



San José State
UNIVERSITY

A campus of The California State University

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F05-1

At its meeting of September 26, 2005, the Academic Senate passed the following Policy Recommendation presented by Senator Parsons for the Organization and Government Committee.

**POLICY RESOLUTION
UPDATE OF SENATE BY-LAWS**

Whereas, Portions of the Senate by-laws are unclear because some positions and/or office titles are no longer used on campus, and

Whereas, The passage of new policies requires that the by-laws be amended, so be it

Resolved, That the wording and title/name changes and other clarifications noted below be made to the Senate by-laws

Approved: 5-2-05

Vote: 8-0-0

Present: Fee, Selter, Hilliard, Wilson, Hebert, Easter, Veregge

Not-present: Lam, Choo

Financial Impact: None

**BY-LAWS OF THE ACADEMIC SENATE
SAN JOSE STATE UNIVERSITY**

1. Election of Faculty Representatives

1.1 a) Faculty representatives shall be elected to the Academic Senate of this University from the following representative units: College of Applied Sciences and Arts, College of Business, College of Education, College of Engineering, College of Humanities and the Arts, College of Science, College of Social Sciences, and the General Unit.

b) Until such time as the number of its faculty (FTE/F) equals or exceeds the faculty of any of the representative units listed in (a) the College of Social Work shall elect one member of the Academic Senate. This Senate seat shall be in addition to the seats allocated under By-Law 1.3; the FTE/F of the College of Social Work shall not be included in the total FTE/F of the University nor in the FTE/F of the General Unit for purposes of By-Law 1.3 calculations. The College of Social Work shall be represented on all Policy Committees, but shall be considered a part of the General Unit for purposes of membership on all other Senate Committees. When its FTE/F equals or exceeds that of any of the representative units listed in (a), this paragraph (b) shall be deemed automatically repealed and the College of Social Work shall become a separate representative unit for all purposes, and its Senate representation shall then be allotted as provided in By-Law 1.3.

c) Members of the faculty electorate holding ~~full time~~ administrative positions (Management Personnel Plan) are not eligible to serve as faculty representatives while holding such positions.

1.2 General Unit: Pursuant to Article II, Section 3 of the Constitution, the following staff positions and classifications are declared to be directly related to the instructional program. All employees serving in the following positions are qualified to vote (using proportional voting based on assignment) and are eligible as faculty representatives to the Senate with the exception of (i) administrators (covered by the Management Personnel Plan), (ii) employees in clerical and technician classifications, and (iii) volunteers.

a) All members of Bargaining Unit III who are not members of or included in one of the college representative units or the College of Social Work.

b) Employees classified as Student Services Professional III or IV.

1.2.1 Subject to approval of the Executive Committee, the Election Committee is authorized to decide questions of interpretation of this By-Law and may recommend amendments to it to the Organization and Government Committee.

1.34

a) The number of senators holding office under sections 3, 4 and 5 of Art. II of the Senate Constitution must be twice the number of senators not holding office under these sections. The number of faculty representatives to be apportioned among the Colleges and the General Unit is the number of senators holding office under these sections minus the number of senators holding office under sections 4 and 5, and also minus one more as provided in By-Law 1.1 b). The

resulting difference is the factor to be used in part b) to apportion faculty representatives among the several Colleges and the General Unit.

- b) Before each spring election, using the FTE/F of the preceding fall semester, the Election Committee shall determine the number of representatives allotted to each representative unit (as defined in By-Law 1.1). That number shall be determined by dividing the total FTE teaching faculty of the college units plus the FTE faculty and staff in the General Unit by the factor as determined in a) and then dividing this quotient into the FTE faculty of each of the college units and the FTE faculty and staff in the General Unit. If the allotment of any representative unit is thus determined to be less than one, it shall be increased to one. If the total number of faculty representatives thus determined exceeds the factor as determined in a), the factor as determined in a) shall be increased until the total number of representatives allotted is equal to the factor as determined in a) or less. If the total number allotted is less than the factor as determined in a), one additional representative shall be allotted in turn to each of the units in order of greatest fractional representation until the total number of representatives equals the factor as determined in a).

1.4 If it is determined by the above procedure that the number of representatives allotted to any college will be changed from the previous year, the Election Committee shall so report to the Academic Senate prior to the announcement of elections.

1.4.1 If a representative unit is allotted an additional seat and there is no vacancy in the representation of a unit losing a seat, the unit gaining a seat shall nevertheless elect an additional representative for a full term at the next general election. The next vacancy occurring, by expiration of term, resignation or otherwise, in the unit losing a seat shall not be filled.

1.5 4.6 Representatives to the Academic Senate shall be nominated by a petition signed by at least ten (10) members of the faculty electorate of the appropriate election unit. The candidate shall indicate by his/her signature on the petition his/her willingness to serve if selected.

1.6 4.7 When there is a vacancy of a faculty representative, his/her replacement for the remainder of the term shall be chosen as follows: the appropriate college dean (or Senate Administrator in the case of the General Unit) shall hold a special election within one month of the determination of the vacancy.

a) If no candidate files for that vacancy, it shall be filled by the Executive Committee with a person from that constituency, who shall then serve until a successor is chosen at the next regular election. If only one candidate files a nominating petition for such a vacancy, the dean (or Senate Administrator in case of the General Unit) shall not conduct an election but shall so report to the Executive Committee, and the Executive Committee shall declare the single candidate elected.

b) Vacancies are created by

- 1) resignation or recall from the Senate,
- 2) termination of employment,
- 3) repeated failure to attend Senate meetings as determined by the Executive Committee,
- 4) leave, with or without pay, which covers more than one semester, or
- 5) appointment to a full-time administrative (Management Personnel Plan) position.

c) Faculty representatives, who accept one semester leaves with or without pay, may resign from the Senate or request the selection of a replacement for the one semester, following the procedures listed in (a) above.

1.7 ~~4-8~~ Members of the faculty assigned to more than one representative unit may vote in only one.

1.8 ~~4-9~~ No write-in votes are permitted.

1.9 ~~4-10~~ Procedures and forms for faculty elections shall be determined by the Election Committee, with the approval of the Executive Committee of the Academic Senate.

1.10 ~~4-11~~ The phrase "academic deans" as used in Article II, Section 2 of the Constitution means deans, the University Librarian, and associate vice presidents reporting directly to the Provost. Elections of representative deans shall be conducted and reported by the Provost, and vacancies shall be filled by special elections for the balance of unexpired terms.

~~1.12 It is the responsibility of each member of the Academic Senate to assess the attitudes and viewpoints of the constituency which elected him/her. However, it is a policy that no member shall come instructed and that, in voting, each member represents the entire University.~~

1.11 ~~1-13~~

a) Whenever the phrase "faculty electorate" is used in the Constitution, By-Laws, or Standing Rules of the Academic Senate, it refers to those faculty members eligible to vote for representatives to the Senate (including members of the General Unit), with proportional votes for part-time employees, as specified in Article II, Section 3, Part (b), of the Senate's Constitution.

b) Whenever the word "faculty" is used in connection with eligibility for or service on any committee and no other definition is stated, it means a member of the faculty electorate, ~~who is not assigned any administrative or management duties (other than as department chair or equivalent position) in excess of 50 percent of his/her workload.~~

c) Whenever the phrase "teaching faculty" is used in connection with committee eligibility or service and no other definition is stated, it means university personnel holding the title of Professor, Associate Professor, Assistant Professor, Instructor or Lecturer whose primary assignment is instruction and not more than 50 percent of whose workload is administrative or other non-instructional duties (other than as department chair or equivalent). Released, reimbursed or assigned time for research, curriculum development, committee service, etc., is instructional.

2. Senate Officers

2.1 The following are officers of the Academic Senate:

2.11 The Chair of the Senate, who shall be its presiding officer, as provided in the Constitution, and shall also be Chair of the Executive Committee, and general faculty meetings.

2.12 The Vice Chair, who shall discharge the duties of the Chair during any temporary disability of the Chair, shall serve as a CSU Senator during the temporary disability of one of the SJSU representatives, and shall succeed to the office of Chair when the Chair's term or terms expire or if the Chair resigns or that office becomes vacant for any other reason.

2.13 The Associate Vice Chair, who shall be Chair of the Committee on Committees and the Election Committee, shall act as Vice Chair during the temporary disability of the Vice Chair, and shall act as Chair if both the Chair and the Vice Chair become temporarily unable to perform their duties.

2.14 The Past Chair, who is the person who served as Chair for the preceding year, provided that s/he is not the same person as the current Chair and does not hold any other Senate office.

2.15 The Faculty-at-large Representative, provided that there shall be no Faculty-at-large Representative when there is a Past Chair.

2.16 A CSU Senate Representative.

2.17 The Chairs of the Senate Policy Committees.

2.2 Election Procedures for Senate Officers

2.21 Senate officers, other than the Chair, Past Chair and Faculty-at-large Representative, shall be elected from the faculty members of the Senate annually for one-year terms.

2.22 a) If the Chair so requests, the agenda for the first regular meeting of the Senate in Spring semester shall include, as a special order of business preceding policy committee reports, a proposal to extend her/his term. When the special order item is reached, the Associate Vice Chair shall preside while the Senate debates and votes on the proposal. The vote shall be by secret ballot and approval of the extension shall require a two-thirds affirmative vote.

b) If the Senate approves the extension, the incumbent Chair is re-elected for the following year. The term of office of the Vice Chair is extended for one year. (If the term of the Vice Chair as an elected faculty representative expires at the end of the Spring semester, s/he shall take the place otherwise held by the Past Chair as an ex officio member.) The term of the Past Chair is not extended, and a Faculty-at-large Representative shall be elected at the end of Spring semester to fill the Past Chair's position on the Executive Committee for the following year.

c) If the Senate does not approve the extension of the Chair's term, the Vice Chair shall automatically succeed to the office of Chair at the adjournment of the last meeting of the current Senate in Spring semester.

d) No chair shall serve for more than two full terms in succession.

2.23 If the previous year's Chair is not the same person as the current Chair, the previous year's Chair will be a Senate officer called the Past Chair. However, if the Past Chair is elected to any other/Senate office, there will be no Past Chair that year and a Faculty-at-large Representative shall be elected instead.

2.24 As soon as possible after the election of new Senate members in the Spring, the Chair of the Senate shall appoint a nominating committee to prepare a slate of officers for the forthcoming academic year. This committee should nominate at least two candidates for each open Senate office. The committee shall also ascertain the willingness of the nominees to serve if elected. The committee shall produce a brief written document regarding the qualifications and goals of each candidate which shall be distributed to the Senate prior to the day of election.

2.25 The slate of nominees proposed by the nominating committee shall be communicated to the Senate prior to the last regular meeting of the academic year. On that day, two consecutive meetings of the Senate shall be held. The first meeting shall be the final meeting of the Senate of the current academic year. Immediately following the adjournment of that meeting, the first meeting of the Senate for the academic year next ensuing shall be held. The nominating committee shall make its report in the second meeting, further nominations from the floor shall be accepted, and an election held to fill all open Senate offices. Only the continuing and newly-elected members of the Senate, who will be members in the year ensuing, shall vote in the election.

2.26 Should a vacancy occur in the office of Senate Chair, the Vice Chair shall automatically succeed to the position for the balance of the vacant term. S/he shall then serve for the full term of the following year, and the full term shall be counted as her/his first year in office for purposes of 2.22b). Should a vacancy occur in any other Senate office, the Executive Committee shall nominate at least two candidates to fill the vacancy and present its nominees to the Senate. Additional nominations may be made from the floor. When nominations have been closed, the Senate shall elect a replacement to serve for the balance of the vacant position's term.

3. Senate Administrator

3.1 The senate administrative analyst (an employee position in the Senate Office) shall serve as the Senate Administrator.

3.2 The Senate Administrator may participate in Senate proceedings on the same basis as a member of the Senate, but shall not vote.

3.3 The Senate Administrator may speak at Senate and Executive Committee meetings on matters relevant to Senate operations and on other matters when requested by the Senate Chair.

3.4 The Senate Administrator may be present at executive sessions of the Senate and is subject to the same confidentiality requirements as are applicable to Senate members.

3.5 The Senate Administrator shall provide administrative support to the Senate Chair and the Associate Vice Chair, shall attend and take minutes of the Senate and Executive Committee meetings, shall have charge of the records and archives of Senate and its website, shall prepare committee appointment letters and maintain and update committee membership lists, and shall assist in the preparation of election materials and the administration of Senate elections.

3.6 The Senate Administrator shall be a non-voting adviser on the Committee on Committees and the Election Committees.

4. Executive Committee

4.1 The Executive Committee shall be composed of all Senate officers (as defined in By-Law 2), the President, the Provost, the Vice President for Administration and Finance, the Vice President for Student Affairs, the Vice President for Advancement, and the President of the Associated Students. For purposes of these By-Laws, the elected members of the Executive Committee are the Senate officers.

4.2 Any action taken by the Executive Committee requires the presence of a quorum of the elected members.

4.3 The duties of the Executive Committee shall be:

- a) To develop and approve the agenda for each Senate meeting.
- b) To act for the Academic Senate at such times as its members may not be available. In each such action, it shall distinguish whether it is expressing the position adopted by the Senate as a whole or of the Executive Committee alone.
- c) To formulate policy proposals.
- d) To refer matters of business to the appropriate agency.
- e) To handle external relations with elected officials and their staff, as appropriate, to allow for dialogue on matters of relevance to the well-being of the university. This duty shall be carried out in coordination with university employees involved with government relations and the Executive Committee is encourage to recruit an appropriate number of university employees and students to assist in its external relations efforts.
- ef) To act as an ad hoc advisory committee to the President on his/her request, provided that in this capacity only the elected members of the committee shall sit.
- g) Normally, the President should seek the advice of the full Senate on issues of policy, rather than that of the Executive Committee or its elected members.

5. Committee on Committees

5.1 The Committee on Committees shall be composed of:

- a) The Associate Vice Chair of the Senate who shall be chair, and
- b) One member from each of the representative units from which faculty representatives are elected, who shall be faculty entitled to vote in their respective units, but not members of the Senate, and
- c) The president of the Associated Students, or his/her designee.

Appointments to the Committee on Committees shall be recommended by the elected members of the Executive Committee and approved by the Senate. Members (other than the Chair and the Associated Students president) shall serve for staggered two-year terms.

5.2 The Committee on Committees shall:

- a) Nominate members to operating committees. Before recommending an appointment, the committee shall obtain an indication of the nominee's willingness to serve.
- b) Determine periodically the interests of faculty members in serving on operating committees.
- c) In cooperation with the Organization and Government Committee, make recommendations for the improvement of the Senate's committee operations and structure.
- d) Nominate support staff members for designated operating committee seats. Names of interested support staff shall be obtained by sending notices of vacancies to all University departments employing support staff, including both academic and non-academic offices. Before recommending appointments, the committee shall obtain from nominees an indication that they are willing to serve and that their duties will permit them to attend meetings.

5.3 The Committee on Committees shall also maintain a record of faculty serving on University-level administrative committees, and, on request of the President or other administrator making the appointments, may suggest names of faculty for service on such committees.

5.4 The Committee on Committees shall also serve as the Election Committee as specified in By-Law 8.1.

6. Standing Committees

6.1 The Academic Senate shall establish and appoint such standing committees as may be needed.

6.2 Except as otherwise provided in these By-Laws, appointments to policy committees of the Academic Senate shall be recommended by the elected members of the Executive Committee and approved by the Senate; appointments to operating committees shall be recommended by the Committee on Committees and approved by the Senate. When an appointment is recommended more than one week before the next regular meeting of the Senate, the recommending body may make its recommendation effective at once as a temporary appointment. These temporary appointments shall last until the next meeting of the Senate and must receive Senate approval to become permanent.

6.3 Committees concerned primarily with faculty affairs shall contain a majority of teaching faculty with full-time appointments. Committees concerned with student affairs shall contain a significant proportion, but not a majority, of students.

6.4 For purposes of service on Senate committees, all University staff, academic or other, full- or part-time, active or retired, and all students and alumni shall be considered members of the University community.

6.5 Recommendation of students for membership on operating committees shall be made according to the recommendation procedures of the Associated Students, Inc. and should be transmitted to the Associate Vice Chair by the first meeting of the new Academic Senate for final approval by the Senate. The Associated Students, Inc. should give student appointments to the Student Fairness Committee a high priority.

Recommendations for appointment to policy committees of student members of the Senate and student policy committee representatives shall be transmitted to the Associate Vice

Chair by the Associated Student's, Inc. Board of Directors, acting in accordance with the appointment rules and nomination procedures of that organization. The recommendations should be transmitted to the Associate Vice Chair by the second meeting of the new Academic Senate.

When appointments have been approved by the Senate, the Senate Administrator shall notify those appointed.

6.5.1 Should the Associated Students, Inc. Board of Directors not transmit recommendations of students for membership on Senate operating committees or policy committees by the fourth week of instruction, the following shall supercede the rules of the Associated Students, Inc. for nomination of students to policy and operating committees: student seats shall become university student-at-large seats for the balance of the academic year. These seats may be filled by any student in good standing at the university who self nominates or who is nominated by a member of the Academic Senate, and who is recommended by the elected members of the Executive Committee and approved by the Senate (subject to bylaw 5.2). All student nominees shall submit a statement of purpose to the Executive Committee.

6.5.2 Should a vacancy occur, the President of Associated Students, Inc. shall select a replacement to fill out the remainder of the term. This selection must be approved by a two-thirds majority of the total membership of the Board of Directors of the Associated Students, Inc. The name of the nominee should be transmitted to the Associate Vice Chair within 30 days of the time that the vacancy occurred for final approval by the Senate. When the appointment has been approved by the Senate, the Associate Vice Chair shall notify the appointee. If a nomination is not received within 30 days, the seat will be declared a student-at-large seat for the balance of the academic year and will be filled as per 6.5.1.

6.6 The establishment or elimination of any regular policy committee shall require a two-thirds (2/3) majority of the Senate.

6.7 Policy committees shall report to the Academic Senate. Committee recommendations within the report shall show the names of the committee members present, names of committee members not present and the vote totals. Each recommendation to the Senate shall include either: (a) a statement that the recommended action is not expected to have any significant financial impact; or, (b) an estimate, obtained from the appropriate body or person who will be responsible for implementing the policy, of the approximate direct cost or saving to the University if the recommended action is taken. All operating committees shall report to the designated standing policy committees.

6.8 Except as otherwise provided in these By-Laws, chairs of operating committees shall be elected by the committee. Any member of the committee, except an ex officio member, is eligible as chair. Chairs of policy committees shall be elected annually by the Senate from its faculty representatives.

6.9 All policy committee appointments shall be for one year, commencing with the first meeting of the Senate for the year (in the last month of the Spring semester).

Seniority shall not be the primary factor in selecting members of policy committees.

6.10 Policy committees shall normally be so composed that at least one half of the members of each are also members of the Senate. Generally, no person shall serve on more than one policy committee. Exceptions may be made for the President of the Associated Students, officers of the Senate, and University administrators. Members of Senate committees,

including ex officio members, can vote and be counted for quorum only if present in person and not by designee or representative.

6.10.1 Normally, one faculty member from each of the units from which faculty representatives are elected is assigned to each policy committee. In no instance shall more than two faculty members from any of the units from which faculty representatives are elected be assigned to one policy committee.

6.10.2 The senators representing the Emeritus Faculty Association and the Alumni Association are eligible for appointment to policy committees with the exception of the Professional Standards Committee. If they wish to serve, they shall, at the beginning of the academic year, request appointment. They may request a specific committee assignment; they may not serve on the same committee. Requests shall be made to the Executive Committee. When appointed, they shall have the status of ex officio members.

6.11 Appointments of faculty to operating committees shall be for staggered three-year terms unless otherwise specified. After service for a full three-year term, members should be reappointed only in special circumstances. Appropriate administrative officers or their officers or designees shall be included on operating committees as ex officio members.

~~Student membership on operating committees is normally for two a one-year term, with one half of the student positions appointed each year. However, students may be appointed for a one-year term should either the individual or the appointing body so request.~~

6.12 Near the end of each Spring semester, each operating committee shall elect from among its membership, a chair for the following academic year. The outgoing committee chair shall recommend through the appropriate policy committees to the Committee on Committees any changes in committee responsibility or organization.. ~~Committees should inform the senate of their meeting times for the following year prior to the start of the Spring semester.~~

6.12 a) If a new member of an Academic Senate committee cannot complete the term for any reason, or is absent from three regularly scheduled committee meetings, the chair of the committee may request the Committee on Committees (if an operating committee) or the Executive Committee (if a policy committee) to nominate a replacement.

b) If a member of an Academic Senate committee repeatedly does not perform assigned committee duties, the chair or any member of the committee may ask the committee to request, by vote, the Committee on Committees (if an operating committee) or the Executive Committee (if a policy committee) to nominate a replacement.

6.13 a) Notwithstanding the provisions of By-Law 6.10.1, college seats on both policy and operating committees for which no faculty from that college willing to serve have been found and which remain vacant after the fourth week of instruction in fall semester shall become faculty-at-large seats for the balance of the academic year.

b) Following the third week of instruction, the Associate Vice Chair shall inform each college representative and college dean as to which of that college's operating committee seats are still vacant and invite them to recommend faculty for those

seats within one week's time. The college representatives and deans shall be reminded that the seats will become faculty-at-large seats for the year if no college faculty to fill them can be found. The dean's recommendations shall be forwarded to the college's Committee on Committees representatives who shall present one name to the Associate Vice Chair to be reported to the Senate or to the Executive Committee, as appropriate under By-Law 6.2.

c) Following the fourth week of instruction, all vacant college seats on operating committees for which no faculty from the college have been recommended under paragraph b) above (or otherwise identified) shall become faculty-at-large seats for the balance of the year and all members of the Committee on Committees shall be requested to supply names of faculty from any representative unit to fill these vacancies.

d) Following the third week of instruction, all vacant college seats on policy committees shall become faculty-at-large seats for the balance of the year. First priority in filling these vacancies shall be given to elected faculty representatives not assigned to other policy committees. If all elected faculty representatives (other than Senate officers) have been appointed to policy committees and there are policy committee seats still remaining vacant, they shall be filled as provided in 6.12b) and c) for operating committees.

e) The Associate Vice Chair shall coordinate this selection process so as to maintain as far as possible a representative balance across committees and shall report one name for each vacancy to the Senate or the Executive Committee as appropriate under By-Law 6.2.

f) Elected faculty representatives (other than Senate officers) not appointed to seats designated for representative units and also not appointed to faculty-at-large seats as provided above shall be appointed as additional members-at-large of policy committees. If there is only one such member, s/he shall be appointed to the Organization and Government Committee. If there is a second, s/he shall be appointed to the Instruction and Student Affairs Committee. A third shall be appointed to the Professional Standards Committee and a fourth to the Curriculum and Research Committee. The provision shall be implemented in a manner consistent with Academic Senate By-Law 6.10.1.

7. Special Committees

7.1 The Senate shall establish and appoint such special committees and task forces as may be needed.

7.2 Unless otherwise provided by the Senate,

a) Members of special committees and task forces shall be nominated by the elected members of the Executive Committee;

b) Special committees and task forces shall report to the Senate;

c) Chairs of special committees and task forces may be designated by the elected members of the Executive Committee.

8. Election Committee

8.1 There shall be a standing Election Committee. Its members shall be the members of the Committee on Committees. Its chair shall be the Associate Vice Chair of the Senate.

- 8.2 a) The Election Committee shall arrange for the election of faculty representatives to this Senate and of the University's representatives to the CSU Academic Senate, referenda under Articles V and VI of the Academic Senate Constitution, and all other campus-wide elections required by University policies.
- b) Elections shall be conducted by colleges and departments under instructions of the Election Committee.

8.3 The Election Committee shall determine the allotment of representation based on Article I of these By-Laws. The determination of FTE is to be based on eligible staff as of November 1 and will be reported to the Academic Senate.

8.4 The Election Committee shall be responsible for the establishment of voting procedures and their supervision.

8.5 The Election Committee shall assure that the results of the elections will be available for presentation to the Academic Senate by not later than May 15.

8.6 In carrying out a referendum under Article V of the Constitution, the Election Committee shall prepare a ballot which indicates the specific action of the Academic Senate which is being referred to the faculty electorate. The question to be voted on will be stated as follows: "Shall the action of the Academic Senate specified above be sustained?" The ballot in a referendum may be accompanied by pro and con arguments of not more than 300 words each. If such arguments are to be included, the Chair of the Senate will designate one or more persons to write the pro argument; the person(s) offering the motion or submitting the petition for a referendum will designate one or more persons to write the con argument. In the event that persons requesting the referendum are in support of the Senate action which is the subject of the referendum, then the Chair of the Senate will designate one or more persons opposed to the Senate action to write the con argument. Failure to submit an argument on one side shall not prevent distribution of an argument submitted by the other side.

9. Procedure

9.1 Robert's Rules of Order, most recent edition, shall apply unless superseded by the Constitution, By-Laws, or Standing Rules of the Academic Senate.

9.2 The meetings of the Academic Senate are open, but the number of non-members present shall not exceed the number of seats available for them and preference shall be given to representatives of the press and other media and officially invited guests. The Chair shall request ~~closed circuit television~~ audio-visual coverage of meetings when necessary.

9.3 Spectators at Senate meetings shall not take part in or attempt to influence the proceedings of the Senate, except as may be authorized in the Standing Rules. Violators shall be excluded. At his/her discretion, the Chair may recess the meeting.

9.4 The Academic Senate shall be called into Executive Session by the Chair upon approval of a majority of the members present. Only ~~regular~~ Academic Senate members and the Senate Administrator may be present during Executive Sessions. Normally, ~~Only~~ personnel or fiscal matters may be discussed in Executive Sessions, but final action on all

matters shall be taken in regular Academic Senate meetings. Proceedings in executive session are confidential.

10. Special Agencies

10.1 Existing special agencies are:

- a) Alcohol and Drug Abuse Prevention Committee
- b) Athletics Board
- c) Campus Planning Board
- d) University Library Board
- e) ~~University Information Technology Board~~
- e) Goals Advisory Council
- f) University Planning Council
- g) Resource Planning Board
- h) University Planning Council Planning Advisory Panels
- i) Heritage, Preservation, and Public History Committee

10.2 Special agencies are bodies created by policies recommended by the Academic Senate which, because of functions or membership, are not designated as Senate committees. Subject to the provisions of 10.3, special agencies shall be appointed, their officers selected and they shall report as provided in the policies creating them.

10.3 The following shall apply to all special agencies.

- a) At-large faculty members shall be nominated by the Committee on Committees.
- b) In addition to any reports required by its policy, each special agency shall make an information report annually to the Executive Committee. The Executive Committee shall, at its discretion, refer this report to appropriate policy committee/s. The report shall summarize the agency's activities for the preceding year.
- c) A special agency and the designated policy committee may consult on any matter of common concern.
- d) Special agency recommendations requiring changes in University policy recommended originally by the Senate shall be reported to the Executive Committee for recommendation to the Senate.
- e) The Executive Committee (or a designated policy committee at the request of the Executive Committee) may, from time to time, review the policy establishing a special agency and may require reports from special agencies.

11. Senators as Representatives

11.1 It is the responsibility of each elected member of the Academic Senate to assess the attitudes and viewpoints of the constituency that elected him/her. However, it is a policy that no member shall come instructed and that, in voting, each member represents the entire University.

11.2 Senators are to maintain regular communications with their constituency regarding Senate activities and accomplishments.

12 44. Approval of Policies

~~12.01~~ Measures adopted by the Academic Senate intended to have binding effect on the University generally or on persons or matters external to the Senate itself are policy recommendations and are submitted to the President for approval under Article IV, Section 2, of the Senate Constitution. By-Laws adopted under Article III, Section 5, of the Constitution are also submitted to the President for approval. Measures affecting only the rules, procedures, committees or other internal affairs of the Senate, or expressing only the opinion of the Senate, are not policy recommendations and do not require approval of the President.

13.12—Representation, Academic Senate, CSU

13.1 ~~12.4~~ Subject to applicable provisions of the Constitution of the Academic Senate of the California State University,

- a) Candidates for that body from this campus shall be nominated by the faculty electorate from the faculty electorate-at-large, following procedures similar to those prescribed for nomination of candidates for the Academic Senate of San José State University.
- b) Candidacy of the same person for both the Academic Senate CSU and the Academic Senate SJSU at the same election is not permitted.
- c) When there is a permanent vacancy in the SJSU representation on the CSU Senate and the balance of the unexpired term exceeds one semester, a special election shall be held to fill the vacancy for the balance of the term. The election shall be held promptly after the determination is made that there is or will be such a vacancy.
- d) When a permanent vacancy occurs for one semester or less before the end of the term of office, or there is a brief period during which an incumbent CSU Senator will be unable to attend meetings, the Vice Chair of the SJSU Senate shall act as interim CSU Senator. If the Vice Chair is unable to act, the SJSU Senate Chair may designate any elected member of the current SJSU Academic Senate (other than the CSU Senator) to act as interim CSU Senator. Such an interim CSU Senator shall be an SJSU Senator for all other purposes of the SJSU Senate.
- e) When it appears that a CSU Senator, whose term has more than one semester to run, will be unable, by reason or leave or otherwise, to attend meetings of the CSU Senate for more than one semester, the seat shall be deemed vacant and the vacancy filled by special election under paragraph c of this by-law.
- f) A faculty representative on the SJSU Senate who is elected to the CSU Senate vacates his/her seat as an elected member of the SJSU Senate.
- ~~g) This policy is effective beginning academic year 1995/96~~

~~13.14~~ Faculty Appointments to Off-Campus and Presidential Bodies

~~13.1~~ 14.1 Occasionally faculty (as defined in the Academic Senate Constitution) ~~representatives~~ are required or permitted to serve as representatives on bodies not established by or under the authority of SJSU (e.g. system-wide or other off-campus agencies or committees). In those instances in which no other procedure for their designation is prescribed, representatives shall be appointed by the Academic Senate on nomination of the Executive Committee.

~~13.2~~ 14.2 a) Where no other procedure has been approved by the Academic Senate, appointments of faculty to presidential task forces and advisory committees and commissions shall be made by the following process: The elected members of the Executive Committee shall consult with the President in regard to these appointments. Nominations shall be presented to the Senate for approval.

b) Appointments of faculty to the boards of University auxiliary organizations shall be made by the President after consultation with the elected members of the Executive Committee.

c) Appointments of faculty to the Instructionally Related Activities (IRA) Advisory Committee shall be made by the President after consultation with the elected members of the Executive Committee.

~~14~~ 15. Editorial Changes - Senate Documents

a) When the title of a University official or of an agency or unit of the University appearing in Academic Senate documents (including the Constitution, By-Laws, University policies, and resolutions providing for committee membership) is changed, but the functions and responsibilities of the office or agency remain the same, the ~~Executive Committee~~ Senate Chair may approve replacement in the Senate documents of the old title or designation by the new one, as an editorial change. Such changes shall be reported to the Senate.

b) When a law, regulation, executive order or Senate document is referred to in a Senate document by number, title or other official abbreviated designation, and the number, title or designation is changed by competent authority, but no other change affecting University policy is involved, the ~~Executive Committee~~ Senate Chair may authorize replacement of the old number, title or designation by the new one, as an editorial change. Such changes shall be reported to the Senate.

~~15~~ 16. Budget Advisory Committee

~~15.1~~ 16.1 a) ~~The Budget Advisory Committee consists initially of the elected members of the Executive committee of the Academic Senate and the President of the Associated Students, with the administrative members of the Executive Committee serving as non-voting consultants. One faculty member from each Senate representative unit not represented by a member of the elected members of the Executive Committee to be appointed annually from the member of the Senate by the members of the Budget Advisory Committee, shall also be members of the Budget Advisory Committee. Other administrators, faculty and students may be invited to attend by agreement between the Chair and the President.~~

ACTION TAKEN BY UNIVERSITY PRESIDENT: Approved by President Don Kassing
on October 17, 2005