

BYLAWS 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 Health and Human Sciences, 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) Members of the faculty electorate holding administrative positions (Management Personnel Plan) are not eligible to serve as faculty representatives while holding such positions.
- 1.2 Pursuant to Article II, Section 3 of the Constitution, the following 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.
 - 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 bylaw and may recommend amendments to it to the Organization and Government Committee.
- 1.3 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. 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 Bylaw 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

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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 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.
 - 1.5.1 If there is no candidate for an Academic Senate seat by the end of the filing period, that seat shall be declared vacant and shall be filled according to the procedures outlined in 1.6.2.d).
- 1.6 When there is a vacancy of a faculty representative (excluding CSU Senators) his/her replacement for the remainder of the term shall be chosen as follows:
 - 1.6.1 If a senator will be unable to perform his/her duties as senator for one semester or less, a temporary replacement will be selected in accordance with the following procedures:
 - a) The Dean of the College from which the senator serves shall call for nominations for a temporary replacement to be chosen by chairs and directors of that college from those nominated.
 - b) For the General Unit, the Senate Administrator shall call for nominations for a temporary replacement to be chosen by the Executive Committee from those nominated.
 - 1.6.2 When there is a permanent vacancy of a senator, 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 as soon as possible after the determination of the vacancy.

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- a) Vacancies are created by
 - 1) resignation or recall from the Senate,
 - 2) termination of employment,
 - 3) removal from the Senate as a result of being absent from 3 Senate meetings in an academic year.
 - 4) removal from a policy committee as a result of being absent from 3 regularly scheduled policy committee meetings,
 - 5) removal from a policy committee due to failure to perform assigned policy committee duties as determined by the Executive Committee of the Senate in consultation with the policy committee chair,
 - 6) leave, with or without pay, which covers more than one semester, or
 - 7) appointment to a full-time administrative (Management Personnel Plan) position.
 - 8) assumption of the role of Academic Senate Chair
 - 9) no candidate files for a vacant seat
- b) When a Senate seat is vacated, the associated seat on that senator's assigned policy committee would become vacant.
- 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 one semester, following the procedures listed in 1.6.1 above.
- d) If no candidate files for that vacancy, it shall be filled for one year by a person in that constituency selected by the Executive Committee after consultation with the Senators from that constituency. A permanent replacement shall be elected to fill out the remainder of the term as part of the next general election.
- e) If only one candidate files a nominating petition for a vacancy, the dean (or Senate Administrator for the General Unit election) shall not conduct an election but shall so report to the Executive Committee, and the Executive Committee shall declare the single candidate elected.
- f) If a vacancy occurs during the months of January or February, the seat shall be filled following the procedures listed in 1.6.1 above for temporary vacancies and the senator shall hold the seat for the remainder of the academic year. A permanent replacement shall be elected to fill out the remainder of the term as part of the general election.

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1.7 Faculty Voting Rights

- a) Regular faculty have full permanent voting rights in the department of their primary assignment.
- b) Temporary faculty assigned to more than one representative unit may vote in each unit on a proportional basis determined by the percentage of their appointment in each unit.

1.8 No write-in votes are permitted.

1.9 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 The phrase "academic deans" as used in Article II, Section 2 of the constitution means deans, and associate vice presidents in the academic affairs division. 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.

1.11

- a) Whenever the phrase "faculty electorate" is used in the constitution, bylaws, 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 faculty, 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.
- 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

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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. Nominees for Chair of Professional Standards must be tenured full professors.
- 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 of the Senate 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

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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.

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- 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 Charge: Acts as an Ad Hoc Advisory Committee to the President on request; acts for the Academic Senate at such times when the members may not be available; formulates policy proposals; refers matters of business to the appropriate agencies; develops and approves the agenda for Senate meetings; handles external relations with elected officials and their staff, as appropriate; prepares nominations/appointments as needed to policy committees, operating committees, special agencies, and other committees for Senate (or administrator) approval.
- 4.2 Membership:
 - a. Senate Chair (elected)
 - b. Vice Chair (elected)
 - c. Past Chair, or Faculty at Large in years when there is no past chair (elected)
 - d. President (EXO)
 - e. Provost (EXO)
 - f. VP, Administration & Finance (EXO)
 - g. VP, Student Affairs (EXO)
 - h. Chief Diversity Officer (EXO)
 - i. Statewide Senator (elected)
 - j. AS President (EXO)
 - k. Chair, Committee on Committees/Assoc. Vice Chair (elected)
 - l. Chair, Curriculum & Research (elected)
 - m. Chair, Instruction & Student Affairs (elected)
 - n. Chair, Organization & Government (elected)
 - o. Chair, Professional Standards (elected)

- 4.3 Any action taken by the Executive Committee requires the presence of a quorum of the elected members. When acting for the Academic Senate, the Executive Committee shall distinguish whether it is expressing the position adopted by the Senate as a whole or of the Executive Committee alone. In handling relations with elected officials or their staff, these shall be on matters of relevance to the well-being of the university, and this duty shall be carried out in coordination with university employees involved in government relations; the Executive Committee is encouraged to recruit an appropriate number of university employees and students to assist in its external relations efforts. In acting as an ad hoc Presidential advisory committee, only the elected members of the Executive Committee shall sit in this capacity. 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 Charge: Prepares nominations for policy committees, operating committees, special agencies, and other committees as needed. In cooperation with the Organization and Government Committee, makes recommendations for the improvement of the Senate's committee operations and structure. Maintains a record of faculty, staff, students, and administrators currently serving on University-level committees, and at the request of the President or other administrator, making the appointments may recruit nominees and suggest names of faculty, staff, and students for service on such committees as needed. Acts as Election Committee.

5.2 Membership:

The Senate's Associate Vice Chair serves as Chair for the Committee on Committees. Additionally, one faculty member from each of the Senate's representative units who shall not be members of the Senate. If a seat is not filled and becomes an 'at large' seat, Senators from the college where there is a vacancy, who are already serving on a policy committee, would be eligible to serve on the Committee on Committees.

- a. The Associate Vice Chair of the Senate [EXO], who shall be chair
 - b. 1 faculty, College of Business
 - c. 1 faculty, College of Education
 - d. 1 faculty, College of Engineering
 - e. 1 member, General Unit
 - f. 1 faculty, College of Health and Human Sciences
 - g. 1 faculty, College of Humanities and the Arts
 - h. 1 faculty, College of Science
 - i. 1 faculty, College of Social Science
 - j. 1 Student Senator
- 5.3 Appointments to the Committee on Committees shall be recommended by the elected members of the Executive Committee and approved by the Senate.

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Members (other than the Chair and the Student Senator) shall serve for staggered two-year terms.

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 bylaws, 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 supersede 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 6.2). 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 Senate Administrator 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 and the vote totals. All operating committees shall report to the designated standing policy committees.

6.7.1 All policy recommendations shall include

- a) A statement of the rationale of the policy, including its source, intent and claimed need in language suitable for communication to faculty, staff and students affected;
- b) Either the policy committee's finding that the recommended policy is not expected to have any significant financial impact, or an estimate, obtained from a named body or person responsible for implementing the policy, of the approximate direct cost or saving to the university if the recommended policy is adopted;
- c) A statement of the likely workload impact of the policy, that is, whether and how much compliance will increase or decrease required activity or expenditure of time by faculty, staff, or students.

6.8 Except as otherwise provided in these bylaws, 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. Nominees for Chair of Professional Standards must be tenured full professors.

6.9 a) All policy committee appointments shall be for one year, commencing

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with the first meeting of the Senate for the year (in the last month of the Spring semester).

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

c) Tenured faculty should be given priority for appointment to the Professional Standards Committee.

6.10 Policy committees shall normally be composed so that at least one half of the members of a policy committee are also members of the Senate. Thus, all Senators will normally be appointed to a policy committee prior to appointments of faculty who are not senators. 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 policy committees, including ex officio members, can vote and be counted for quorum only if present in person.

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.

- a) Faculty serving on a policy committee are ineligible to serve on any operating committee reporting to that same policy committee.
- b) The Committee on Committees chair will assure that when appointments are made they take into consideration part (a).
- c) To the extent possible, administrative designees to operating committees and their parent policy committee should not result in concurrent membership.

Student membership on operating committees is normally for a one-year term.

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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.

- 6.12 a) If a member (non-ex officio) of an Academic Senate committee (policy, operating, 'other', special or special agency) cannot complete the term for any reason, the chair of the committee may request, through the Associate Vice Chair of the Senate, that a replacement be appointed. The Associate Vice Chair, using the normal procedures of the Committee on Committees then solicits nominations for a replacement and brings a recommendation to the Executive Committee and subsequently the Senate via the consent calendar.
- b) If a member (non-ex officio) of an Academic Senate committee (policy, operating, 'other', special or special agency) is absent from three regularly scheduled committee meetings in an academic year or repeatedly does not perform assigned committee duties, the chair of the committee may request, through the Associate Vice Chair of the Senate, that the person be removed from the committee. The Associate Vice Chair, following discussion with and approval from the Executive Committee for removal of the committee member will then solicit nominations for a replacement (or notify the relevant college if an election is needed) and bring a recommendation to the Executive Committee and subsequently the Senate via the consent calendar.
- c) Removal of a senator from their assigned policy committee will result in removal from the Senate.
- 6.13 a) Each year the Senate Executive Committee will approve a calendar (referred to below as "appointment calendar") for appointing faculty to operating committees and policy committees. The calendar will be structured such that colleges are given ample notification of vacancies before the start of the fall semester and also allow for faculty-at-large appointments to be confirmed at the first Senate meeting of the semester.
- b) Notwithstanding the provisions of bylaw 6.10.1, college seats on both policy and operating committees for which no faculty from that college willing to serve have been found by the date specified on the appointment calendar shall become faculty-at-large seats for the balance of the academic year.
- c) By the date specified on the appointment calendar, the Associate Vice Chair of the Senate shall inform each college representative and college dean 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 representative 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

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present one name to the Associate Vice Chair of the Senate to be reported to the Senate or to the Executive Committee, as appropriate under bylaw 6.2.

d) By the date specified on the appointment calendar, all vacant college seats on operating committees for which no faculty from the college have been recommended under paragraph (c) 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.

e) By the date specified on the appointment calendar, 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 6.13c for policy committees and 6.13d for operating committees.

f) The Associate Vice Chair of the Senate 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 bylaw 6.2.

g) 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 bylaw 6.10.1.

7. Special Committees

7.1 The Senate shall establish and appoint such special committees 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 bylaws. 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 15th.
- 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, bylaws, 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 audio-visual coverage of meetings when necessary.

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- 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 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) Accreditation Review Committee
- b) Alcohol and Drug Abuse Prevention Committee
- c) Athletics Board
- d) Budget Advisory Committee
- e) Campus Planning Board
- f) Strategic Planning Steering Committee
- g) Student Success Committee
- h) Sustainability Board
- i) University Library Board

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) Unless otherwise provided in the policy creating the special agency, 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.

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- 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.
- f) When filling faculty appointments, the Associate Vice Chair of the Academic Senate shall have the responsibility to stagger the terms, unless otherwise specified by policy.

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. Approval of Policies

- 12.1 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. Bylaws 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. Representation, Academic Senate, CSU

- 13.1 Subject to applicable provisions of the constitution of the Academic Senate of the California State University
 - 13.1.1 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.
 - 13.1.2 Candidacy of the same person for both the Academic Senate CSU and the Academic Senate SJSU at the same election is not permitted.
 - 13.1.3 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.

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13.1.4 Temporary Vacancy

- a) A temporary vacancy is defined as one in which a CSU Senator will be unable to perform his or her duties for a period of one semester or less. In such cases, the Vice Chair of the SJSU Academic Senate shall serve as temporary CSU Senator.
- b) If the Vice Chair is unable to serve, the Chair of the SJSU Academic Senate may designate any elected faculty representative of the current SJSU Academic Senate to act as temporary CSU Senator.
- c) A temporary CSU Senator shall be an SJSU Senator for all purposes of the SJSU Senate.

13.1.5 Permanent Vacancy

- a) If a CSU Senator will be absent from the SJSU campus or unable to perform the duties of Statewide Senator for a period of longer than one semester, the seat held by that senator shall be deemed vacant.
- b) When a permanent vacancy occurs, 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. If there is no advance notice, the position will be filled temporarily as described in section 13.1.4 above until an election can be held.

13.1.6 These terms become effective with any elections for CSU Senator held after enactment of this policy and do not affect any current CSU Senator during his or her current term of office.

14. Faculty Appointments to Off-Campus and Presidential Bodies

14.1 Occasionally faculty (as defined in the Academic Senate Constitution) 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.

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

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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.

15. Editorial Changes - Senate Documents

- a) When identifiers such as the title related to a university official, agency, or course designations, or unit of the university appearing in Academic Senate documents (including the constitution, bylaws, university policies, and resolutions providing for committee membership) are changed, but the function, responsibilities, purpose, or content remain the same, the Senate Chair may approve replacement in the Senate documents of the old identifier by the new one, as an editorial change. Such changes shall be explained and reported to the Executive Committee of the Senate and recorded in the meeting minutes.
- b) When a law, regulation, executive order, policy, 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 or rescinded by competent authority, but no other change affecting university policy is involved, the 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 Executive Committee of the Senate, and recorded in the meeting minutes.
- c) When a policy recommendation or Senate Management Resolution is found to contain editorial errors, that when corrected would not change the intent of the policy recommendation or resolution, the Senate Chair, following consultation with and unanimous consent from, the Executive Committee can correct the error(s). The edited version of the policy recommendation approved by the Executive Committee will be submitted to the President for final review and signature. Approved editorial corrections shall be recorded in the Senate Executive Committee meeting minutes and changes will be made by Senate staff to the document being corrected. If the editorial changes are not approved by the Executive Committee or the President, the document will be returned to the appropriate policy committee for revision and brought to the Senate for debate and vote.

16. Specific Designation of Rescinded Policies

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Adoption and approval of a new policy resolution overrides all prior conflicting policies, whether or not the previous policies are specifically identified. However, it is best practice to refer specifically in a new policy to all prior policies superseded. If, subsequent to the adoption and approval of a policy resolution, the Senate Administrator finds that not all prior policies which should have been rescinded were specifically so listed in the subsequent policy, s/he shall notify the appropriate policy committee chair. The committee shall review the policies and, if satisfied that the older policies were superseded and should be specifically designated as rescinded, shall authorize the Administrator to note their rescission in the Senate records. The Senate Administrator shall report the committee's decision to the Academic Senate.