

# MESA COMMUNITY COLLEGE FACULTY SENATE BYLAWS

## Article One: Senate Roles and Responsibilities

### Section A. Authority and Responsibility

The MCC Faculty Senate shall have supervision, control, and direction of the Senate, determine its business policies or changes therein within the limits of these Bylaws, shall actively promote its purposes, and shall have discretion in the disbursement of its funds. The Senate shall act for and on behalf of the membership. The Senate may adopt such rules and regulations for the conduct of its business as shall be deemed advisable and may, in the execution of the powers granted, appoint such agents as it may consider necessary. The Senate shall provide reports to the membership as necessary.

### Section B. Duties of a Senator

1. Represent the interests of the Mesa Community College faculty;
2. Attend regular and special meetings of the Senate;
3. Serve on committees as appointed by the President;
4. Inform faculty of Senate matters on a monthly basis;
5. Communicate the views and concerns of members to the Senate;
6. Attend meetings of the District and College, as required.

### Section C. Senate Meetings

1. Notice – The calendar of regular monthly meetings on the first and third Thursdays of the month shall be announced and posted to the Faculty Senate website, and this will serve as notice to the Membership. In the case of an emergency meeting, members will be given as much prior notice as reasonably possible by the Senate President.
2. Senate meetings shall be open to all members of the MCC residential faculty membership.
3. The President may invite non-members to attend and participate in regular or special meetings of the Senate. Such participation must be approved by the Senate when the agenda is adopted.
4. Agenda - The College President, any member of the Senate, or ten percent of the residential faculty may place an item on the agenda of the Senate by written notice to the President of the Senate. The President shall provide the Senate with an agenda at least three (3) days in advance of all meetings except the executive sessions.

### Section D. Quorum and Voting

1. Quorum – A majority of the elected/appointed Senators shall be considered a quorum; the quorum count does not include the President or vacant Senator positions.
2. The President of the Senate shall vote only in the event of a tie.
3. Voting members shall consist of the President-Elect, Past President, and all elected Senators.
4. An action taken by a majority of voting members present at a duly called meeting with a quorum shall be an act of the Senate unless a greater number is required by the

Constitution, these Bylaws, or College Plan.

5. Voting Method – In addition to traditional methods, voting by mail, telephone, or electronic means shall be permitted. A vote using any of these methods may be called by the Senate.

### **Section E. Executive Sessions**

1. By majority vote of the Senators, the Senate may resolve itself into an executive session where only members of the Senate may be present.
2. In an executive session, no record shall be kept of debate, except that which is ordered by the Senate, and no Senator shall reveal the nature of the executive proceedings to any person without the permission of the Senate.
3. No recommendations either to the administration or to the MCCCDC Governing Board members shall be enacted during executive sessions.

### **Section F. Faculty Senator Qualifications**

The position of Senator can be held only by faculty who have:

1. Completed at least two (2) semesters at Mesa Community College as residential faculty.

### **Section G. Term of Office**

1. Senators shall serve terms of two (2) years.
2. The term of office shall begin at the first meeting of the newly elected Senate.
3. Be elected in odd numbered years if in odd-numbered zones or as the At-Large Senator representing the Red Mountain campus.
4. Be elected in even numbered years if serving in even-numbered zones or as the At-Large Senator representing the Southern & Dobson campus.
5. There shall be no limitation on the number of terms that Senators may serve.

### **Section H. Elections**

1. Senators will be elected from Zones representing a variety of disciplines, as stipulated in Article Nine.
2. Each residential faculty member shall receive an emailed form, published and distributed by March 1st of each year by the President, for the purpose of nominating self or another consenting residential faculty member.
3. Return of the signed form to the President within five working days shall constitute a formal request for said member's name to be placed on the ballot as a nominee. Nomination via the MCCCDC electronic mail system will be acceptable, as long as the electronic mail is sent from the nominee's MCCCDC electronic mail account.
4. The Executive Committee shall prepare an electronic ballot bearing the names of all nominees, oversee an anonymous ballot process by all residential faculty members within the respective zones unless at-large, and tally voting results prior to April 1st.
5. If the number of vacancies exceeds the number of nominees, the Executive Committee shall, with permission of the nominee, place the name of an eligible

- residential faculty member on the ballot.
6. The nominees receiving the highest number of votes for the existing vacancies shall be elected. Nominees must receive a simple majority of the votes cast to be elected.

### **Section I. Vacancies**

1. A vacancy shall be declared by the Senate President at the direction of the Senate when a Senator/Officer:
  - i. Has been absent three (3) times from regular monthly meetings during the academic year.
  - ii. Resigns from the Senate.
  - iii. Has been removed under the provisions of Article Four – Removal of a Senator.
  - iv. Has been reassigned to another campus or to an administrative role.
  - v. Or no Senator has been elected for a zone or at-large seat.
2. The process for filling a vacancy shall be:
  - i. The President will send out a notification to the Zone for the purpose of filling the vacancy. If the vacancy remains, the Senate President will issue an open call for nominations to all MCC residential faculty members regardless of Zone membership.
  - ii. The President will gather a statement of purpose from the nominees to send to the corresponding zone.
  - iii. The zone will then have five (5) accountability days to vote for their representative.
  - iv. The nominee will serve for a single term.
  - v. Upon completion of the term, the seat will be reopened to Zone members to fill the seat.
  - vi. If the seat remains vacant for two election cycles (four years), the Zone will be absorbed into another Zone and the Senate seat shall be designated as at-large.

### **Section J. Regulation of Senate Membership**

1. Grounds. If a Senator fails to comply with the Senate's Constitution, Bylaws, or any other rules or regulations of the Senate; fails to uphold the standards set forth in the American Association of University Professors' Statement on Professional Ethics (see Appendix A in Constitution); or commits unprofessional conduct considered prejudicial to the best interests of, or inconsistent with, the purposes of the Senate; the member will be subject to sanction from the Senate.
2. Procedures. Sanction may include, but not be limited to, censure, suspension, probation, and expulsion from the Senate. Sanctions may be imposed provided that a statement of the charges shall have been sent by certified mail to the last recorded address of the member on file with the MCCC Human Resources at least fifteen (15) days before final action is to be taken. A notice of the time and place of the meeting at which the charges shall be considered shall accompany this statement, and the member shall have the opportunity to appear in person and/or to be represented by counsel and to present any defense to such charges before action is taken by the Senate. Such imposition of sanctions shall be conducted in accordance with procedures established by the Senate.

### **Section K. All Faculty Meetings**

1. Regular Meetings – One (1) meeting per semester of all MCC faculty shall be held at such time and place as determined by the Senate.
2. Special Meetings – Special meetings of the MCC residential faculty members may be called at the request of the President, Senate, or at the written request of two-thirds (2/3) of the residential faculty at MCC. The time and place for holding special meetings shall be determined by the Senate.
3. Notice – Notice of any regular or special meeting of the members shall state the time, date, place, and purpose of the meeting and shall be delivered no less than two (2) weeks prior to the date of such meeting, unless the purpose for the meeting is due to an emergency situation as determined by the President. In the case of an emergency, members will be given as much prior notice as reasonably possible.
4. Quorum – Twenty percent (20%) of the voting membership shall constitute a quorum for the transaction of business at any duly called meeting of the voting members. If less than a quorum is present, the meeting will be adjourned and rescheduled per the process outlined in items 2 and 3.
5. Manner of Acting – An action taken by a majority of voting members present at a duly called meeting with a quorum shall be the act of the membership unless a greater number is required by the Constitution or these Bylaws.
6. Voting Method – In addition to traditional methods, voting by mail, telephone, or electronic means shall be permitted. A vote using any of these methods may be called by the Senate.

## **Article Two: Representation to District Faculty Executive Council**

### **Section A.**

Representatives to the District Faculty Executive Council must be a Residential Faculty member in good standing and a current member of Faculty Senate. The President, President-Elect and Past President will represent the Senate at the District Faculty Executive Council. During the first meeting of each new Faculty Senate, additional representative(s) will be elected from the members serving on Faculty Senate by the Faculty Senate to serve a one (1) year term.

### **Section B.**

If the President is not a member of the Faculty Association, an alternate shall be chosen to serve as the representative to the Council of Presidents and represent Faculty Association members in matters when a Faculty Association representative is requested or needed. In order, the President-Elect and Past President will be given first consideration to replace the President. If none of those officers are Faculty Association members, the Faculty Association members serving on Faculty Senate will convene a meeting during the first two (2) weeks in May to elect a representative from amongst themselves to serve a one (1) year term.

### **Section C.**

Alternate Representatives from Faculty Senate should be identified during elections to attend FEC whenever a Representative cannot attend meetings. If Alternate Representatives cannot attend, member(s) from Faculty Senate will be identified to attend.

## **Article Three: Officers**

### **Section A. Duties of the President**

1. Be the official spokesperson for the Faculty Senate and the Faculty Executive Council, including during faculty non-accountability days;
  - i. If action is taken during faculty non-accountability days, at the next official meeting of the Senate, the President shall report on the action taken, explaining the issues and reasons for the actions;
2. Meet regularly with the College President;
3. Call and preside at Faculty Senate meetings;
4. Preside at All-Faculty meetings;
5. Represent the Faculty Senate on the District Faculty Executive Council;
6. Represent Faculty Association members at Council of Presidents (if eligible);
7. Appoint residential faculty members to those Senate committees to which appointment is appropriate;
8. Recommend faculty appointments to those committees where such a recommendation is appropriate;
9. Attend Governing Board meetings and other meetings as deemed necessary;
10. Chair the Executive Committee;
11. Be an ex officio member on all Senate committees;
12. Create and maintain Senate email distribution lists; and
13. Perform other duties as prescribed in the Bylaws and Best Practices.

### **Section B. Duties of the President-Elect**

1. Act as parliamentarian at all meetings of the Senate;
2. Preside in the absence of the President;
3. Represent the Faculty Senate on the District Faculty Executive Council;
4. Review the founding documents (MCC College Plan, Constitution, and Bylaws) and recommend amendments;
5. Shall work with the administration and the Shared Governance Coordinating Board to implement a system for committee assignments and management; and
6. Perform other duties as directed by the President or prescribed in the Bylaws and Best Practices.

### **Section C. Duties of the Past President**

1. Attend all Senate meetings as a voting member;
2. Represent the Faculty Senate on the District Faculty Executive Council ;
3. Chair the Professional Rights and Responsibilities Committee;
4. Collaborate with President-Elect on the review of the founding documents; and and
5. Perform other duties as directed by the President, the Senate, or prescribed in the Bylaws/Best Practices.
6. If the office of the Past President remains vacant, the above duties will be assumed by the President.

#### **Section D. Duties of the Recording Secretary**

1. Write minutes of all regular and special meetings of the MCC residential faculty membership, Senate, and Executive Committee;
2. Disseminate minutes of Senate meetings to the entire Senate within two weeks of each meeting;
3. Post approved Senate minutes to the Senate website;
4. Maintain the Senate website;
5. Maintain an archive of Senate documents and records;
6. Maintain a current copy of Robert's Rules and ensure a copy is available during all Senate meetings; and
7. Perform other duties as directed by the President or prescribed in the Bylaws/Best Practices.

#### **Section E. Duties of the Business Secretary**

1. Determine residential faculty retiring dates and order plaques for presentation;
2. Responsible for all sympathy and retirement cards, plaques, flowers, or any other recognition determined by the Senate members;
3. Coordinate the Faculty Socials; and
4. Perform other duties as directed by the President or prescribed in the Bylaws/Best Practices.

#### **Section F. President Qualifications**

The position of President can be sought and held only by faculty who:

1. Have achieved appointive status;
2. Have completed at least two (2) semesters at Mesa Community College;
3. Have previously served as President-Elect or President; and
4. Are willing and able to fulfill all responsibilities of the office.

#### **Section G. President-Elect Qualifications**

The position of President-Elect can be sought and held only by faculty who:

1. Have achieved appointive status;
2. Have completed at least two (2) semesters at Mesa Community College;
3. Have previously served as Senator; and
4. Are willing and able to fulfill all responsibilities of the office.

#### **Section H. Past President Qualifications**

The position of Past President can be sought and held only by faculty who:

1. Have achieved appointive status;

2. Have completed at least two (2) semesters at Mesa Community College;
3. Have previously served as Vice-President, President-Elect, or President; and
4. Are willing and able to fulfill all responsibilities of the office.

### **Section I. Term of Office**

1. The President, President-Elect, and Past President shall serve a term of two years with the option of resigning after the first year of their elected term or until such time as their successors are duly elected, qualified, and take office;
2. Other Officers shall serve a term of one year or until such time as their successors are duly elected, qualified, and take office;
3. The term of office shall begin at the first meeting of the newly elected Senate;
4. There shall be no limitation on the number of terms that officers may serve.

### **Section J. Election Procedures**

1. Upon completion of their elected term, or resignation, an election shall be held for the offices of President and President-Elect.
2. Each residential faculty shall receive an electronic form, distributed by April 1<sup>st</sup> of the election year by the President, for the purpose of nomination. The form shall include the name of the nominees.
3. Response to the electronic form within five working days shall constitute a formal request for said member's name to be placed on the ballot as a nominee. Nomination via the MCCCDCD electronic mail system will be acceptable, as long as the electronic mail is sent from the nominee's MCCCDCD electronic mail account.
4. If there is no nominee, the Executive Committee shall, with permission of a prospective nominee, place the name of an eligible Senator/Officer on the ballot.
5. The Executive Committee shall prepare a ballot bearing the names of all qualified nominees.
  - a. The Executive Committee will distribute by the third Monday in April an anonymous ballot to all Residential faculty via the MCCCDCD electronic mail system so that they may vote for the offices of President and President-Elect. Voting will close at 12pm on the subsequent Friday.
  - b. The Executive Committee will tally the voting results. The nominee receiving the highest number of votes shall be elected. A nominee must receive a simple majority of the votes cast to be elected.
  - c. The Executive Committee will announce to the Residential faculty the results of the election by 5pm on the third Friday in April.
6. At the first meeting of the newly elected Senate, it will elect from among its members, Business Secretary, Recording Secretary, and additional representatives to the District Faculty Executive Council, if necessary.

### **Section K. Vacancies**

1. A vacancy in the office of President or President-Elect shall result in an election as soon as possible.
2. Vacancies in the offices of the Business Secretary and Recording Secretary shall be

filled by the President without undue delay via appointment. A vacancy in the office of the Past President may be filled via appointment by the President.

3. Except as otherwise set forth herein, an officer appointed pursuant to this section shall hold such office for the remainder of the original term for which she or he was appointed to fill.

#### **Article Four: Removal of a Senate Officer**

1. By petition signed by 25% of the residential faculty members or by 2/3 vote of the Senate, a Senate Officer may be brought before the entire MCC residential faculty membership for a vote regarding removal from office.
2. Within seven business days of the petition date or Senate vote, a ballot will be presented to all residential faculty members.
3. Completed ballots shall be counted by three members who shall include a member of the Senate selected by the Senate, a member appointed by the President, and one member appointed by the Officer being recalled. The Senate member shall serve as Chair. Upon tabulation of the ballots, the Chair shall inform the individual, members of the Senate, and the general membership of the vote outcome.
4. A 2/3 vote of the ballots cast shall be required for removal from office.

#### **Article Five: Committees**

##### **Section A. Executive Committee**

1. Composition – The President, President-Elect of the Senate, and all District Faculty Executive Council Representative(s) shall comprise the Executive Committee. The President shall chair the Executive Committee.
2. Authority and Responsibility – The Executive Committee shall act on behalf of the Senate when the Senate cannot meet and report any actions taken at the next Senate meeting.

##### **Section B. Committee on Professional Rights and Responsibilities**

1. Composition – The Past President shall chair the Committee on Professional Rights and Responsibilities. The President shall appoint at least two (2) Past Presidents to the Committee after consulting with the Committee Chair.
2. Authority and Responsibility – The Committee on Professional Rights and Responsibilities shall help members interpret the Residential Faculty Policy manual, and advise and assist members according to a procedure to be developed by the Committee.
3. Meetings – The Committee on Professional Rights and Responsibilities shall meet as needed.
4. Reports – The Committee on Professional Rights and Responsibilities shall report their activities on a regular basis to the Senate

##### **Section C. College Faculty Staffing Advisory Committee**

1. Composition – Residential faculty shall serve on the Committee with at least one (1) member that is also serving on Faculty Senate. The members of the Committee will



- choose from among themselves a Committee Chair. The President shall appoint all members to the Committee. Current Department Chairs are ineligible to serve.
2. Authority and Responsibility – The Faculty College Staffing Advisory Committee will make recommendations to administration in matters dealing with Residential Faculty hiring.
  3. Meetings – The Faculty College Staffing Advisory Committee shall meet as needed.
  4. Reports – The Faculty College Staffing Advisory Committee shall report their activities on a regular basis to the Senate.

#### **Section D. CTL Advisory Committee**

1. Composition – Residential faculty shall serve on the Committee with at least one (1) member that is also serving on Faculty Senate. The members of the Committee will choose from among themselves a Committee Chair. The President shall appoint all members to the Committee.
2. Authority and Responsibility – The CTL Advisory Committee encourages and supports innovation in teaching and learning and faculty development opportunities by advising and assisting the CTL.
3. Meetings – The CTL Advisory Committee shall meet as needed.
4. Reports – The CTL Advisory Committee shall report their activities on a regular basis to the Senate.

#### **Section E. Student Outcomes Committee**

1. Composition – Residential faculty shall serve on the Committee as voting members with at least one (1) member that is also serving on Faculty Senate. The members of the Committee will choose from among themselves a Committee Chair. The President shall appoint all members to the Committee.
2. Authority and Responsibility – The Student Outcomes Committee (SOC) fosters and supports assessment for student learning. SOC inspires faculty inquiry to transform our practice by responding to student learning in a continuous cycle of improvement.
3. Meetings – The Student Outcomes Committee shall meet as needed.
4. Reports – The Student Outcomes Committee shall report their activities on a regular basis to the Senate.

#### **Section F. Peer Assistance and Review Committee**

1. Composition – Residential, appointive faculty shall serve on the Committee with at least four (4) members that are also serving on Faculty Senate. The President will chair the Committee. The President shall appoint all members to the Committee.
2. Authority and Responsibility – The Peer Assistance and Review Committee will evaluate all probationary Faculty Individual Development Plans and make recommendations to the College President related to the renewal of the probationary appointment, and, when appropriate, the granting of appointive status.
3. Meetings – The Peer Assistance and Review Committee shall meet as needed and according to the timelines set forth in the RFP.
4. Reports – The Peer Assistance and Review Committee shall report their activities on a regular basis to the Senate.

## **Section G. Neutral Third Party Committee**

1. Composition – Residential faculty shall serve on the Committee. The President will chair the Committee. The President shall appoint all members to the Committee.
2. Authority and Responsibility – Members of the Neutral Third Committee will serve as the Neutral Third Party in the Department Chair evaluation process.
3. Meetings – The members of this Committee will meet with the Department Chair and Dean of the Department that they were assigned to according to the timelines set forth in the College Plan.

## **Section H. Ad Hoc/Advisory Committees and Task Forces**

1. The Senate may appoint ad hoc/advisory committees and task forces as are necessary or appropriate in the exercise of its authority and responsibility as set forth in these Bylaws.
2. The size, purpose, and membership of ad hoc/advisory committees and task forces shall be determined and/or modified by the Senate.
3. Ad hoc/advisory committees and task forces shall exist for no more than one year unless reaffirmed by vote of each succeeding Senate. The membership of ad hoc/advisory committees and task forces must be reconfirmed or modified by the Senate prior to October 1 of each academic year.
4. Membership on ad hoc/advisory committees and task forces is not limited to members of the Senate. All members of these committees are voting members.
5. The chair of each ad hoc/advisory committee and task force shall be appointed by the President of the Senate subject to the approval of the Senate.
6. Vacancies on ad hoc/advisory committees and task forces shall be filled by the President of the Senate subject to the approval of the Senate.
7. Ad hoc/advisory committees and task forces shall report and be responsible to the Senate.

## **Article Six: Use of Electronic Communication and Electronic Meetings**

### **Section A. Electronic Communication**

Unless otherwise prohibited by law, (i) any action to be taken or notice delivered under these Bylaws may be taken or transmitted by electronic mail or other electronic means; and (ii) any action or approval required to be written or in writing may be transmitted or received by electronic mail or other electronic means.

## **Article Seven: Fiscal Matters**

### **Section A. Contracts**

The Senate may authorize any officer or officers, agent or agents of the membership, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver

any instrument in the name of and on behalf of the membership Association, and such authority may be general or confined to specific instances.

### **Section B. Payment of Indebtedness**

All checks, drafts, or other orders for the payment of money, notes, or other evidences of indebtedness issued in the name of the Senate shall be referred to the Faculty Association Finance Officer.

### **Section C. Deposits**

All funds of the Senate shall be deposited to the credit of the Senate in such banks, trust companies, or other depositories as managed by the Faculty Association.

### **Section D. Bonding**

The Senate may provide for the bonding of officers.

### **Section E. Gifts**

The Senate may accept on behalf of its membership any contribution, gift, or bequest in accordance with District policy.

### **Section F. Books and Records**

The Senate shall keep correct and complete books and records of account and shall also keep minutes of its proceedings.

### **Section G. Fiscal Year**

The fiscal year of the Senate shall be determined by the membership.

## **Article Eight: Inclusivity**

Notwithstanding any other provision of these Bylaws, no Residential Faculty member shall be denied the right to 1) vote for Senators, President-Elect, or President, 2) serve on Senate, or 3) serve on the Faculty Executive Council based on their membership status in the MCCCDC Faculty Association.

## **Article Nine: Senate Zones**

### **Section A. Composition**

The Senate shall be composed of nineteen (19) members consisting of thirteen (13) Zone Senators, three (3) At-Large Senators, a President-elect, a President, and the past President. There shall be no limitation on the number of terms a Senator may serve. At-Large Senators represent their campus only and are required to have the majority of their load at the campus they represent.

### **Section B. Zone Vacancy**

Refer to Article One Section I.

### **Section C. Zones**

Each Zone Senator will represent a discipline or combination of disciplines as listed below:

Zone 1: English and Humanities

Zone 2: Computer Information Systems

Zone 3: Philosophy, Religious Studies, and Psychological Science

Zone 4: Reading, Music, and World Languages

Zone 5: Applied Sciences and Technology

Zone 6: Art, Speech Communication, and Theater

Zone 7: Social Science, Cultural Science, and Administrative of Justice Studies

Zone 8: Physical Science

Zone 9: Life Science

Zone 10: Mathematics and Computer Science

Zone 11: Nursing, Education Studies, Exercise Science, and Business

Zone 12: Library, Counseling, Center for Teaching and Learning, Center for Community & Civic Engagement, Fire Science, and Emergency Medical Technology

Zone 13: Red Mountain

At Large, Southern & Dobson (2)

At Large, Red Mountain

### **Section D. Zone Reassignment**

In the event that a department wishes to change their zone assignment, this should be communicated through a member of the Senate to be brought forward at the next Senate meeting. Members of both the zone to be left and the zone which the department wishes to join must be notified before the next Senate meeting for a ten (10) day comment period. The Senate will then vote on the reassignment.

### **Article Ten: Amendments to Bylaws**

1. A proposed amendment shall be presented in writing to each member of the Senate at least one (1) week prior to its first reading at any regularly scheduled Senate meeting.
2. A second reading will take place at the next meeting of the Senate followed by a vote.
3. A two-thirds Senate vote is required to amend, provided a quorum is present.

NOTE: Editorial changes such as correcting typographical errors, punctuation, formatting, and conforming terminology are not considered amendments and may be made by a simple majority vote of the Senate.

Ratified by MCC Faculty Senate on December 3, 2020. Future Amendments shall use the process prescribed in Article Ten above.