

**CONSTITUTION OF THE
SANTA BARBARA CITY COLLEGE INSTRUCTORS' ASSOCIATION**

Revised February 2020

ARTICLE I: Name

The name of this organization is the Santa Barbara City College Instructors' Association (herein referred to as the Association)

ARTICLE II: Purpose

Section 1: The purpose of this organization is to represent, as the exclusive bargaining representative, that unit of employees of the Santa Barbara Community College District (a.k.a. Santa Barbara City College) that includes:

1. All regular contract, tenured and tenure-track faculty employed in the Credit and Non-Credit Divisions of the District (including those faculty previously identified as regular, certificated faculty); and
2. All temporary, full-time contract faculty employed in the Credit Division of the District; and,
3. All part-time, adjunct faculty employed in the Credit Division of the District.

in matters pertaining to employment, compensation, benefits, working conditions, and professional relations, pursuant to California state law and our own sense of professional responsibility. Section 2: Membership in and representation by this organization shall exclude:

1. Management, supervisory and confidential employees; and
2. Part-time faculty of the Continuing Education Division; and
3. All other employees of the District not specifically identified in Section 1 above.

ARTICLE III: Membership

Section 1: Association Membership in the Faculty Association is available to all unit members as identified in Article II, Section #1 above. Management, supervisory, confidential, and all other employees as specified in Article II, Section #2 above shall be excluded from organizational membership per section 3540.1-3545 of the California Government Code.

Section 2: Association Membership is on an individual annual basis and becomes effective on payment of annual membership dues and assessments.

Section 3: Only dues-paying members of the Association shall have the right to vote on Association and contract issues, including contract ratifications.

Section 4: Membership in other professional organizations does not preclude membership in the Association.

Section 5: The Association may establish in its Bylaws other reasonable criteria for membership, and may make reasonable provisions for revoking membership should the need arise.

Section 6: Each member of the Association is entitled to one vote on issues presented to the membership.

ARTICLE IV: Dues and Assessments

Section 1: Annual dues shall be proposed by the Executive Board after due consideration of the projected cost of operating the Association. The membership will then approve or disapprove the dues in a secret ballot. The issue shall be decided by a majority of those members voting. Absent any proposed change in annual dues by the Executive Board, the annual dues shall be as assessed during the immediately preceding academic year.

Section 2: Temporary employee members of the Association who are employed 60 percent (60%) of full-time or less shall not be assessed dues in excess of 50 percent (50%) of the lowest full-time membership assessment.

Section 3: When a financial emergency is deemed to exist by the Executive Board, the Board may propose to the membership a special assessment which shall be considered separate and independent of regular annual dues. The membership will then approve or disapprove the assessment by a secret ballot. The issue shall be decided by a majority of those members voting.

~~Section 4: Members of the represented Unit, as defined in Article II above, who do not elect to become dues paying members of the Association, may, at the sole discretion of the Executive Board, be assessed a "fair share service fee" equal to, or less than the annual dues charged to dues paying members of the Association. Unit members paying fair share service fees and who are not members of the Association shall have no right to vote on Association and contract issues, including contract ratifications.~~

ARTICLE V: Executive Board, Officers, and Duties

Section 1: The membership of the Association shall elect eleven (11) members to form an Executive Board, each serving two-year terms.

A. No fewer than six (6) members of the Executive Board shall be regular contract, tenured and tenure-track faculty. The two year terms shall be staggered with half (± 1) of the members being elected in the odd numbered years and half (± 1) of the members elected in the even numbered years.

B. No fewer than four (4) members of the Executive Board shall be employed by the district as adjunct faculty employed in the Credit Division. The two year terms shall be staggered with half (± 1) of the adjunct members being elected in the odd numbered years and half (± 1) of the adjunct members elected in the even numbered years.

C. If a member of the Executive Board has a change of FT/PT status during their elected term, they shall resign their seat on the board. This resignation shall be effective as of the last meeting of the IA Executive Board for that term.

The vacated seat shall be filled in the annual election of IA board members. The vacated seat will carry a term of 1 year only and shall be awarded to the candidate receiving the lowest vote count among the winners. An adjunct member of the Executive Board who is awarded a full-time tenure track position shall be eligible to run as a FT candidate in said election.

An adjunct member of the Executive Board who has been awarded a temporary contract position shall retain his or her status as an adjunct member of the Board.

Section 2: Nominations and elections--A Nominating Committee of not less than three (3) nor more than seven (7) persons shall be appointed by the Executive Board each academic year during the Spring semester. The nominating committee shall seek written nominations from the general membership and shall nominate at least one person for each vacancy. Nominations may be made from the floor at the time the Nominating Committee makes its report to the Executive Board at a time no later than April 15 of each year.

Section 3: Elections to the Executive Board shall be held in the spring of each year. Elections shall be conducted by secret ballot. Positions on the Executive Board shall be filled by those candidates receiving the greatest number of votes. Tie votes shall be decided by a run off election.

A. Executive Board seats for regular contract members, up to the minimum number specified in Article V Section 1A, shall be filled by those regular contract candidates receiving the greatest number of votes.

B. Executive Board seats for adjunct members, up to the minimum number specified in Article V Section 2A, shall be filled by those adjunct candidates receiving the greatest number of votes.

C. All other Executive Board seats shall be filled by those candidates, either regular or adjunct, receiving the greatest number of votes after the minimum required representation levels are satisfied. D. Tie votes shall be decided by a draw of lots.

Section 4: The Executive Board shall elect a President, a Vice-President, a Secretary, and a Treasurer and such other officers as it shall deem fitting. All officers shall be members of the Executive Board elected by the membership. The remaining members of the Executive Board shall be designated Members-at-Large.

A. The President, Vice-President, Secretary, and Treasurer shall be elected by a simple majority of the Executive Board, and shall serve one (1) year terms with no limit on consecutive terms. The election of officers shall take place at the first Executive Board meeting following the general election of the Executive Board members.

Section 5: Duties

A. Executive Board -- It shall be the duty of the Executive Board to call general meetings of the Association, to prepare the agenda for such meetings, to recommend resolutions to the Association for adoption, to form all committees, and to appoint membership thereto, and to attend to all business that does not call for consideration by the general membership.

The Executive Board is empowered to create Bylaws and rules necessary for the operation of the Association by an affirmative vote of a least seven (7) members of the Executive Board. Such actions shall be ratified by a majority of those members present at the next general meeting of the Association.

B. President--It shall be the duty of the President to preside over all general meetings of the Association, to chair the Executive Board, to represent the Association before all public bodies, and to perform all other duties deemed appropriate by the Executive Board.

C. Vice-President--It shall be the duty of the Vice-President to perform the duties of the President in the absence of the President.

D. Secretary--It shall be the duty of the Secretary to keep minutes of all meetings of the Association and the Executive Board and to make the minutes available to the membership, to conduct correspondence on behalf of the Association, to attend to announcements of meetings, and to perform all other duties deemed appropriate by the Executive Board.

E. Treasurer--It shall be the duty of the Treasurer to maintain the Association's financial books and records, to receive and disburse the monies of the Association, to present an annual accounting to membership of the Association and to perform all other duties deemed appropriate by the Executive Board. The Treasurer shall be bonded to an extent deemed appropriate by the Executive Board at the Association's expense.

F. Members-at-Large--It shall be the duty of the Members-at-Large to support the officers in the performance of their duties and to perform all other duties deemed appropriate by the Executive Board.

Section 6: Recall of Executive Board

Any and all officers and members of the Executive Board shall be subject to a recall election upon presentation of a petition containing the signatures of at least forty (40%) percent of the membership of the Association. Such a petition, specifying the individual(s) subject to recall, shall be presented to the Executive Board. The Executive Board shall, within one week of receipt of the petition, appoint a committee to conduct the recall election. No individual subject to recall shall serve on the election committee.

Within one month of receipt of the petition the election committee shall conduct a recall election at which time the membership shall be presented with a ballot slate for the positions subject to recall. The recall committee shall designate the ballot slate, which must list at least one candidate for each position other than the individuals subject to recall, but may also include the individuals. The positions shall be filled by the candidates receiving the greatest number of votes as described in Article V Section 3.

ARTICLE VI: Initiation of Business

Any member of the Association may present matters for consideration to the Executive Board by submitting a written request to the Executive Board Secretary at least forty-eight (48) hours in advance of a meeting of the Executive Board.

ARTICLE VII: Meetings of the Association

Section 1. A general meeting of the Association shall be held at least once each year.

Section 2. Admission to all general meetings of the Association shall be open only to members of the bargaining unit and guests approved by the Executive Board.

Section 3. A quorum for a general meeting of the Association shall consist of not less than five (5) percent of the total membership. Written notice of each meeting must be given at least forty eight (48) hours in advance. All issues are decided by a simple majority vote of those members present unless otherwise specified in the Bylaws. Section 4. A meeting of the Executive Board shall be held at least once a month throughout the calendar year.

Section 5. A quorum for a meeting of the Executive Board shall be not less than five (5) members of the Executive Board. All issues are decided by a simple majority vote of those members present unless otherwise specified in the Constitution or Bylaws.

Section 6. Admission to all meetings of the Executive Board shall be open only to Association members and guests approved by the Executive Board. The Executive Board, at its sole discretion and by a majority vote of those Executive Board members present, may convene in executive session to discuss matters dealing with grievance, conciliation, and salary negotiations.

Section 7. Robert's Rules of Order, Revised, shall be the parliamentary authority insofar as it does not conflict with the Association's Constitution or Bylaws.

ARTICLE VIII: Amendments

Section 1. Amendments to this Constitution may be proposed by any of the following means:

- A. Upon presentation to the Executive Board of a petition containing the proposed amendment and the signatures of no less than twenty percent (20%) of the general membership.
- B. By a motion of any member of the Executive Board that is approved by no less than five (5) members of the Board.
- C. By a motion of any member of the Association made in a General Meeting of the Association and approved by no less than fifty percent (50%) of those members present.

Section 2. After an amendment has been proposed by one of the above means, the Executive Board shall appoint and convene a Committee on Constitutional Revision to review the proposed amendment for clarity and consistency with the balance of the Constitution and Bylaws, to prepare and/or solicit written arguments for and against the proposal, and to present the proposal, with arguments, to the membership. The initiators of the proposal or his/her/their representative shall hold one voting seat on this committee. If in the review and clarification process any dispute arises, the position of the initiators shall prevail.

Section 3. The proposed amendment, with arguments, will be distributed to all members of the Association within one (1) month of acceptance of the proposal under Section 1 above.

Section 4. Ratification of the proposed amendment shall require an affirmative vote of two-thirds (2/3) of the membership actually voting. The election shall be by secret, written ballot taken no earlier than five (5) working' days nor later than ten (10) working days following distribution of the proposed change to the membership.

Section 5. Changes in the Association's Bylaws, other than those initiated and passed by the Executive Board (Article V, Section 5, paragraph A), may be achieved by the Association membership in the same manner as a Constitutional Amendment (Article VIII, Section 1-4) with the exception that only a majority of those members voting will be required for ratification. Changes in the Bylaws resulting from this initiative process shall be subject to further change only through the same initiative process.

Section 6. Any changes to the Bylaws made by the Executive Board must be distributed to the general membership in written form within one (1) workweek of the changes.

Section 7. If any provision of the Constitution is found invalid, the remaining provisions shall continue in full force and effect.

ARTICLE IX: Incorporation

Section 1. The Instructors' Association shall be incorporated as a nonprofit organization pursuant to appropriate state and federal statutes.

Amended by vote of the membership, November 2012