laws shall require approval by a
20 majority of those voting. All votes on amendments to the Constitution or its By-Laws
21 shall be by secret, written ballot.

22 ARTICLE VII – RATIFICATION

- 1 Adoption of this Constitution shall be effected by a majority of those Academic Senate members
- 2 voting to ratify it, in a written, secret ballot.

3

1 **MOORPARK COLLEGE ACADEMIC SENATE**

2 **BY-LAWS**

3
4 **ARTICLE 1 – ACADEMIC SENATE COUNCIL**

5 **Section A: Function and Responsibilities.** It shall be the function of the Academic Senate

6 Council to transact the business of the Academic Senate, to develop and implement the
7 policies of the Faculty, and to serve as the voice of the Faculty.

8
9 It shall be the responsibility of the Academic Senate Council:

10 a) To establish procedures for determining and implementing Faculty policies.

11 b) To be the official representative of the Faculty in relationships with the College and
12 District administration and with the Board of Trustees, on all academic and
13 professional matters.

14 c) To establish standing rules to expedite the transaction of Academic Senate business.

15 d) To appoint the members of standing committees.

16 e) To establish subcommittees and *ad hoc* committees when necessary, appointing the
17 members and naming the chairperson of each committee.

18 f) To advise the Academic Senate President; to assist the Academic Senate President in
19 preparing agendas; and to perform those duties requested by the Academic Senate
20 President or the Academic Senate.

21 **Section B: Basis of Representation.** Representation shall be based upon academic

22 “departments” as administratively organized. Each “department” is defined as that
23 portion of the full- and part-time faculty administered by a department chair or

1 coordinator (as those terms are defined in the VCCCD/AFT bargaining agreement).

2 Faculty members assigned to more than one department shall be represented within the
3 department to which the greater amount of their assignment is allocated. The faculty
4 representative to the senate must have the majority of his/her load allocated within the
5 department he/she represents, and may be either a full- or part-time member of the
6 faculty.

7 It shall be the responsibility of each representative:

- 8 a) To represent the viewpoints of the department electors.
- 9 b) To maintain liaison and report Academic Senate Council business and activities to all
10 members of the electing department.

11 The method of selecting a departmental representative shall be determined by the
12 members of each department. Departmental representatives shall be elected and ready to
13 serve no later than the 1st of June.

14 Section C: Duties of Officers.

15 President. It shall be the duty of the President:

- 16 a) To preside at all meetings of the Academic Senate and the Academic Senate Council.
- 17 b) To serve on the Moorpark College and College District administrative councils upon
18 invitation by the administration.
- 19 c) To represent the Faculty at meetings of the Board of Trustees and to keep the
20 Academic Senate informed of pertinent decisions and topics of discussion.
- 21 d) With the Academic Senate Council, to assign to appropriate committees such matters
22 as are requested by Academic Senate members.

- 1 e) To communicate Academic Senate and/or Academic Senate Council
2 recommendations and proposals to the President of the College.
- 3 f) To communicate recommendations and proposals to the Ventura County Community
4 College District Governing Board.
- 5 g) To prepare, with the Senate Council, the agenda for Senate meetings.
- 6 h) To be an ex-officio member of all committees except as otherwise provided in these
7 By-Laws.
- 8 i) To assist faculty requesting grievance aid through the Senate.
- 9 j) To represent the faculty at the annual budget meetings on campus.
- 10 k) To perform other duties as assigned by the Senate or the Senate Council.
- 11 Vice-President. It shall be the duty of the Vice President:
- 12 a) To serve for the President of the Academic Senate during any temporary absence of
13 the President.
- 14 b) To be an ex-officio member of such committees as are designated by the Senate
15 Council.
- 16 c) To be a member of the Moorpark College and District Administration Councils upon
17 invitation of the Administration.
- 18 d) To represent the President of the Academic Senate as the President, Senate Council or
19 Senate may direct.
- 20 e) To serve with the President as faculty representative on the College Budget
21 Committee.
- 22 f) To perform other duties as assigned by the Senate or Senate Council.
- 23 Secretary. It shall be the duty of the Secretary:

- 1 a) To issue notices of meetings, publish agendas, keep records and publish and distribute
2 minutes of all Senate and Senate Council meetings.
- 3 b) To conduct all correspondence appropriate to this office.
- 4 c) To serve on the college budget committee at the request of the Senate President.
- 5 d) To perform other duties as assigned by the Senate or Council.
- 6 e) To publish a summary of major year's actions, proposals and accomplishments for
7 distribution to the members of the Senate.

8 Treasurer. It shall be the duty of the Treasurer:

- 9 a) To collect all assessments of the Senate when directed by the Senate Council.
- 10 b) To deposit funds as necessary in the name of the Senate.
- 11 c) To issue checks, as needed, co-signed by the President of the Senate and/or the Senate
12 Council.
- 13 d) To serve on the college budget committee at the request of the Senate President.
- 14 e) To perform other duties as assigned by the Senate or Senate Council.

15

16 Order of Precedence. Order of precedence for officers shall be as follows:

17 President, Vice-President, Secretary and Treasurer. In the event of the temporary
18 absence of any officer, the next in the above order shall perform any necessary function
19 of the absent officer. A further order of precedence may be established by the Senate
20 Council.

21 Section D: Vacancies on the Senate Council. Vacancies shall be filled as follows:

22 President: The Vice-President shall succeed to this position for the unexpired portion of
23 the President's term.

1 Other elected office: The President of the Senate shall notify the Senate membership of
2 the vacancy. Any Senate member may nominate by petition signed by ten Senate
3 members. Petitions must be filed with the President within ten teaching days after the
4 announcement of the vacancy. If no petition is filed, the Senate Council's Committee on
5 Nominations shall select candidates. Upon majority approval of the Senate Council
6 membership voting, the candidate shall be appointed to fill the vacancy. If two or more
7 petitions are filed, a special election among the general Senate membership shall be held
8 to fill the vacancy. The vacancy shall be filled for the remainder of the term of office.

9 ARTICLE II- PREROGATIVES OF THE MEMBERSHIP

10 Any member of the Senate may:

11 Attend any meeting of the Senate Council or of a Senate Committee other than an executive
12 session ("executive session" as defined in the Brown Act).

13
14 Bring matters of concern to the attention of the Senate Council or the Senate at a meeting by
15 prior request for time on the agenda or by requesting the floor from the president chairperson.

16
17 Initiate action or policies, when the Council has not responded to regularly channeled requests,
18 through a petition signed by 10 percent of the Senate membership stating the action to be
19 considered and requesting a special Senate meeting or a place on the agenda of a regular
20 meeting. An initiative action shall be confirmed when passed by a majority of the Senate
21 membership by written ballot. Action for recall shall be confirmed when passed by 50% of the
22 Senate membership by written ballot.

23 ARTICLE III – MEETINGS

1 At least one meeting of the Senate shall be scheduled each semester and shall be planned,
2 through consultation on probable class scheduling, other events, etc., for maximum opportunity
3 for attendance by all members.

4
5 The Senate Council shall meet at least once a month during the school year.

6
7 Guests (non-Senate members) may be admitted to meetings upon invitation of the Senate
8 President and/or the Senate Council for the purpose of disseminating information and clarifying
9 policy. Guests may not participate in meetings unless requested to do so by the chairperson of
10 the meeting.

11
12 A quorum for Senate meetings shall be at least one-third of the membership; and for the Senate
13 Council, a simple majority. In case of a vacancy in a representative position, the Council
14 quorum shall be considered reduced by one until such vacancy is filled by the department.

15 ARTICLE IV – GRIEVANCE PROCEDURE

16 Provision. Pursuant to Article 4, Section 3543 of the Collective Bargaining Law (SB 160): “Any
17 employee may at any time present grievances to him/her employer, and have such grievances
18 adjusted, without the intervention of the exclusive representative, as long as the adjustment is
19 reached prior to arbitration pursuant to Sections 3548.5, 3548.6, 3548.7, and 3548.8 and the
20 adjustment is not inconsistent with the terms of a written agreement then in effect; provided that
21 the public school employer shall not agree to a resolution of the grievance and the proposed
22 resolution and has been given the opportunity to file a response.

1 Definition. A “grievance” is a claim by one or more teachers that there has been a violation,
2 misinterpretation or misapplication of a provision of academic and/or professional rights, a
3 violation of its or his/her right to fair treatment, or a violation, misapplication or
4 misinterpretation of any law, Board policy, practice or regulation.

5 Purpose. The purpose of this procedure is to secure, at the lowest possible administrative level,
6 equitable solutions to the problems which may from time to time arise affecting the academic
7 and professional affairs (exclusive of contract provisions) of teachers. Proceedings will be kept
8 as informal and confidential as may be appropriate at any level of the procedure.

9
10 Nothing contained herein will be construed as limiting the right of any teacher having a
11 grievance to discuss the matter informally with any appropriate member of the administration,
12 and to have the grievance adjusted without intervention by the Senate provided that the
13 adjustment is not inconsistent with the terms of the contract and that the exclusive bargaining
14 agent be given the opportunity to be present at such adjustment to state its views.

15 Procedure

16 a) Level One: An aggrieved person will first discuss the grievance with the immediate superior
17 with the objective of resolving the matter formally.

18 b) Level Two: If the aggrieved person is not satisfied with the disposition of the grievance at
19 Level One, or if no written decision has been rendered within five (5) days after the
20 presentation of the grievance, he/she may file the grievance in writing simultaneously with
21 the Senate President (or designee) and the Vice President for Student Learning.

22
23 Within ten (10) days after receipt of the written grievance by the Vice President of Student

1 Learning, he/she will meet with the aggrieved person and Senate President or designee in an
2 effort to resolve it.

3 c) Level Three: If the aggrieved person is not satisfied with the dispensation of his/her
4 grievance at Level Two or if no written decision has been rendered within ten (10) days after
5 he/she has first met with the Vice President for Student Learning and Senate President,
6 he/she may submit the issue to the Professional Affairs Committee with a recommendation
7 for policy change.

8 Rights of Teachers. No reprisals of any kind will be taken by the Chancellor or any member or
9 representative of the administration or the Board against any aggrieved person, any party of
10 interest, any member of the Academic Senate, or any other participant in the grievance procedure
11 by reason of such participation.

12
13 Files. All documents, communications and records dealing with the processing of a grievance
14 will be filed in a separate grievance file with the Academic Senate, for a minimum period of two
15 years and will not be kept in the personnel file of any participants.