

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 FA membership. Individual members may submit matters to the Senate and speak to same at meetings according to the process established by the Senate.
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 MCC FA 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 Vice-President, Past-President, and all elected/appointed Senators.
4. An action taken by a majority of voting members present at a duly called meeting with

a quorum shall be the act of the Senate unless a greater number is required by the Constitution or these Bylaws.

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 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 MCCC CD 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. Been an active Faculty Association Member in good standing for at least two (2) semesters and
2. Completed at least two (2) semesters at Mesa Community College.

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 Southern & Dobson campus.
4. Be elected in even numbered years if serving in even-numbered zones or as the At-Large Senator representing the Red Mountain campus.
5. There shall be no limitation on the number of terms that Senators may serve.

Section H. Election of Senators

1. Senators will be elected from Zones representing a variety of disciplines, as delineated in the MCC Faculty Senate Best Practices Manual.
2. Each Faculty Association Member shall receive an e-mailed form, published and distributed by April 1st of each year by the President, for the purpose of nominating self or another consenting Faculty Association 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 MCCC CD electronic mail system will be acceptable, as long as the electronic mail is sent from the nominee's MCCC CD 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 FA Members, and tally voting results prior to May 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 FA 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 Five – Removal of a Senator.
 - iv. 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 Faculty Association members regardless of Zone membership.
 - ii. The President will interview each nominee; select a candidate to forward to the Senate, and provide justification for the selection.
 - iii. A majority vote of the Senate is required to fill the vacancy.
 - 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, fail to uphold the standards set forth in the American Association of University Professors' Statement on Professional Ethics (see Appendix A in Constitution), or commit 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 Faculty Association 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. Termination of Senate Membership

1. Non-Payment of Dues. A Senator who is in default of payment of dues or assessments ceases to be a Senate member.
2. Reinstatement. Members who have resigned or whose membership has been terminated for non-payment of dues or assessments may be reinstated upon:

- i. Submission of an application to the MCCCCD Faculty Association; and
- ii. Payment of dues and any assessments.

Section L. All Faculty Meetings

1. Regular Meetings – One (1) meeting per semester of all MCC members of the Faculty Association shall be held at such time and place as determined by the Senate.
2. Special Meetings – Special meetings of the MCC members of the Faculty Association may be called at the request of the President, Senate, or at the written request of two-thirds (2/3) of the Faculty Association’s MCC members. 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 Association

Section A.

Representatives to the District Faculty Executive Council will include the President and Vice-President. Additional representation to the District Faculty Association shall be appointed to serve a one (1) year term by the Senate President and confirmed by a majority vote of the Senate. Representatives must be current MCC FA members

Section B.

The Executive Committee may select an alternate Representative from among the MCC FA to serve whenever a Representative cannot attend meetings.

Article Three: Officers

Section A. Duties of the President

1. Be the official spokesperson for the Faculty Association and the Senate, 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. Appoint FA members to those Senate committees to which appointment is appropriate;
7. Recommend faculty appointments to those committees where such a recommendation is appropriate;
8. Attend Governing Board meetings, and other meetings as deemed necessary;
9. Chair the Executive Committee; and
10. Be an ex officio member on all Senate committees.
11. Perform other duties as prescribed in the By-Laws/Best Practices.

Section B. Duties of the Vice President

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. Perform other duties as directed by the President or prescribed in the By-Laws/Best Practices.

Section C. Duties of the Past President

1. Attend all Senate meetings as a voting member;
2. Chair the Professional Rights and Responsibilities Committee;
3. Collaborate with Vice President on the review of the founding documents;
4. Perform other duties as directed by the President, the Senate, or prescribed in the By-Laws/Best Practices.
5. 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 Faculty Association, Senate, and Executive Committee;
2. Disseminate minutes of Senate meetings to the entire Senate within two weeks of each meeting;
3. Post approved Senate and MCC Faculty Association minutes to the Senate website;
4. Maintain the Senate website;
5. Maintain an archive of Senate documents and records;
6. Create and maintain Senate email distribution lists; and
7. Perform other duties as directed by the President or prescribed in the By-Laws/Best Practices.
8. Maintain a current copy of Robert's Rules and ensure a copy is available during all Senate meetings.

Section E. Duties of the Treasurer

1. Collect and deposit dues and special assessments levied by the Senate;
2. Maintain the Senate's bank account and other financial holdings;

3. Report on the Senate's financial condition at all regular meetings of the Senate;
4. Write checks for expenditures authorized by the Senate and;
5. Perform other duties as directed by the President or prescribed in the By-Laws/Best Practices.

Section F. Duties of the Business Secretary

1. Determine FA members' retiring dates and order plaques for presentation;
2. Responsible for all sympathy/retirement cards, flowers, or any other recognition determined by the Senate FA members' that have had a family crisis;
3. Responsible for coordinating the Faculty Socials;
4. Perform other duties as directed by the President or prescribed in the By-Laws/Best Practices.

Section G. 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 Vice President or President; and
4. Are willing and able to fulfill all responsibilities of the office.

Section H. Vice President Qualifications

The position of Vice 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 Senator; and
4. Are willing and able to fulfill all responsibilities of the office.

Section I. Term of Office

1. The President and Vice 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 Vice President.
2. Each Senator/ Officer shall receive a form, published and distributed by April 1st of the election year by the President, for the purpose of nomination. The form shall include the name of the nominees.
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 MCCCCD electronic mail system will be acceptable, as long as the electronic mail is sent from the nominee's MCCCCD electronic mail account.

4. The Executive Committee shall prepare a ballot bearing the names of all qualified nominees, oversee an anonymous ballot process by all Senators/Officers, and tally voting results during the last scheduled Senate meeting in the Spring semester.
5. 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.
6. 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.
7. At the first meeting of the newly elected Senate, it will elect, from among its members, a Past President, Business Secretary, Social Secretary, Treasurer, and additional representatives to the District Faculty Executive Council, if necessary.

Section K. Vacancies

1. A vacancy in the office of President or Vice President shall result in an election as soon as possible.
2. Vacancies in the offices of Secretary and Treasurer shall be filled by the President without undue delay. 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 MCC FA members or by 2/3 vote of the Senate, a Senate Officer may be brought before the entire MCC FA 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 MCC FA 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: Removal of a Senator

1. By petition signed by 25% of the voting Zone members or by 2/3 vote of the Senate, an individual may be brought before the Senate 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 Zone FA members.
3. Completed ballots shall be counted by three members who shall include a member of the Senate selected by the Senate, a Senator appointed by the President, and one FA member from the Zone. The Senate member shall serve as Chair. Upon tabulation of the ballots, the Chair shall inform the individual, members of the Senate, and the Zone of the vote outcome.

4. A 2/3 vote of the ballots cast shall be required for removal from office.

Article Six: Committees

Section A. Executive Committee

1. Composition – The President, Vice-President 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 shall act as a steering committee for the Senate by preparing the agenda for the Senate meetings and recommending actions to the Senate.
3. Meetings – The Executive Committee shall meet on the second and fourth Thursdays monthly during the academic year.

Section B. Committees Committee

1. Composition – The Vice President shall chair the Committees Committee. The Vice President shall appoint at least three (3) Association Members to the Committee. Senators may also serve as Committee members.
2. Authority and Responsibility – The Committees Committee shall work with the administration to implement a system for committee assignments and management. The Committees Committee shall organize the regular reporting of Senate Committees to the Senate.
3. Meetings – The Committee on Committees shall meet as needed.
4. Reports – The Committee on Committees shall report their activities on a regular basis to the Senate.

Section C. 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 D. 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 Seven: 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 Eight: Fiscal Matters

Section A. Contracts

The Senate may authorize any officer or officers, agent or agents of the Association, 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 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 signed by such officer or officers, agent or agents of the Senate and in such manner as shall be determined by action of the Senate. In the absence of such determination by the Senate, such instruments shall be signed by the Treasurer.

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 the Senate may select.

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.

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 MCCC Faculty Association.

Article Ten: Amendments to Bylaws

Section A. Amendments by the Senate

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 Senate and MCC FA membership March 22, 2013. Future Amendments shall use the process prescribed in Article Ten above.