

CALIFORNIA COMMUNITY COLLEGES CLASSIFIED SENATE



BYLAWS

(Adopted)
June 19, 2001
4CS Business Meeting
Granlibakken, Tahoe City, California

We, the Classified Staff of the California Community Colleges, do hereby establish the California Community Colleges Classified Senate in order to promote the best interests of higher education in the State, and facilitate effective participation of classified colleagues at the State level.

California Community Colleges
Classified Senate (4CS)
Bylaws

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ARTICLE I NAME AND ADDRESS OF CORPORATION

Section 1. Name

The official name of the organization shall be California Community Colleges Classified Senate, hereinafter referred to as the 4CS or CCCCS.

Section 2. Address

The Corporate address has been established to be: California Community Colleges Classified Senate, 2017 O Street, Sacramento, California, 95814

ARTICLE II PURPOSE AND MISSION STATEMENTS

Section 1. Purpose

The specific purpose of this Corporation shall be to represent the Classified Staff of the California Community College System for participation in governance and to support the mission of the California Community College System.

The expanded purposes of the 4CS shall be to:

- Promote the classified staff of the California Community Colleges on all non-collective bargaining issues.
- Provide classified staff with a formal voice in determining institutional policies of statewide concern.
- Make recommendations on statewide matters affecting the California Community Colleges, as appropriate.
- Communicate to the Chancellor of the California Community Colleges the needs, concerns, viewpoints, and recommendations developed by the 4CS.
- Promote and facilitate the sharing of ideas, techniques, and experiences of its members by publishing and distributing bulletins, minutes and other appropriate materials.
- Assist in the development and strengthening of local shared governance bodies, as well as support the formation of local senates.
- Promote and support networking activities.
- Provide an opportunity to develop individual leadership in the classified staff, and increase the professional standards of its members.
- Address concerns as requested by its membership.

Section 2. Mission Statement

The California Community Colleges Classified Senate (4CS), constituted as a voluntary membership body of appropriately recognized shared governance bodies, colleges, and districts which recognizes the value of higher education in the State of California, sees its mission as:

- Advocating the value and contributions classified staff provide to the learning environment;
- Providing quality service to promote student success;
- Cooperating with other organizations in the interest of enriching the educational environment of the California Community Colleges;
- Serving as a liaison between the California Community Colleges' senates;
- Promoting the participation of classified staff in shared governance at the State and local levels; and
- Developing and supporting classified senates at the local level.

ARTICLE III MEMBERSHIP AND ELECTORATE

Section 1. General Membership

Members of the 4CS are defined as local senates that have a Constitution/Bylaws on file with the 4CS. Each college shall be entitled to one (1) General Membership in the 4CS. In the event of more than one (1) General Membership submitted from a college, the decision as to which shall be the college's voting membership shall be determined by the local college's classified staff.

Section 2. Electorate

The Electorate has full voting rights and shall consist of the Executive Officers, Area Representatives and Delegates from each member senate and local member senates (for election of local representation) of the 4CS.

ARTICLE IV EXECUTIVE BOARD

Section 1. Membership

There shall be a total of twenty-one (21) Directors, collectively known as the 4CS Executive Board. The Executive Board of the 4CS shall consist of six (6) Executive Officers and the fifteen (15) Area Representatives.

- A. Executive Officers - The Executive Officers of the 4CS shall include the President, President-Elect, *Vice President*, Treasurer, Secretary, and *Past President*

- B. Area Representatives - Each of the five areas: North, Bay, Central, Southwest and Southeast shall have no more than three Area Representatives.

Section 2. Candidate Qualifications

Each candidate for election to the 4CS Executive Board shall be an active member of a 4CS member classified senate.

- A. All candidates for election to the President, President-Elect, *Vice President* Executive Officer positions must be active members of the current 4CS Executive Board.
- B. The Area Representatives shall be elected at the local senate level on the basis of their geographic representation.

Section 3. Election Rules and Procedures

The election process shall be the responsibility of the Nominations and Elections Committee. The Nominations and Elections Committee shall develop procedures and timelines for the election process.

- A. To be elected to any Executive Board Officer position a candidate must receive a majority vote of the Electorate at a General Session meeting. *When the Office of President-Elect is occupied and the term of the current President has expired or been vacated, the President-Elect will rotate into the position of the President for a two-year term or to fill the vacated position. After a full two-year term, the President shall then rotate in to the position of Past President. An exception is made for filling vacancies (see section 7, Vacancies on the Executive Board).*
- B. Candidates for Area Representative will be declared elected to the position if they run unopposed: i.e. no other qualified candidates submit a letter of intent within the required timetable published by the Nominations and Elections Committee. In addition, they must meet Candidate Qualifications as described in these Bylaws. It shall be the responsibility of the Executive Board to verify that these conditions have been met.
- C. In the event no candidate receives a simple majority (50% +1), a runoff election will be held between the candidates with the two (2) highest number of votes. In the event of a tie or lack of a simple majority (50%+1) after the second vote, then the candidates for the Executive Board position will be chosen by lot.
- D. There shall be no proxy votes.
- E. The Executive Board shall consider the subject of term limits every four (4) years.

Section 4. Terms

Terms of office for the Executive Board members shall be based on table following. Board members with the designation of "A" shall begin terms July 1 of every even year and officers with the designation of "B" shall begin terms July 1 of every odd year. The term of office is two years. Executive Board members may serve consecutive terms.

A	B
North 1	North 2
North 3	Central 1
Central 2	Central 3
Bay 1	Bay 2
Bay 3	Southeast 1
Southeast 2	Southeast 3
Southwest 1	Southwest 2
Southwest 3	President
President-Elect	<i>Vice President</i>
Secretary	Treasurer

Section 5. Dismissals and Resignations

Failure to attend two (2) successive Executive Board meetings without notice and reasonable cause may result in that Executive Board member being dismissed from the Executive Board. Procedures for filling that position are outlined in section 7: Vacancies on the Executive Board.

- A. After failure to attend Executive Board meetings as described in this section, the dismissal process will include (at the least) a written and verbal notification from the Executive Board of any potential actions, which may include dismissal from the Executive Board. Dismissal actions may occur as early as the next scheduled Executive Board meeting after notification to the Executive Board member. Dismissal of an Executive Board member requires a simple majority (50%+1) of those present for approval.
- B. Any member of the Executive Board may resign by written notice to the President. Procedures for filling that position are outlined in section 7: Vacancies on the Executive Board.

Section 6. Leave of Absence

Any Executive Board Officer may request a leave of absence of up to three months by written request to the President. The leave must be approved, by majority vote, of the Executive Board. If the leave is approved, an interim appointment may be made for any Executive Officer or Area Representative following the procedures in section 7: Vacancies on the Executive Board.

Section 7. Vacancies on the Executive Board

A vacancy in the above mentioned offices shall be filled in accordance with the following: if for any reason Executive Board vacancies exist, which can not be first filled by the processes delineated in this section, it shall then be the task of the Executive Board to fill any vacant positions until an election can be arranged.

- A. Vacancies on the Executive Board may be filled on a temporary basis by the President with the consensus of the Executive Board until the next General Session.
- B. A vacancy in the office of the President shall be filled by the President-Elect. If there is also a vacancy in the position of the President-Elect, the *Vice President* shall be appointed to fill the office of the President by general consensus of the Executive Board.
- C. A vacancy in the office of the President-Elect shall be filled by the *Vice President* with the general consensus of the Executive Board. If there is also a vacancy in the office of the *Vice President*, a member of the present Executive Board shall fill the vacancy by general consensus of the Executive Board.
- D. A vacancy in the office of *Vice President* shall be filled by a member of the present Executive Board appointed by general consensus of the Executive Board. In the event there is no Executive Board member who is willing or able to serve, then nominations and elections from the general membership will be conducted.
- E. A vacancy in the office of Secretary or Treasurer shall be filled by members of the Executive Board and ratified by the Executive Board subject to ratification at the next General Session. In the event there is no Executive Board Officer who is willing or able to serve, then nominations and elections from the general membership will be conducted.
- F. A vacancy in the office of an Area Representative shall be filled by an active member of a local member senate of the 4CS from within that respective area appointed by the 4CS President and with the consensus of the Executive Board.
- G. Appointees shall meet the selection criteria as described in the section "Candidate Qualifications" at the time of their appointment except in the case of the position of *Past President*. In such case, the Executive Board shall appoint the next preceding *Past President* in descending order, who is willing and able to serve in their capacity so long as they are still classified staff.
- H. If the appointment is not ratified at the General Session, then another candidate must be nominated and voted in by the membership at that General Session.

Section 8. Powers and Responsibilities

The Executive Board will adopt rules of procedure, implement policies adopted by the General Session, act on behalf of the 4CS in the period between General Sessions, transact business, and perform other functions not inconsistent with the intent, purposes and provisions of the 4CS Bylaws. The Executive Board shall have the power and responsibilities to conduct all of the financial affairs of the Corporation.

Section 9. Responsibilities of Executive Board Members

The President shall:

- A. Be responsible for the preparation of the agenda for all meetings after receiving input from the Executive Board and/or from any member classified senate.
- B. Preside over all General Sessions and Executive Board meetings.
- C. Perform any other function normally thought to be within the realm of a presiding officer that is otherwise not denied by the Bylaws, including authorizing any expenditure from the budget.
- D. Sign approved minutes, along with the Secretary.

The President-Elect shall:

- A. Plan to serve as future President of the 4CS.
- B. Gain as much experience and training as possible to serve as future President of 4CS.
- C. Work closely with the President to facilitate a smooth transition to the office of President of the 4CS.
- D. Be an ex-officio member of the 4CS standing committees.
- E. Attend all 4CS meetings.
- F. Serve as liaison between the *Vice President*, Area Representatives and the President.
- G. Perform other related duties as assigned by the President.
- H. In the absence or disability of the President, serve as Interim President.

The *Vice President* shall:

- A. Attend all 4CS meetings.
- B. Be the liaison between their respective Area Representatives, the President-Elect, and the President.
- C. Oversee the Area Representative responsibilities, assisting as necessary. This may include disseminating information, updating the directory, and arranging meetings between Area Representatives and colleges.
- D. Assist the President in coordinating workshops at conventions or retreats.
- E. Perform research activities as directed by the President.
- F. Be an ex-officio member of 4CS standing committees.
- G. In the absence or disability of the President-Elect, shall be appointed to serve as Interim President-Elect.
- H. In the absence or disability of both the President and the President-Elect, shall be appointed to serve as Interim President.

The Secretary shall:

- A. Attend all 4CS meetings.
- B. Be responsible for taking and making available minutes of all meetings to the members of the Executive Board. A draft is expected within thirty (30) calendar days after the meeting, with the unapproved minutes being distributed within sixty (60) calendar days after the meeting.
- C. Maintain an archive of all 4CS business and correspondence.
- D. Sign approved minutes, along with the President.
- E. Be responsible for maintaining and publishing the 4CS Annual Directory.
- F. Perform such other duties as may be assigned by the Executive Board or ordered by these Bylaws.

The Treasurer shall:

- A. Attend all 4CS meetings.
- B. Be responsible for all monetary collections and disbursements relating to the 4CS.
- C. Maintain all records pertaining to the financial status of the 4CS.
- D. Perform a financial year-end report to be presented at the Fall General Session.
- E. Perform such other duties as may be assigned by the Executive Board or ordered by these Bylaws.

The Area Representatives shall:

- A. Attend all 4CS meetings.
- B. Handle dissemination of all pertinent 4CS correspondence.
- C. Act as the area contact.
- D. Keep in contact with and forward concerns to the President, President-Elect, *and Vice President*.
- E. Assist local colleges without senates by providing information regarding how to form a senate. This may include sending a packet of information and/or making arrangements for a personal visit by the President, President-Elect, *Vice President* or designee to host a workshop. This also includes addressing the concerns of all the colleges in that area.
- F. Perform other duties as may be assigned by the Executive Board or ordered by these Bylaws.

The *Past President* may:

- A. Attend all 4CS meetings and be available for guidance and advice to the existing board.
- B. Perform such other duties as may be assigned by the Executive Board or ordered by these Bylaws.

Section 10. *Indemnification of Directors, Officers, and Other Agents*

- A. Right of Indemnity. *To the fullest extent permitted by law this Corporation shall*

indemnity its Directors, Officers, employees, and other persons as described in section 5238(a) of the California Corporations Code, including persons formerly occupying any such position, against all expenses, judgments, fines, settlements and other amounts actually and reasonably incurred by them in connection with any "proceeding," as that term is used in that Section, and including an action by or in the right of the corporation, by reason of the fact that the person is or was a person described in that section. "Expenses," as used in this Bylaw, shall have the same meaning as in Section 5238(a) of the California Corporations Code.

B. Approval of Indemnity. On written request to the Board by any person seeking indemnification under Section 5238(b) or Section 5238(c) of the California Corporations Code, the Board shall promptly determine under Section 5238(e) of the California Corporations Code whether the applicable standard of conduct set forth in Section 5238(b) or Section 5238(c) has been met and, if so, the Board shall authorize indemnification. If the Board cannot authorize indemnification because the number of Directors who are parties to the proceeding with respect to which indemnification is sought prevents the formation of a quorum of directors who are no parties to that proceeding, the Board shall promptly call a meeting of members. At that meeting, the members shall determine under Section 5238(c) of the California Corporations Code whether the applicable standard of conduct set forth in Section 5238(b) or Section 5238(c) has been met and, if so the members present at the meeting in person shall authorize indemnification.

C. Advancement of Expenses. To the fullest extent permitted by law and except as otherwise determined by the Board in a specific instance, expenses incurred by a person seeking indemnification under these Bylaws in defending any proceeding covered by those Sections shall be advanced by the Corporation before final disposition of the proceeding, on receipt by the Corporation of an undertaking by or on behalf of that person that the advance will be repaid unless it is ultimately determined that the person is entitled to be indemnified by the Corporation for those expenses.

D. Insurance. The Corporation shall have the right to purchase and maintain insurance to the full extent permitted by law on behalf of its Officers, Directors, employees, and other agents, against any liability asserted against or incurred by any Officer, Director, employee, or agent in such capacity or arising out of the Officer's, Director's, employee's or agent's status as such.

ARTICLE V MEETINGS AND PROCEDURES

Section 1. Notice and Place of Meetings

All meetings shall be scheduled in advance by the Executive Board except for special

circumstances provided for within these Bylaws of the Corporation and in accordance with the Brown Act. Notice of all meetings must be sent at least seven (7) days prior to the date of the proposed meeting to all Executive Board Officers and Area Representatives. The Executive Board will determine the place and times for each meeting. Meeting times and place shall be made available to the 4CS membership.

Section 2. General Session

A General Session, which shall be open to all community college classified staff throughout the State, shall convene at least two (2) times during the year at a time and place designated by the Executive Board.

Section 3. General Meeting Quorum

In order to conduct business a quorum shall be defined as a simple majority (50%+1) of the Executive Board plus any authorized Delegates present for a meeting. For the purpose of making motions and voting on business items, it shall require a simple majority (50%+1) of those present voting in favor for approval.

Section 4. Executive Board Meetings

The Executive Board shall meet a minimum of four times per year.

Section 5. Executive Board Quorum

In order to conduct business the Executive Board shall consist of a simple majority (50%+1) of Executive Officers and Area Representatives (not including vacancies), present for a meeting. For the purpose of making motions and voting on business items, it shall require a simple majority (50%+1) of those present voting in favor for approval.

Section 6. Area Meetings

Area meetings may be scheduled at the discretion of the respective Area Representative for the purpose of disseminating information regarding the 4CS to local senates.

Section 7. Special Meetings

Special meetings may be called at the discretion of the President or may be called at any time by a vote of two-thirds (2/3) of the Executive Board, or upon written petition to the President by twenty percent (20%) of the 4CS senate membership.

Section 8. Meeting Procedures

The Executive Board reserves the right to establish meeting procedures for all 4CS meetings. In the absence of specific action by the Executive Board, Robert's Rules of Order (latest edition) shall be the designated parliamentary authority for reference at all 4CS meetings.

Section 9. Action Without Meeting

The Executive Board may take action(s) that are within its powers and responsibilities as required or needed without a formal meeting. Action(s) taken without meeting can only be

initiated if all current members of the Board shall consent in writing. Approval of the action will be by majority vote. Written consent or consents shall be filed with the minutes of the next regular Executive Board meeting.

Section 10. Fiscal Year

The Fiscal Year of the Corporation shall begin on July 1 and end on June 30 of each year.

ARTICLE VI STANDING COMMITTEES AND ASSIGNMENTS

Section 1. Committees

The following standing committees shall perform functions as set forth by the Executive Board. Other standing committees may be formed as the need arises by the Executive Board.

- Communication and Contact Development Committee
- Conference Development Committee
- Bylaws Committee
- Foundation/Fundraising Committee
- Legislative Awareness Committee
- Library/History/Data Collection Committee
- Nominations and Elections Committee
- Publications and Web Site Committee
- Staff Development Committee

Section 2. Committee Membership

Unless otherwise specified herein, the President shall, as soon as possible after his/her election, appoint the chairperson(s) and members of the standing committees. These appointments shall be subject to the ratification of the Executive Board. The Executive Board shall determine the number of members to be appointed to each committee except as otherwise provided herein.

- A. Membership on standing committees is not limited to the Executive Board members.
- B. There shall be a minimum of one Executive Board member on each of the standing committees.
- C. The President shall be an ex-officio member of all committees except the Nominations and Elections Committee.
- D. The President-Elect and *Vice President* shall be ex-officio members of all

committees.

Section 3. Standing Committee Quorum:

In order to conduct business, a quorum shall be defined as a simple majority (50% + 1) of the Standing Committee members present for a meeting. For the purpose of making motions and voting on business items in a meeting, it shall require a simple majority (50% + 1) of those present for approval.

Section 4. Committee Reports

Standing Committee Chairs will prepare a written report to be mailed to the President two (2) weeks prior to each Executive Board Meeting.

Section 5. Special Assignments:

The President may assign any active member of the 4CS special assignments that are from time to time deemed necessary and subject to the approval of the Executive Board. The terms of all persons appointed to special assignments shall last as long as is necessary to complete the assignment but not longer than the appointing President's term of office.

ARTICLE VII

BYLAWS ESTABLISHMENT, AMENDMENT AND RATIFICATION

Section 1. 4CS Bylaws

The 4CS Executive Board shall adopt Bylaws to establish rules, procedures and other provisions for implementing the intent and purpose of this Corporation. The Executive Board is charged with the responsibility to update and change the Bylaws as necessary.

Section 2. Amendment of Bylaws

Bylaws consistent with and necessary to implement the Purposes and Mission may be adopted or amended by the 4CS Executive Board.

- A. Any local member senate or 4CS Executive Board member may propose Bylaw changes to the President. These proposed changes shall be placed on the agenda of the next Executive Board meeting for consideration, or at the request of the President be approved by a special vote of the Executive Board members prior to the next Executive Board meeting. The special vote must be documented in writing and the results are to be shared immediately with all Executive Board members. Special votes may occur providing the vote conforms to the provisions for doing so described in these Bylaws, in section Action Without Meeting.
- B. Adoption of proposed changes to the Bylaws shall require a simple majority (50% + 1) vote of the Executive Board members.

- C. If adopted, the changes shall be implemented into the Bylaws immediately. All changes to the Bylaws shall be made available to the 4CS membership.

Section 3. Ratification of Bylaws

4CS Bylaws shall be ratified by a simple majority (50%+1) vote of the Executive Board and will be distributed to all 4CS member senates and other appropriate bodies in a timely fashion.

ARTICLE VIII DEFINITIONS

Classified Staff

As defined by Section 88003, (1a) of the California Education Code.

Section 88003. (1a)

The governing board of any community college district shall employ persons for positions that are not academic positions. The governing board, except where Article 3 (commencing with Section 88060) or Section 88137 applies, shall classify all those employees and positions. The employees and positions shall be known as the classified service. (Section 88003 continues...)

Delegate

Each local member senate shall appoint a representative, hereinafter called "Delegate", who shall represent that member senate at the General Session. Delegates must be an active California Community College Classified Staff member. Delegates shall have full voting rights and shall have the responsibility of being a liaison between the local member senate, the Area Representative, and the 4CS.

Senates

Senates are defined as the designated shared governance body for classified staff at the local level (i.e. associations, councils, classified organizations, committees, etc.)