



Resolution 2024.4.1 – Proposed SDMC AS Constitutional Changes Regarding Agenda Items and Vacancies:
SDMC AS Academic Affairs Committee

Move: Crocitti

Second: G. Johnson

Whereas, Duties of the Academic Senate Executive Committee include proposing amendments to the Senate Constitution, Bylaws, or the Senate Rules in accordance with state and local governance as appropriate; and

Whereas, the Academic Affairs Committee reviews, considers and comments on standards established by State and local governance policies under the purview of the Senate and parliamentary procedure; and

Whereas, Amendments to Senate Constitution may be adopted during regular Senate meetings, by a two-thirds (2/3) vote of Senators present at the regular meeting, given that the proposed amendments have been previously presented; and be it therefore

Resolved that the following amendments to the Academic Senate Constitution and Rules be ratified:

Senate Constitution

ARTICLE IV – OFFICERS

SECTION 1 - OFFICERS:

A. The officers of the Senate and the Senate Executive Committee shall be:

1. President
2. President Elect ~~and/or Vice President-Immediate Past President~~
- ~~3. Immediate Past President-Vice President~~
4. Secretary
5. Treasurer
6. Senator-at-Large (Two Positions)
7. Faculty Chair of the Academic Affairs Committee
8. Faculty Chair of the Committee of Chairs (COC)
9. Faculty Chair of the Professional Advancement Committee (PAC)
10. Faculty Co-Chair of the Career Technical Education (CTE) Committee
11. Faculty Co-Chair of the Curriculum Review Committee (CRC)
12. Faculty Co-Chair of the Program Review Committee (PRC)

SECTION 3 - ELECTIONS:

Nominations and elections of all Senate elected positions shall be in accordance with the Education Code of California.

- A. All elections and polls conducted by the Committee on Elections shall be by secret ballot.
 1. Adequate precautions shall be taken to ensure that only bona fide members of the electorate are permitted to cast votes.
 2. The Committee on Elections should also take steps to maximize voter participation.
- B. The electorate shall be composed of all active tenured/tenure-track members of the Faculty and all Adjunct Faculty Representatives elected to the Senate.
- C. The Committee on Elections shall investigate and confirm that an individual meets the eligibility requirements for an elected position before his/her name is placed on the ballot.
- D. The Chair of the Committee on Elections shall maintain a record of all elections and polls.

1. The Chair of the Committee on Elections shall turn over the records to the Senate Secretary at the conclusion of his/her term of office.
- E. The nominee receiving the most votes cast by the eligible electorate shall be declared elected.
- F. Eligibility:
 1. President Elect:
 - a. Any member of the Faculty who would be tenured at the beginning of the term and is eligible for election to the Senate shall be eligible for nomination for the office of President.
 - One-year term as President Elect
 - Two-year term as President
 - One-year term as Immediate Past President
 - b. ~~Any active tenure member of the Faculty eligible for election to the Senate shall be eligible for nomination to the office of Vice President.~~
 2. Vice President:
 - a. Any active tenure member of the Faculty eligible for election to the Senate shall be eligible for nomination to the office of Vice President.
 3. Secretary/Treasurer/Senator at Large:
 - a. Any active tenured/tenure-track member of the Faculty eligible for election to the Senate shall be eligible for nomination to the offices of Secretary, Treasurer and Senator at Large.
- G. Nominations:
 1. Nominations for President Elect, Vice President, Secretary, Treasurer and Senator-at-Large shall be open on the first working day after February 15th.
 2. The Committee on Elections establishes a list eligible of nominees.
 3. No Faculty member shall be included on any list of nominees without their consent.
- H. Elections:
 1. The Committee on Elections shall prepare ballots with the list of eligible nominees.
 2. The Committee on Elections shall conduct an election in accordance to established procedures.
 - a. The Committee on Elections shall report the election results to the Senate Executive Committee as soon as possible.
 3. The Senate Executive Committee will immediately publish the election results.

SECTION 6 – REMOVAL OF OFFICERS:

- A. Senate officer can be removed for failure or inability to perform his/her duties to the Senate or for failure to adhere to SDCCD Board Policies or Administrative Procedures relevant to the performance of Senate duties.
- B. Below is the process to be followed for removal.
 1. An allegation must first be submitted, in writing, to either one of the Senators at large or directly to the Executive Committee. Allegations must include an original author or grievated party.
 2. Once the allegation is received by the Executive Committee, and it is determined that further investigation is needed, an autonomous investigative committee will be formed.
 3. The investigative committee will consist of:
 - a. The Senate President
 - b. The Vice President or President Elect
 - c. The Chair of the Academic Affairs committee
 - d. In the event that one of the above officers is the object of the investigation, an alternate will be chosen by the Senate Executive Committee.
 4. If the investigative committee determines that the allegations have merit, the officer in question will be given the opportunity either to improve his/her performance of the duties in question or rectify their failure. This process is

separate from and not meant to preclude any grievance procedure filed with SDCCD ~~Human Resources (HR)~~ **People, Culture, and Technology Services** or the American Federation of Teachers (AFT).

5. The investigative committee will report their findings and recommend in writing the process for improvement of performance or behavior redress, develop a timeline and metric for improvement, and provide copies of the process, timeline, and metric to the officer in question. The process cannot include monetary penalties or fees imposed by any party on the officer.
6. At the end of the specified timeline, the investigative committee will report the findings and make recommendations to the Executive Committee.:-
7. In the event that the investigative committee recommends removal due to a lack of improvement or failure to follow the recommended process, the Senate Executive Committee will bring the matter to the Academic Senate with recommendation for removal. The vote regarding removal is by 2/3 majority vote of the Senators attending an Academic Senate meeting at which the removal vote is posted as an agenda item.
 - a. The officer in question does not cast a vote if the recommendation is for their removal.
 - b. The officer in question will be given the opportunity to address the Academic Senate.
 - c. If an officer is removed, the Senate's Election Chair will conduct a special election to replace the officer.
 - d. The new officer will complete the balance of the former officer's term.

ARTICLE V – SENATORS

SECTION 5 – VACANCIES:

A. President:

1. When the President of the Senate resigns or cannot complete their term, the President Elect **or the Immediate Past President** shall serve out the remainder of the term.
 - a. During terms without a President Elect, the Immediate Past President shall assume the duties of the President until a President Elect is elected.
 - b. The previous Past President will be appointed to serve if the Immediate Past President resigns or cannot complete their term.

B. Others:

1. When any Senate Executive Committee Officer other than the President or the Immediate Past President resigns or cannot complete their term:
 - a. The Senate may designate one of its members to perform the duties of the office for the remainder of the term.
 - b. The Senate may also call for a special election to fill the vacancy in accordance with the Elections Code.
2. Any Faculty member elected or designated to serve the remainder of a term due to vacancies, shall not be considered as serving their own term.

SECTION 5-6– REMOVAL OF A SENATOR:

- A. Senators may be removed by the department they represent by majority vote **of the department**.

SECTION 6 7– VACANCIES:

A. The Senate seat of an elected member shall be declared vacant when a member:

1. Resigns from the Senate.
2. Fails to meet the eligibility requirements for membership in the Senate.
3. Accepts a Leave of Absence or a Sabbatical.
4. Cannot attend (5) five or more consecutive regular meetings of the Senate

B. When a vacancy occurs:

1. The Committee of Elections shall call for a special election to be held by the remaining Faculty members of the department whose seat has been vacated.
2. Report the election result to the Senate Executive Committee.
3. Notify the Committee on Committees when a replacement cannot be elected in order for the Committee on Committees to make an appointment.

4. The new Senator shall complete the term of the former Senator.

Senate Rules
ARTICLE II – SENATE COMMITTEES

SECTION 7 - COMMITTEE ON ELECTIONS:

A. Composition:

The Committee shall consist of:

1. A Chair who is not part of the Senate Executive Committee and at least two (2) Faculty members. Selection of the Chair shall be voted on by standing members of the committee and ratified by the Senate Executive Committee, as outlined by Article I, Section 5. Subsection D. Standing members shall be appointed by the Committee on Committees. The total number of committee members, including the Chair, shall be an odd number representing a variety of departments.
2. No member of the Senate Executive Committee shall also be a member of the Committee on Elections. If any member of the Committee on Elections wishes to be a candidate for a Senate Executive position, then that member must vacate their seat on the Committee on Elections prior to announcing their candidacy. In the event that the candidate does not occupy the intended Senate Executive Committee position, the former member of the Committee on Elections may be re-elected or re-appointed to the Committee on Elections per the procedures outlined in this constitution.

SECTION 8 - THE CURRICULUM REVIEW COMMITTEE (CRC):

A. Composition:

The Committee shall consist of:

1. The Vice President of Instruction serving as the Administrative Co-Chair.
2. Faculty Co-Chair who also serves on the Senate Executive Committee.
3. Deans – Three (3) Representatives (Including One (1) from Career Technical Education CTE)
4. At least ten (10) Faculty members appointed by the Committee on Committees.
 - a. Committee membership must be representative of the various schools, departments and programs of the college.
 - b. There must be one Faculty member representing the Counseling Department.
 - c. One Faculty member representing the Learning Resource Center (LRC) if one is available.
5. One Classified Staff Member.
6. The Articulation Officer.
- 6-7. At least one evaluator.
- 7-8. One Student Representative if one is available.

B. Duties:

1. The Curriculum Review Committee shall ensure San Diego Mesa College's Curriculum meets the standards and criteria defined by the mission statement of the College, District guidelines and the Education Code, especially the California Code of Regulations (Title 5, Section 5300.2). These duties include:
 - a. Facilitating curriculum initiators in the origination and revision of Curriculum.
 - b. Facilitating the development of General Education requirements.
 - c. Facilitating the development of Graduation and Certificate Requirements.
 - d. Ensuring program and course alignment within the SDCCD.
 - e. Ensuring the Curriculum that San Diego Mesa College presents is in the best interest of our students.
2. The Curriculum Review Committee will oversee the Catalog Committee, a subcommittee of the Curriculum Review Committee.

ARTICLE III - ORDER OF BUSINESS

SECTION 1 – AGENDA:

The regular Order of Business of the Senate shall be the agenda prepared by the Senate Executive Committee for the current meeting. The Senate Executive Committee sets the agenda for the senate meetings.

SECTION 2 - AGENDA ITEMS:

- A. Any member of the Senate may present an agenda item to the Secretary of the Senate.
 1. The Secretary shall deliver all items presented to the Senate Executive Committee.

- a. The items may be placed on the agenda for the next regular Senate meeting.
 - b. The items may also be referred to a specific committee.
 - c. ~~Dispositions of such items shall be indicated in the minutes of the Senate Executive Committee.~~
- B. Items not presented to the Secretary of the Senate may also be presented to the Senate under "~~Other~~ New Business" during a scheduled Senate meeting. ~~The discussion of new business is limited per parliamentary procedure and in accordance with the Brown Act.~~

SECTION 4 - RESOLUTIONS:

When a new resolution is presented for the first reading as "New Business", an appropriate period of informative discussion, but not debate, shall be allowed ~~per Robert's Rules of Order and in accordance with the Brown Act.~~ This does not preclude further discussion and debate at the next meeting when the resolution comes up for action and/or Vote as "Old Business".

- A. Resolutions may be introduced in two ways.
- 1. Resolutions may first be presented to the Secretary of the Senate, to be placed on the agenda at the Executive Committee meeting prior to the next regular Senate meeting. The purpose of recommending that the Executive Committee first review the resolution is to ensure that formatting guidelines are met and that the topic falls under Academic Senate purview.
 - 2. Resolutions also may be presented to the Secretary of the Senate at the regular Senate meeting. Resolutions presented in this manner should be formatted in accordance with the guidelines found in the ASCCC Resolutions Handbook. Authors should strive to ensure that the topic of the resolution falls under the purview of the Academic Senate.

Presented to the SDMC AS: April 22, 2024

Approved by the SDMC AS: May 13, 2024

Unanimous Vote to Approve:

- 1. Carlynnne Allbee
- 2. Henry Browne
- 3. Lisa Burgert
- 4. Jennifer Cost
- 5. John Crocitti
- 6. Nellie Dougherty
- 7. Justin Estep
- 8. Veronica Gerace
- 9. Helen Greenbergs
- 10. Mary Gwin
- 11. James Hinton (Proxy to Naimark)
- 12. Alex Holowicki
- 13. Cathy James
- 14. Janue Johnson
- 15. Candace Katungi
- 16. Jesse Keller
- 17. Mariam Kushkaki
- 18. Sam Lee
- 19. Thekima Mayasa
- 20. Dina Miyoshi
- 21. Ryan Mongelluzzo
- 22. Jennifer Moreno
- 23. Jill Moreno Ikari
- 24. Katherine Naimark
- 25. Olga Pilipets
- 26. Scott Plambek
- 27. Alison Primoza
- 28. Anthony Reuss
- 29. Michelle Rodriguez
- 30. Saloua Saidane
- 31. Robert Sanchez
- 32. Jessica Sardo (Proxy to Saidane)
- 33. Kristian Secor
- 34. Judy Sundayo
- 35. George Svoboda
- 36. Ngoc "Kim" Tran

