

**BYLAWS AND STANDING RULES**

**SANTA MONICA COLLEGE FACULTY ASSOCIATION**

(Amended Spring, 2005)

**ARTICLE I**

**Name and Purpose**

The name and purpose of the Santa Monica College Faculty Association is as stated in Article I of the Constitution.

**ARTICLE II**

**Membership**

Section A: Rights of Membership

1. Members in good standing are entitled to hold office, vote as provided in the Bylaws, attend any general, Representative Assembly, or social meetings of the Association, and serve as a member or a chair of Association committees. Regardless of the number of positions held, no member shall have more than one vote. Members who are also employees of the Association are not eligible to hold any of the five constitutional offices or to serve on the Negotiating Council and shall abstain from voting on Association personnel matters.
2. Dues
  - A. Membership Dues: Membership dues shall be fixed by majority vote of the membership by secret ballot.

**ARTICLE III**

**Representative Assembly**

Section A: Duties and Responsibilities

1. Approves appointments to the Executive Committee and to the Representative Assembly made by the President.
2. Authorizes the execution of all contracts and other agreements necessary to the efficient conduct of the business of the Association.
3. Approves the annual budget in the fall.

4. Recommends endorsements of political candidates and/or ballot propositions.
5. Fills all vacancies for Treasurer and Secretary by means of nominations from the floor and majority vote.
6. May expel by a two-thirds (2/3) vote any representative who has been absent from three consecutive meetings without reasonable excuse.
7. Elects three delegates to the Executive Committee each Fall.
8. Reviews and recommends to the Negotiating Council additional topics to be considered in collective bargaining.
9. Approves Association reassigned time on the recommendation of the President.
10. Resolves disputes over interpretation of the Constitution and Bylaws.
11. Approves the hiring of permanent Association employees.
12. Approves compensation schedules and fringe benefits for Association employees as needed.
13. Approves the appointment of a parliamentarian made by the President. Any officer other than the President, any Assembly member, or another qualified Association member may hold the position of parliamentarian. Appointment to parliamentarian does not confer any voting right if it did not already exist.

#### Section B: Representatives Duties and Responsibilities

1. Shall participate, under the direction of the Membership Education Director, in one/more of the following Association activities each year:
  - a. Participate on a standing committee
  - b. Participate in other association activities including:
    1. Attending a conference.
    2. Letter-writing campaign
    3. Mass mailings
    4. Events
    5. Board Meetings
    6. Phone Tree
  - c. Participate in Special Committee events
2. Makes reports via email to their departments on a regular basis.

Section C: Quorum

1. A quorum for the Assembly shall consist of one-third of its members. Sturgis Standard Code Of Parliamentary Procedure, latest revised edition, shall govern the proceedings of all Association meetings.

Section D: Vacancies

1. If a vacancy occurs in the Representative Assembly, the candidate with the next highest number of votes for that position in the most recent election shall be selected to finish the term of the vacant position. If no such candidate exists, the Representative Assembly may approve an appointment by the President.

**ARTICLE IV**

**Officers**

Section A: President

1. Makes appointments promptly.
2. Prepares in collaboration with the Treasurer and Executive Secretary an annual budget for presentation to the Representative Assembly in October.
3. Manages the spending of all budgeted moneys within the limits and priorities established by the Representative Assembly.
4. Hires, fires, directs work of and evaluates Association employees in consultation with the Association Officers, Executive Committee and Representative Assembly.

Student and temporary employees: With Association Officers and Executive Secretary, evaluates need for student help each semester. Consults with Association Officers and Executive Secretary and delegates responsibilities if appropriate for supervision and evaluation of student employees. Reports status of student employees to the Executive Committee.

Temporary member-contractors: Decides, in consultation with the Executive Committee, what projects shall be recommended to the Representative Assembly for funding on a one-time only or semester-by-semester basis to be compensated at a rate determined by the Executive Committee.

5. Presides at meetings of the general membership, Representative Assembly, Executive Committee.
6. Calls meetings of the general membership when necessary or

upon a majority vote of the Representative Assembly or the Executive Committee or a petition of ten percent (10%) of the membership.

7. Acts as the official spokesperson for the Association except in collective bargaining.
8. Serves as an ex-officio member of all committees except the Nominations and Elections Committee.
9. Is a signatory to the Association checking account. With the Treasurer, signs all checks greater than \$500.
10. Serves as Faculty Association representative on college wide committees, or appoints designee.
11. Serves on the Editorial Board.
12. Signs annual tax returns, after review by Association officers.
13. Is official contact with agents for any change in Faculty Association investments.
14. Responsible for the timely reporting of Representative Assembly approved reassigned time to the District, and the timely accrual and payment of liability.

Section B: Chief Negotiator

1. Serves as the leader of the Negotiating Team and the Negotiating Council.
2. Serves as the official spokesperson of the Faculty Association in the area of collective bargaining.
3. Develops expertise in budget analysis and negotiating skills.
4. In conjunction with the President, chooses the nominees for the Negotiating Council.
5. Regularly informs Representative Assembly of status of negotiations.
6. Serves with President on appropriate college committees.
7. Serves on the Professional Rights and Responsibilities Committee.
8. Serves on the Editorial Board
9. During the duration of the contract, the Chief Negotiator shall have the authority to develop and sign Memorandum of

Understanding subject to approval of the President, Negotiating Council and Representative Assembly at its next meeting.

#### Section C: Vice President

1. Exercises temporarily the duties of the President in the event of the President's inability to serve.
2. Assumes the office of President for the remainder of the President's term if an incapacitating disability, death, resignation, or recall leaves that office vacant;
3. Serves as a non-voting ex-officio member of all standing committees except the Nominations and Elections Committee;
4. Becomes familiar with the duties and responsibilities of President.
5. Chairs Professional Rights and Responsibilities Committee.
6. Performs other duties as assigned by the President.
7. Serves on the Negotiating Council.
8. Serves on the Editorial Board.

#### Section D: Recording Secretary

1. Records the proceedings of all general membership and Representative Assembly meetings. In conjunction with the Executive Secretary records the proceedings of the Executive Committee. The Recording Secretary shall take minutes when personnel matters are discussed by the Executive Committee.

#### Section E: Treasurer

1. Establishes and maintains special funds or accounts as may be determined by the Representative Assembly.

In conjunction with the Executive Secretary:

2. Oversees monthly bank reconciliation and the preparation of quarterly balance sheet, income statement, and any other reporting forms required by government agencies.
3. Presents Treasurer's report each semester to the Executive Committee.
4. Supervises the collection of all dues, assessments, and other income.

5. Performs an annual review of checks and signatures, bank reconciliation's, financial statements, employee income reporting records, and oversees income tax reports prepared by employees, Association officers, and/or the outside accountant.
6. Prepares, in collaboration with the President and the Executive Secretary, an annual budget, for presentation to the Representative Assembly in October.
7. Is a signatory to the Association checking account.

Section F: Vacancies

If a vacancy occurs in the offices of Secretary or Treasurer, the Representative Assembly may call a special election to fill the vacancy, or may instruct the President to submit the name of a candidate for Representative Assembly approval. If there is a vacancy in the office of President, Vice President or Chief Negotiator, the Representative Assembly shall call a special election to fill that vacancy, if there is more than one semester left in the term of office. If there is less than one semester left, the Representative Assembly may make an appointment to fill the vacancy.

Section G:

Although these bylaws assume that the positions of president and chief negotiator will be held by different individuals, nothing shall restrict the right of the membership to elect the same person to both positions.

## **ARTICLE V**

### **Executive Committee**

Section A: Representative Assembly Delegates

The three delegates to the Executive Committee shall be elected by the Assembly at the first Fall meeting from a list of representatives by secret ballot with each representative casting votes for 1 to 3 members.

Section B: Duties and Responsibilities

The Executive Committee

1. Shall advise the President regarding
  - A. Appointment, direction, and dismissal of Association employees, excluding temporary student workers, determining their qualifications, fixing their compensation, and prescribing their duties.

- B. Setting the agenda for Representative Assembly meetings.
  - C. Authorizing contributions up to \$100 each to in memoriam scholarship funds established in the name of deceased former Association members.
  - D. Authorizing changes in Association investments.
2. May perform, when classes are not in session, the functions of the Representative Assembly, subject to later approval or disapproval by the Assembly.
  3. Shall in conjunction with the President, annually review the performance of the Executive Secretary and other permanent employees, and shall determine the need for cost-of-living adjustments or other alterations in the hours or conditions of employment.
  4. May require, by petition of fifty (50%) percent of the Executive Committee, that the President to call a meeting of the Representative Assembly, the Executive Committee, or the general membership.

Section C: Quorum

A quorum of the Executive Committee shall consist of a majority of its members.

**Article VI**

**Negotiating Council and Negotiating Team**

Section A: Negotiating Council:

1. Meetings and Appointments:

The Chief Negotiator shall call the first meeting of the new Council. The Chief Negotiator, President, and Vice President shall be members of the council. Additional members shall serve a term of one year and may be re-appointed or dismissed by the agreement of the President and the Chief Negotiator, with the approval of the Representative Assembly.

2. Vacancies

Negotiating Council vacancies may be filled at any time by the President, and the Chief Negotiator with the approval of the Representative Assembly.

3. Deliberations of the Negotiating Council shall be confidential.

4. The nine-member Negotiating Council must have a quorum (consisting of a majority of its members) to plan negotiating strategy and to draft proposals. At least two (2) members of the Negotiating Team must be present at all meetings.

Section B: Negotiating Team

1. The Negotiating Team shall be led by the Chief Negotiator and shall include two additional members chosen by the Negotiating Council.
2. The Negotiating Team shall negotiate with the District and shall report to the Negotiating Council.

Section C: Negotiating Procedures and Contract Ratification

1. The Negotiating Council surveys the membership and recommends topics for negotiation to the Representative Assembly.
2. The Representative Assembly authorizes topics for negotiation and approves the sunshine letter.
3. The Negotiating Council may seek advice of committees, the Representative Assembly, and the general membership concerning negotiations.
4. The Negotiating Council directs the Negotiation Team with respect to topics and items for negotiation with the District.
5. In deciding negotiating positions, the Negotiating Council shall strive for consensus. If consensus cannot be reached, the majority will prevail.
6. At least two members of the Negotiating Team, including the Chief Negotiator, shall be present during any discussions of bargaining issues with the District while negotiations are in progress.
7. When the Negotiating Team reaches table agreement with the District's representatives, that agreement is presented to the Negotiating Council. If the Negotiating Council approves the agreement, a general membership meeting is called and the agreement is explained to the membership at that meeting.
8. If agreement with the District cannot be reached, the membership is informed of the choices before it at a general meeting.
9. Prior to ratification, a copy of all the proposed contract changes will be made available to all Association members. The Negotiating Council will strive to make available a copy

of the actual proposed contract.

10. The vote on ratification of the contract will be conducted by secret ballot. The vote will be conducted by the Nominations and Elections Committee, according to Article IX, Section C, 1, D. A majority vote in the affirmative of the members who vote shall be necessary for contract ratification.

## **ARTICLE VII**

### **Committees**

#### Section A: Standing Committees

1. Professional Rights and Responsibilities.
2. Finance.
3. Instruction.
4. Legislation and Public Affairs.
5. Faculty Benefits.
6. Nominations and Elections.
7. College Environment.
8. Hourly Instruction.
9. Membership Education.
10. Website.
11. Department Chairs.
12. Editorial Board

#### Section B: Special Committees

Special committees may be created by the President with the consent of the Representative Assembly or may be created by Assembly action as the need arises. Special committees may continue from year to year only with annual approval from the Assembly.

#### Section C: Joint Committees

The Representative Assembly, or the President with the approval of the Assembly, may direct any Association committee to meet formally with any other person or group. Such direction shall specify the scope and purposes of the joint undertaking. Nothing in this section shall be construed as precluding any committee from inviting non-members to appear before it for advisory or resource purposes.

#### Section D: Committee size; Rules of operation

Except as otherwise provided in the Constitution or Bylaws, all standing committees shall consist of from three to nine members. Committee members must be members of the Association. Any committee may make rules governing its operation and attendance so long as those rules do not conflict with Sturgis. The committee chair must approve visitors and observers at a meeting,

except as otherwise provided in the Constitution or Bylaws. Official committee communications with Association members, other than communications of the Nominations and Elections Committee, must be approved by the President.

Section E: Functions and Membership of the Standing Committees

Standing Committees shall keep the Representative Assembly informed through regular reports and make policy recommendations as needed.

As appropriate to the work of a committee and the needs of the Negotiating Council, standing committees shall act as information resources and make recommendations to the Negotiating Council.

1. Professional Rights and Responsibilities Committee

The Professional Rights and Responsibilities Committee shall assist in personnel problem-solving, including grievances, and in protecting the legal and professional rights of members. It shall develop policies for advancing these rights and recommend appropriate steps for their realization. The Vice President will chair this committee and will include the Chief Negotiator and the President.

2. Finance Committee

The Finance Committee shall study all phases of the financing of the Santa Monica College District; it shall keep the Executive Committee informed and make recommendations concerning finance and salaries to the Negotiating Council.

3. Instruction Committee

The Instruction Committee shall examine assignment and load, class size, and other matters relating to instructional issues. This committee shall be responsible for doing research and making recommendations to the Negotiating Council. This committee shall be the liaison to the Curriculum Committee of the Academic Senate.

4. Legislation and Public Affairs Committee.

The chair of this committee shall be called the Political Director. This committee shall keep abreast of the latest education policy developments at the local, state and national levels and shall make regular reports to the Assembly. In addition, this committee shall meet jointly with the Academic Senate Legislative Committee so that both groups are kept well informed and can take appropriate action, either jointly or separately, as the situation demands.

5. Faculty Benefits Committee

This committee shall study all phases of fringe benefits and maintain files on matters relating to fringe benefits. It shall also make recommendations concerning other faculty benefits matters, e.g., parking. This committee shall be responsible for doing research and making recommendations to the Negotiating Council.

6. Nominations and Elections Committee

This committee shall be responsible for the conduct of all regular and special elections as specified in Article IX of the Bylaws.

7. College Environment Committee

This committee shall study all phases of the College's professional and work environment (e.g., office space and support, food services, support services and equipment) the committee chair shall serve as the Association liaison to the College Safety Committee or any other relevant College-wide committees.

8. Hourly Instruction Committee

This committee shall work to improve communication between hourly members and the Executive Committee. The committee shall be responsible for doing research and making recommendations to the Negotiating Council.

The Chair of this committee shall work with the Editor on the Hourly Advocate.

9. Membership Education Committee

This committee shall educate members, coordinate the participation of Representative Assembly members to in Association activities, and work with Association officers and committees on their Association activities.

10. Website Committee

This committee shall be responsible for supervision of the Website. The chair of the Website Committee shall serve on the Editorial Board.

11. Department Chairs Committee

This committee serves as a forum for Department Chair contract and collective bargaining issues. The committee shall be responsible for doing research and making recommendations to the Negotiating Council.

## 12. Editorial Board

The chair of this committee shall be the editor of the newsletters. Other members of the committee shall include: President, Vice President, Chief Negotiator, and Chair of the Website Committee. The Editor shall (1) solicit and write articles, (2) manage the editing process, (3) manage the production of printing, (4) distribute at least 4 issues of the Faculty Association Bulletin per year, (5) plan the publishing schedule and (6) work with the Hourly Committee to solicit articles.

### **ARTICLE VIII**

#### **Amendments**

The Bylaws can be amended as provided by Article VIII, Section B of the Constitution.

### **ARTICLE IX**

#### **Nomination and Election, Special Election Procedures**

#### Section A: Elective Positions

##### 1. Officers

- A. President: The President shall serve a two-year term.
- B. Chief Negotiator: The Chief Negotiator shall serve for the duration of the contract cycle.
- C. The Vice President shall serve a two-year term.
- D. Secretary: Elected in even-numbered years and the secretary shall serve for two consecutive years
- E. Treasurer: Elected in odd-numbered years and the Treasurer shall serve for two consecutive years.

##### 2. Representatives

- A. Each year half of the representatives shall be elected to serve a term of two years.
- B. Representatives shall be elected by the tenured and probationary faculty and the hourly faculty by secret ballot by the members in good standing in the various divisions of the Association each year. Each department shall have at least one full-time and one hourly representative. If all the candidates nominated

and elected for office from a department are either all full-time faculty or all part-time faculty, an appointment from the unrepresented group may be made by the President, with the approval of the Representative Assembly, to ensure diverse representation.

3. Terms of office

A. Except for Chief Negotiator, the terms of office shall begin the first duty day in the Fall semester.

B. Chief Negotiator

1. The Chief Negotiator's term shall commence 60 days after the signing of a new collective bargaining agreement and shall serve until 60 days after the end of the subsequent agreement. Within that 60 day period a special election shall be called to elect a successor Chief Negotiator.

4. Unless otherwise stated, there are no term limits or prohibitions against running for reelection for any Association office.

Section B: Electoral Divisions

1. Representatives to the Representative Assembly shall be elected from their respective electoral divisions.

2. The electoral divisions of the faculty are as follows:

1. Art
2. Athletics
3. Business
4. Communications
5. Computer Science and Information Systems
6. Cosmetology
7. Counseling
8. Design Technology
9. Earth Science
10. Education and Public Affairs
11. Emeritus
12. English
13. ESL
14. Health Sciences
15. History
16. Kinesiology/Dance/Recreation
17. Library
18. Life Science
19. Mathematics
20. Modern Language
22. Music
23. Photography
24. Physical Science
25. Psychology

- 26. Social Science
- 27. Student Services
- 28. Theatre Arts

- 3. As new departments are created, modified or department names are changed, the Nominations and Elections Committee shall assign those departments to the appropriate electoral division.
- 4. The number of representatives in each division shall be determined by dividing the total number of Association members in a division by ten (10) and rounding upward to the next highest whole number.

Section C: Nominations

1. Ballot Preparation

- A. The Nominations and Elections Committee shall solicit nominations from the Representative Assembly not later than the first meeting after spring break. If only one meeting is held in April, the solicitation shall take place at that meeting.
- B. At the same time the Representative Assembly is notified, solicitation of nominations shall take place from the general membership. Nominations shall be made to the Chair of the Nominations and Elections Committee and shall cease after a two-week period unless the Committee previously announced a longer period.
- C. The consent of all eligible candidates must have been previously secured. In the case of eligible write-in candidates who win, their consent must be gained before their announcement is posted.
- D. The ballots are to be prepared by the Nominations and Elections Committee. The committee shall ensure election security and ballot secrecy.
- E. Candidates' names shall be drawn by lot and arranged in random order on the ballot.
- F. The process of voting will take place over a period of 10 school days.

## Section D: Elections

### 1. Tally of Votes

- A. The Nominations and Elections Committee shall supervise elections procedures, shall tally votes, and in a timely fashion shall inform all candidates of the official election results. The Committee shall post the names of the elected candidates in a prominent location and shall announce the names of elected candidates at the next meeting of the Representative Assembly. The vote count shall be available to all members upon request.
- B. The candidate for an executive office receiving the majority of votes cast shall be elected to that position. If no candidate receives a majority of votes, a run-off election shall be held between the two candidates receiving the highest number of votes.
- C. Where different numbers of years remain for Assembly positions voted on in the election, the candidate with the highest number of votes shall be assigned to the longest term, the candidate with the second most votes to the next longest term, etc.
- D. If a vacancy occurs in the Representative Assembly, the candidate for that position with the next highest number of votes in the most recent election shall be selected to finish the term of the vacant position.
- E. The date, time and place of the vote count shall be posted in the faculty mailroom. Any member may observe the ballot count.

### 2. Annual Election

- A. The annual election shall be held no later than the last full week of May.

### 3. Special Elections and Ballots

- A. The Representative Assembly may call a special election for any purpose not inconsistent with this Constitution. The President may also call a special election with the consent of a majority of the Executive Committee only if action on a particular measure is needed in a timely fashion.
- B. The Negotiating Council may call a special election in accordance with Article VI, Section C, 9 and 10.
- C. All special elections shall be conducted by the

Nominations and Elections Committee.

4. Recall Elections

A. Petition for Recall

Each officer or representative shall be subject to recall upon the presentation to the Representative Assembly of a petition signed by at least twenty-five percent (25%) of the qualified electors for the position. The petition for a recall from office shall list the names of at least two consenting candidates to succeed to the position (except for the President, who shall be succeeded by the Vice President) for the remainder of the term. Such petitions shall be given to the Nominations and Elections Committee, which shall verify the membership of the signers and the validity of the candidates.

B. Recall Ballot

Upon verification of signatures, the Nominations and Elections Committee shall immediately conduct a recall election. The ballot will provide first for a vote on the question of the recall of the incumbent and then, except in the case of the President, on the election of a successor for the remainder of the term.

C. Recall Election

Any officer or representative shall be recalled by a two-thirds (2/3) vote of the electoral group the individual represents. The candidate who receives the highest number of votes in the recall election shall succeed to the office.

**ARTICLE X**

**Association Employees**

Section A: Appointment, Supervision, and Dismissal

1. The Executive Committee shall approve the appointment and/or dismissal of permanent Association employees.
2. Copies of current job descriptions specifying qualifications, duties and responsibilities, and hours of work for each position shall be on file in the Association office.
3. The President shall supervise the proper performance of

prescribed duties and responsibilities and hours of work of each Association employee.

4. Job descriptions for permanent Association employees will be included in appendices to bylaws.
5. Terms and conditions of permanent employees shall be approved by the Executive Committee upon the recommendation of the President.

#### Section B: Evaluation

1. The President shall conduct performance evaluations of each employee as prescribed in Appendix A.

### **ARTICLE XI**

#### **Standing Rules**

1. Standing rules cover points of procedure and other matters which are not of sufficient importance to be covered in the Bylaws.
2. The Representative Assembly may, by majority vote and without notice, establish standing rules.
3. All other constituent bodies of the Faculty Association may establish standing rules as needed to govern their conduct of business so long as the rules are consistent with the Constitution and Bylaws of the Faculty Association.

All standing rules shall be submitted in writing to the Representative Assembly.

