

BYLAWS

of the

Yosemite Faculty Association (YFA)

1. NAME AND LOCATION

The name of this Association shall be the *Yosemite Faculty Association* in Stanislaus, Tuolumne, Calaveras, Merced, San Joaquin, and Santa Clara Counties.

2. PURPOSES

The primary purposes of this Association are to:

2.1 Represent Members

To be the exclusive representative for its members and to represent them in their relations with their employer in all matters relating to employment conditions and employer-employee relations including but not limited to wages, hours, and other terms and conditions of employment.

2.2 Form Representative Body

To form a representative body capable of developing group opinion on professional matters to speak with authority for faculty.

2.3 Study and Act on Profession

To provide an opportunity for continuous study and action on problems of the profession.

2.4 Promote Ethical Conduct

To promote professional attitudes and ethical conduct among its members.

2.5 Encourage Cooperation Between Profession and Community

To encourage cooperation and communication between the profession and the community.

2.6 Foster Good Fellowship

To foster good fellowship among members.

2.7 Support Faculty Interests

Support the Academic Senate in maintaining faculty rights and responsibilities in Academic and Professional matters, whenever such support does not conflict with the mission of the YFA.

3. MEMBERSHIP

3.1 Granting Membership

For faculty who previously joined the Association, the Janus decision did not result in any automatic actions with regard to membership status. All Association memberships will be treated as ongoing, renewing from year to year. Withdrawing from the Association membership is addressed in Article 3.2.

An individual becomes a member of the Association by signing the appropriate authorization form. The form shall provide for the deduction of Association dues, fees, or assessments in amounts determined by the Association. The Association shall maintain electronic records of the forms.

The District shall transmit dues deducted from the paychecks of the Association members, pursuant to the Contract and the Education Code.

3.2 Membership

Members of the Association shall maintain and continue their membership in the Association once they join, subject to such withdrawal periods as the Association determines according to its policies and procedures or Bylaws. Based on existing federal and state law, YFA adopts the following periods during which a member in good standing may resign his or her membership from YFA:

- a. Annually, during the 31-day calendar day period of July 1st to July 31st;
- b. During the 30-calendar day period immediately following the expiration of the YFA District Contract.

Any member resignation request shall be in writing and submitted to the YFA President or YFA Treasurer. Any resignation request outside the above-listed windows becomes effective during the next withdrawal period.

The District shall cease deducting membership dues from a member when the Association advises the District that a member has satisfied the Association's conditions for withdrawal, as set forth in the Contract and the Education Code. The Association shall provide prompt written notice to the District of any such members who withdraw within the time periods specified in the Association policy or Bylaws. This body of law is subject to change. Should any statutory changes occur which conflict with this policy, the new law shall take precedence until such time that this policy may be updated to reflect such change(s).

3.3 Right to Vote and Hold Elective Office

The right to vote and to hold elective office shall be limited to members.

3.4 Membership Services

All members shall be eligible to obtain assistance in the protection of professional and civil rights and to receive reports and publications of the Association.

3.5 Commitment to *The Statement on Professional Ethics*

Members shall adhere to *The Statement on Professional Ethics* (YFA Contract Appendix C-2).

3.6 Non-Discrimination

The rights to and privileges of membership shall not be abridged in any way because of age, sex, race, religion, color, ethnic group, national origin, or sexual orientation.

3.7 Due Process for Disciplinary Action

No member of the Association may be disciplined without a due process hearing that shall include the established appellate procedure.

3.8 Membership Year

The membership year shall be that period of time from July 1st of any given calendar year through June 30th of the following calendar year, inclusive.

4. DUES, FEES, AND ASSESSMENTS

4.1 Categories of Dues and Fees

There are two (2) categories of dues for faculty members: full-time and part-time.

4.1.1 Full-Time Annual Dues

Full-time annual dues will be automatically deducted, on a ten-month basis, by the YCCD Payroll Department for all full-time members of the Association.

4.1.2 Part-time Dues

Part-time faculty dues will be deducted by the YCCD Payroll Department each pay period that the faculty is a member of the Association.

4.2 Minimum for Operating Expenses

The combined revenue generated from the full-time and part-time dues shall be sufficient to cover the operating expenses of the Association. These dues amounts shall be reviewed every three years at minimum.

4.3 Establishment of Association Dues

Full-time faculty annual dues shall be \$100/month (\$1,000 annually).

Part-time faculty dues shall be \$25 per pay period, not to exceed ten (10) pay periods per fiscal year.

4.4 Continuing Membership for Part-time Members

Once a part-time faculty member joins the YFA, Association membership shall be renewed automatically with each semester's teaching assignment.

5. FACULTY REPRESENTATIVES

The policy-making body of the Association shall be a Representative Council. The Representative Council, comprising members of the Association, derives its powers from and shall be responsible to the membership. Official positions of the YFA require a majority vote of the Representative Council, except for matters determined confidential by the Executive Board. Additional exceptions may be made when the Executive Board requires a decision before the Representative Council has an opportunity to discuss a matter in a regular or special meeting. In such cases, the Executive Board will provide a timely explanation to the Representative Council.

5.1 Composition of Representative Council

The Representative Council shall be composed of the following members:

- a. Executive Board, ex officio
- b. Full-time Faculty Representatives
- c. Part-time Faculty Representatives
- d. Faculty Liaison to the Board, ex officio, non-voting

Formation is based on disciplines, departments, areas, and schools, regardless of any structural (re)organization that may occur at the colleges.

5.1.1 Columbia College

Columbia College shall have two (2) full-time faculty representatives.

5.1.2 Modesto Junior College

The following areas (e.g., departments, disciplines, schools, divisions) shall have one full-time faculty representative:

Elected in Odd-Numbered Years	Elected in Even-Numbered Years
Art, Performance & Humanities (Position A)	Agriculture
Behavioral & Social Sciences	Art, Performance & Humanities (Position B)
Child Development	Business & Computing
Health Professions	General Counseling

Language Arts (Position A)	Industry, Trades & Public Safety
Library	Language Arts (Position B)
Science, Engineering & Math (Position A)	Physical Education and Recreation
Special Programs	Science, Engineering & Math (Position B)

5.1.3 Part-Time Representatives

Columbia College and Modesto Junior College shall have one part-time representative each.

5.2 Term of Office – Faculty Representatives

Members of the Representative Council shall serve a term of two (2) years. The terms shall be staggered so that one-half (½) of the membership shall be elected each year. A division/area/school with more than one Representative may stagger their representation.

5.3 Duties of Representative Council

Approval of all policies and procedures requires a simple majority (50% + 1) vote unless otherwise noted.

5.3.1 Adopt Annual YFA Budget at the first meeting of the fall semester for the current academic year.

5.3.2 Approve Establishment or Discontinuance of YFA Committees as recommended by the President or Executive Board.

5.3.3 Elect or Confirm Committee Member Appointments

5.3.4 Approve Stipends and Reassigned Time for Executive Board Members, Negotiating Team members, and others, as necessary.

5.3.5 Approve Release of Tentative Contract Agreement to the Membership for Ratification

Once approved by the Representative Council, Tentative Agreements shall be distributed to the membership within twenty-four hours, with the ratification vote to be scheduled by the Elections Committee.

5.3.6 Approve Nomination/Appointment or Removal of Members of the Negotiating Team, Executive Board, or Representative Council

Confirm President's and Executive Board's nominations with a simple majority (50% + 1) vote. Removal of a member of the Negotiating Team, Executive Board, or Representative Council shall require a two-thirds (2/3) vote.

5.3.7 Maintain Constant and Ongoing Liaison with Divisions/Areas/Schools

Conduct constant and ongoing liaison between the Representative Council and the members of their division/area/school.

5.3.8 Be the Official Channel for Quick Communication

Serve as the official channel through which communications and publications can be easily and quickly transmitted between the Association and the members.

5.3.9 Represent Views of Membership of Their Division/Area/School

Represent the views and comments of the membership of the faculty in votes taken in the Representative Council, conducting frequent and regular polls of such membership for this purpose.

5.3.10 Support Faculty Interests

Support the Academic Senate in maintaining faculty rights and responsibilities in academic and professional matters whenever such support does not conflict with the mission of the YFA.

5.3.11 Perform Additional Duties Prescribed by the Executive Board**5.3.12 Attend All Representative Council Meetings**

Members of the Representative Council are expected to attend every Representative Council meeting. If they are unable to attend, they are expected to contact the YFA office beforehand.

5.4 Removal of a Representative Council Member

If a Representative Council member is unable to fulfill the above duties, they might be considered for removal. Any removals will require a two-thirds (2/3) vote of the Executive Board and the Representative Council.

5.5 Recall of Committee Members

The Representative Council may recall the Chairperson or any member of a committee by two-thirds (2/3) vote.

5.6 Minimum Number and Scheduling of Meetings

The Representative Council shall meet at least once during September through April of the academic year, genuinely attempting to meet once per month. The date, place, and time of meetings are to be decided by the Executive Board.

5.7 Special Meetings

Special meetings of the Representative Council may be called by the President, the Executive Board, or by the petition of twenty percent (20%) of the membership of the Representative Council.

5.8 Purpose of Special Meetings

Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.

5.9 Notices and Agendas for Representative Council Meetings

A call for agenda items shall be made to members of the Council one (1) week prior to regularly scheduled meetings. Notices and agendas for all meetings of the Representative Council shall be sent to all members of the Representative Council at least two (2) working school days prior to the date of the meeting.

5.10 Emergency Meetings

For emergency meetings of the Representative Council during crisis situations, the YFA Executive Assistant shall notify all Representatives as to the place, date, and time of the emergency meeting.

5.11 Quorum

A quorum for all meetings of the Representative Council shall be 75% of filled positions.

5.12 All Faculty Entitled to a Faculty Representative

Each faculty member shall be entitled to a faculty Representative. Faculty who do not have an explicitly assigned representative in Article 5.1 will be assigned, by the Executive Board, the representative deemed most appropriate in the given case. This Faculty Representative will then make every effort to effectively represent all constituents.

5.13 Restructuring the Representative Council

The Representative Council may be restructured in the following ways:

5.13.1 By Petition of Membership

By petition of forty percent (40%) of the membership, a restructuring plan shall be brought to a vote of the membership.

5.13.2 By Recommendation of the Representative Council

The Representative Council by two-thirds (2/3) vote of a quorum may present a restructuring plan to the membership for a vote.

5.13.3 By Recommendation of the Executive Board

The Executive Board by a two-thirds (2/3) vote of a quorum may present a restructuring plan to the membership for a vote.

5.13.4 Vote of Membership Required

Approval of any restructuring plan shall require a vote of two-thirds (2/3) of the membership voting. The vote shall be conducted by secret ballot.

5.14 Compensation for Part-Time Faculty Representatives

Duly elected part-time faculty representatives shall be paid for attending Representative Council meetings. Pay shall be at the YFA hourly rate.

6. OFFICERS**6.1 Officers Specified**

The officers of the Association shall be a President, a Vice President for Columbia College, a Vice President for Modesto Junior College, a Secretary, and a Treasurer.

6.2 Qualifications

These officers shall be and remain currently paid-up members of the Association as a condition for nomination to and service in their respective positions during their terms of office.

6.3 Responsibility to Represent Faculty in Bargaining Unit

It shall be the responsibility of the Association officers to represent the interests of the entire bargaining unit in carrying out their duties.

6.4 Terms of Officers

An officer shall be elected for a term of two (2) years.

6.4.1 Terms begin on May 1.

6.4.2 Terms are staggered. The President, Vice President for Columbia, and the Treasurer shall be elected in March of odd-numbered years. The Vice President for Modesto and the Secretary shall be elected in March of even-numbered years.

6.4.3 Any officer who applies for an administrative position within the YCCD is considered to have resigned from their office.

6.5 Vacancy

A vacancy shall be deemed to exist in the case of death, resignation, recall, removal, or inability to serve in any of the offices of the Association. (See Article 10.9)

6.6 The President

The President is the Chief Executive Officer of the Association and its policy leader.

The President shall

6.6.1 Coordinate all Association, Representative Council, and Executive Board Meetings

Call, prepare agendas for, and preside over all meetings of the Association, including the Representative Council, the Executive Board, and general membership meetings.

6.6.2 Be the Official Spokesperson for the Association

The President shall

Serve on the following:

YCCD District Council

Workload Appeals Committee

Employee/Employer Relations (EER) Committee meetings

Attend the following meetings:

YCCD Board of Trustees meetings

Bay Area Faculty Association (BFA)

California Community College Independents (CCCI)

The President or designee shall:

Lead YFA Office Hours or General Meeting once per semester at Columbia College.

Attend MJC College Council

Establish and attend standing meetings with the Columbia College and MJC Presidents and the YCCD Chancellor.

6.6.3 Know Governance Documents

Be familiar with the governance documents of the Association.

6.6.4 Appoint Committee Chairpersons and Members

Appoint all Chairpersons and members of appointed committees and the Negotiating Team with the approval of both the Executive Board and the Representative Council.

6.6.5 Approve Payments Bills/Timesheets

Approve all payments of bills/timesheets on behalf of the association.

6.6.6 Sign Checks/Authorize Electronic Payments

Co-sign checks or authorize electronic payments on behalf of YFA. YFA checks require the signature of two (2) elected officers (President, Vice President, Secretary, Treasurer).

Authorization of electronic payments requires approval of two (2) elected officers (President, Vice President, Secretary, Treasurer).

6.6.7 Suggest Policies for and be Held Responsible for Work of the Association

Suggest policies, plans, and activities for the Association and be held responsible for the progress and work of the Association.

6.7 The Vice Presidents

The Vice Presidents shall

Serve as Assistant to the President

Serve as the Primary Grievance Officer for their respective colleges and, as needed, work collaboratively with the President to distribute work between the colleges to serve faculty as a whole.

Serve as YFA Representation on the Academic Calendar Committee, Workload Appeals Committee, and Employee/Employer (EER) Committee.

6.7.1 First Vice President

First Vice President shall

Serve in the Absence of the President

Co-sign checks or authorize electronic payments on behalf of YFA. YFA checks require the signature of two (2) elected officers (President, Vice President, Secretary, Treasurer). Authorization of electronic payments requires approval of two (2) elected officers (President, Vice President, Secretary, Treasurer).

The First Vice President serves as the Whistleblower officer. The other Vice President will be the alternate.

6.8 The Secretary

The Secretary shall

Record the minutes of all Representative Council minutes

Distribute the highlights of Representative Council minutes to all faculty

Assist the President with regular newsletters

Maintain the YFA website

Oversee YFA communications

Co-sign checks or authorize electronic payments on behalf of YFA. YFA checks require the signature of two (2) elected officers (President, Vice President, Secretary, Treasurer). Authorization of electronic payments requires approval of two (2) elected officers (President, Vice President, Secretary, Treasurer).

6.9 The Treasurer

The Treasurer shall

6.9.1 Receive and be Responsible for All Funds

Receive all funds belonging to the Association and be responsible for their safekeeping and accounting. Oversee various checking, savings, and, if applicable, CD accounts.

6.9.2 Pay Out Bills/Timesheets and Sign Checks/Authorize Electronic Payments

Pay out bills/timesheets approved by the President. Co-sign checks or authorize electronic payments on behalf of YFA. YFA checks require the signature of two (2) elected officers (President, Vice President, Secretary, Treasurer). Authorization of electronic payments requires approval of two (2) elected officers (President, Vice President, Secretary, Treasurer). By issuing electronic payments, the Treasurer is approving the electronic payment.

6.9.3 Prepare Written Financial Reports

Prepare a written financial report for each regular meeting of the Representative Council and Executive Board. Prepare and maintain YFA budget, present to the Executive Board and Representative Council for approval and provide updates.

6.9.4 Be Responsible for Audit

Be responsible for a regular audit of the books of the Association and distribute a summary of this audit to the membership.

6.9.5 Submit Financial Reports

Submit membership and financial reports to government agencies.

6.9.6 Be the Liaison to YFA Accountant

Act as liaison/courier to accountant to arrange payment of bills, bank reconciliations, preparation of taxes, and regular audit.

7. EXECUTIVE BOARD**7.1 Composition**

The Executive Board shall be composed of the following: the elected Officers, a Member-At-Large/ College Council Representative from Columbia College, two (2) Members-At-Large from Modesto Junior College, the MJC College Council representative, and the immediate past President.

The YFA Budget Analyst and the Chairperson of the YFA Negotiating Team shall be non-voting members appointed by and serving at the discretion of the YFA Executive Board. The Faculty Liaison to the Board of Trustees shall attend YFA Executive Board meetings at the discretion of the Board. These three positions should not be present during Grievance discussions.

7.1.1 The Budget Analyst

The President shall appoint a Budget Analyst on an as needed basis to this stipend position for up to 20 hours per term. Appointment beyond 20 hours must be approved by the YFA Executive Board. All hours are paid at the currently approved YFA hourly rate. Serve as a consultant to the Executive Board on budget matters. The Budget Analyst may be required to attend State, District and College committee meetings, as determined by the President. This position may be requested to serve on the YFA Negotiations team as needed.

7.1.2 Be Familiar with YCCD Budget Documents, Including Both Colleges**7.1.3 Prepare Budget and Financial Analysis and Presentations as Needed****7.1.4 Participate in Negotiations as a Member of the Negotiations Team as Needed****7.1.5 Attend the Following Meetings as Needed:**

- YFA Executive Board (non-voting member)
- YFA Representative Council (non-voting member)
- MJC Resource Allocation Council (voting member)
- YCCD District Council (voting member)
- District Financial Advisory Council

7.2 Responsibility to Represent Faculty in Unit

It shall be the responsibility of the Executive Board to represent the interests of the entire bargaining unit.

7.3 Requirements for Nomination and Office

All members of the Executive Board shall be and remain members of the Association as a condition for nomination to and service in this position. Any member of the Executive Board who applies for an administrative position within the YCCD is considered to have resigned from the Board, effective immediately.

7.4 At-Large Terms of Office

The At-Large members of the Board shall be elected for a term of two (2) years or until their successors are elected. Their terms of office shall begin on May 1 of the year elected. The At-Large members from Columbia College and MJC/One shall be elected in March of even-numbered years. The At-Large Member from MJC/Two (2) shall be elected in March of odd-numbered years.

7.5 MJC College Council Representative

7.5.1 The MJC College Council Representative shall be elected for a term of two (2) years or until their successors are elected. The terms of office shall begin on May 1 of the year elected. The MJC College Council Representative shall be elected in March of even-numbered years.

7.5.2 Paid hourly by YFA for up to 20 hours per semester.

7.6 Meetings of the Executive Board

The Executive Board shall meet a minimum of one Wednesday per month, September through April and at such other times as the President may deem necessary or upon written petition by a majority of the members of the Board.

7.7 Duties of the Executive Board

The duties of the Executive Board shall be to

7.7.1 Coordinate Association Activities

7.7.2 Act for the Representative Council

Act on behalf of the Representative Council on issues requiring immediate attention when school is not in session and a quorum cannot be established.

7.7.3 Direct Bargaining Activities

Direct the bargaining activities subject to policies set by the Representative Council and relevant Bylaws in Article 8.

7.7.4 Appoint and Remove Negotiating Team's Lead Negotiator and Members with Approval of the Representative Council

7.7.5 Recommend Budget for the Association to Representative Council

7.7.6 Elect a First Vice President

Elect a first Vice President at their first regularly scheduled meeting of the year.

7.7.7 Recommend Standing Rules of the Association

Develop and recommend standing rules and procedures to the Representative Council for approval.

7.7.8 Exercise Business and Organizational Powers

Exercise all of the business and organizational powers and duties for the Association as prescribed by law and these Bylaws, subject to any restrictions which may be imposed by the Representative Council.

7.7.9 Quorum

A quorum for all meetings of the Executive Board shall consist of a simple majority (50% + 1) vote of the members of the Board.

8. NEGOTIATING TEAM

8.1 Nomination and Approval

The Negotiating Team and such alternates as the Executive Board deems necessary shall be nominated by the President and approved by both the Executive Board and the Representative Council. The Executive Board will determine when nominating the President for membership on the Negotiating Team is appropriate.

8.2 Lead Negotiator Nomination and Approval

The Lead Negotiator shall be nominated by the President and approved by the Executive Board.

8.3 Standing Rules on Selection Procedures and Criteria

8.3.1 Term

A member of the Negotiating Team shall serve until the Membership ratifies the contract negotiated by the Negotiating Team.

8.3.2 Criteria

The only criteria for appointment shall be the judgment of the President with the approval of both the Executive Board and the Representative Council.

8.3.3 The Appointee Shall

- a. Serve the faculty as a whole, not the interests of a special group, division, area, or school.
- b. Accept the direction of the President and the Executive Board.
- c. Argue the faculty's case at the bargaining table in a reasonable and forceful manner.

8.4 Vacancies

Vacancies created by resignation, recall, removal, or inability to serve shall be filled by members nominated by the Executive Board and approved by the Representative Council.

8.5 Removal of Committee Members

The Executive Board, by a two-thirds (2/3) majority vote, may remove a member of the Negotiating Team (including the Lead Negotiator) and appoint a replacement; however, removal of a member also requires approval by a two-thirds (2/3) majority vote of the Representative Council.

8.6 Disclosures

Members of the Negotiating Team must immediately disclose to the Executive Board any conflicts of interest, such as applying for an administrative position.

8.7 Responsibility and Authority for Bargaining Process

Responsibility and authority for directing the bargaining process on behalf of the Association is vested in the Executive Board, subject to policies established by the Representative Council and the membership.

8.8 Survey of Faculty on Contract Demands

Employees in the bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal shall be approved by the Executive Board and the Representative Council.

8.9 Reporting to the Executive Board

The Negotiating Team shall report its activities to the Executive Board in such form and with such frequency as the Executive Board may require.

8.10 Dissemination of Information Regarding Bargaining

The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Negotiating Team to the general membership.

8.11 Ratification of Tentative Agreements

Agreements reached between the Yosemite Faculty Association Negotiating Team and the Yosemite Community College District Board of Trustees or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the membership in the unit unless such ratification shall have been specifically waived or otherwise delegated by that membership.

9. GRIEVANCES

9.1. Composition of the Grievance Committee

The Executive Board shall serve as a Grievance Committee when conditions warrant.

9.2 Responsibilities of the Grievance Committee

The Grievance Committee shall be responsible for implementing the Association's grievance program. It shall provide Representatives to assist members of the bargaining unit in processing grievances. It shall represent the Association at grievance proceedings. It shall keep a record in the Association office of all grievances processed.

9.3 Criteria Used to Recommend for or Against Arbitration

The Committee shall use the following criteria in deciding to recommend for or against arbitration:

- a. Does the Association have credible evidence and arguments to support its position? Is there a reasonable chance of winning the case?
- b. Is the cost worth the economic and political gains sought?
- c. Is it incidental or precedential?
- d. Does the Association have the resources to see it through?
- e. Are serious political considerations involved?
- f. Will the grievance achieve the goal sought?
- g. Have all procedural steps been followed properly?

10. NOMINATIONS, ELECTIONS, REMOVALS, AND RATIFICATIONS

10.1 Eligibility

Officers and other members of the Executive Board shall be elected by and from the membership of the Association.

10.2 Eligibility Restrictions for Constituency Representation

Nomination and election of the Vice Presidents, the At-Large Representatives, and the MJC College Council Representative shall be limited to the membership of their respective colleges or campuses.

10.3 Election of Full-Time Faculty Representative Council Members

Full-Time Faculty Representatives to the Faculty Representative Council shall be elected from the faculty members who are assigned to their respective division/area/school.

10.4 Election of Part-time Representatives At-Large

Part-time Representatives at-Large to the Faculty Representative Council shall be elected by Part-time faculty at each college, respectively.

10.5 Nomination of Officers to the Executive Board

10.5.1 Self-Nomination for an Executive-Level Office

Any member, at their request, shall have their name placed upon the ballot for an office of the Association. This request must be submitted on the nomination ballot with signature. Nominations by email will also be accepted by the Elections Committee Chair.

10.5.2 Nomination by Another Member for an Executive Level Office

The name of any member may be placed in nomination for an office of the Association by any other member with the written consent of the nominee. Written consent shall be submitted on the nomination ballot with signature. Nominations by email will also be accepted by the Elections Committee Chair.

10.5.3 Verification of Nomination

It is the responsibility of the nominee and nominator to verify that their nomination ballot has been received by the Elections Committee.

10.6 Nomination of Faculty Representatives

10.6.1 Self-Nomination for Faculty Representative Council

Any member in a division/area/school, at their request, shall have their name placed upon a division/area/school ballot when a vacancy occurs on the Faculty Representative Council or when a representative's term expires.

10.6.2 Nomination by Another Member for Faculty Representative Council

The name of any member may be placed upon a division/area/school ballot by any other member within that division/area/school, with permission of the nominee, when a vacancy on the Faculty Representative Council occurs or when a representative's term expires.

10.7 Nomination of Part-Time At-Large Representatives to the Representative Council

10.7.1 Self-Nomination for Part-Time At-Large Representatives to the Faculty Representative Council

Any Part-time faculty, at their request, shall have their name placed upon a ballot when a Part-Time At-Large vacancy on the Faculty Representative Council occurs or when a Part-Time At-Large Representative's term expires.

10.7.2 Nomination by Another Part-Time Faculty Person for Part-Time At- Large Representatives to the Faculty Representative Council

The name of any part-time faculty member may be placed upon a ballot by any other part-time faculty, with the permission of the nominee, when a Part-Time At-Large vacancy on the Faculty Representative Council occurs or when a Part-Time At-Large Representative's term expires.

10.8 Elections

10.8.1 Open Nominations and Secret Ballots (See Appendix A, Procedures for the Nominations/Elections/Ratification Committee)

The election of Officers, other Executive Board Members, and Faculty Representatives shall be conducted by secret ballot of the appropriate constituencies of the membership. (See Articles 5.1, 6.4, 7.4, and 7.5 for Election Rotation Sequences)

10.8.2 Elections Committee Appointed by the President

The President shall appoint a Nominations/Elections/Ratifications Committee (hereinafter referred to as “the Elections Committee”) one of whom shall chair, subject to the approval of the Executive Board. The Elections Committee shall conduct the nominations and election of Association Officers and coordinate all elections/ ratifications voted on by the entire membership of YFA. Executive Board members may not serve on this Committee.

10.8.3 Uncontested Nominations

In the event of a single nomination for any open position on the Executive Board, the nominee’s name will be placed on a ballot that requires a simple majority (50% +1) vote to be officially elected.

10.9 Special Elections Due to Vacancies

A vacancy shall be deemed to exist in the case of death, resignation, recall, removal, or inability to serve in the identified position.

10.9.1 Office of the President

A vacancy in the office of the President triggers a special election.

The first Vice President of the Association shall temporarily assume the office of the President until a special election is held by the membership to choose a replacement.

The first Vice President informs the Elections Committee of the need for a special election.

A special election follows the same procedure as a normal election.

10.9.2 Other Executive Board Vacancies

In the event that any other office is vacated, the position shall be open to YFA members from their respective constituencies for nomination as an interim replacement.

The President shall inform the Elections Committee of the need to publicize a call for nominations. Once nominations have been collected by the Elections Committee, they are turned over to the President of the Association and shared with the Representative Council. Nominated YFA members will be invited to present their qualifications before the Representative Council.

After consulting with their constituencies, the members of the Representative Council will vote on who shall fill the interim position. The newly elected interim officer will serve until the next regularly held election.

If a vacancy occurs when it is too late to bring nominee(s) to the Representative Council before the end of the academic year, then the YFA President can appoint an interim to serve in the position until the next regularly scheduled Representative Council meeting.

10.9.3 Representative Council and Part-Time At-Large Positions

Vacancies shall be filled by balloting and election procedures established by the appropriate membership.

10.10 Interim or Contested Elections

Interim elections may be called if an election is contested and the Elections Committee determines violations of process have occurred.

The Elections Committee is the sole arbiter of any complaints regarding election procedures involving the entire membership of YFA.

10.10.1 Contested Elections

In the event of perceived violations of the election procedures, the complainant shall notify the Chairperson of the Elections Committee. The specifics of the complaint shall be submitted in writing.

The Elections Committee determines whether area ballots are to be disseminated, when voting has begun, whether an election goes forward or is stopped, and/or makes arrangements for a special election. All recommendations of the Elections Committee shall be reviewed by the Executive Board of the Association.

10.10.2 Notification of Interim Election

In the case of a contested election, the Elections Committee first informs the President of the Association and then the membership that an Interim Election needs to be held.

The nomination and balloting process follows the prescribed procedures for a regular election.

10.11 Removal of Executive Board Member**10.11.1 Reasons and Process for Removal**

Any member of the Executive Board may bring before the Executive Board a request to remove another member of the Executive Board for failing to carry out their duties, unprofessional conduct, or an inability to serve. Such action requires a two-third (2/3) majority vote of the Executive Board as well as the Representative Council. If the removal is affirmed, it shall be effective immediately. The Executive Board member in question, or their designee, shall be given an opportunity to speak prior to any vote.

Based on the discretion of the Executive Board, the individual may be offered a performance improvement plan with the understanding that if their performance does not improve as desired, a vote for removal may result.

10.12 Recall Election**10.12.1 Initiation by Petition**

A recall of any person in an elected position may be initiated by a petition signed by one-third (1/3) of the membership of their particular constituency. A statement of the reasons for the proposed recall shall be part of the recall petition.

10.12.2 Right to Rebuttal

Each person named in the recall petition shall have the right to make a rebuttal statement which shall be distributed to their constituency at least ten (10) calendar days before the recall election.

10.12.3 Elections by Secret Ballot

Votes in recall elections shall be by secret ballot.

10.12.4 Approval of Recall

It shall take approval of two-thirds (2/3) of the membership of their particular constituency who vote to recall a person from office.

10.13 Ratifications Made by a Vote of the YFA Membership

Ratifications shall be conducted by the Elections Committee according to the procedures outlined in Appendix A.

11. COMMITTEES

11.1 Establishment, Discontinuance, and Approval

Committees may be established and discontinued by the Executive Board subject to approval by the Representative Council.

11.2 Reports by Committee

Each committee shall submit periodic reports to the Executive Board and Representative Council.

12. MEETINGS OF THE GENERAL MEMBERSHIP AND/OR THE LOCAL MEMBERSHIP

12.1 District-Wide Association Meetings

Meetings of the Association may be called by the President, the Executive Board, or by a written petition of twenty percent (20%) of the membership.

12.2 Quorum

A quorum for meetings of the Association shall be a majority of the membership.

12.3 College Association Meetings

Meetings of the Association membership of either college may be called by the President, the Executive Board, or by a written petition of ten percent (10%) of the membership of that college.

12.3.1 Presiding Officers

The President may designate the local Vice President as Chairperson of local college Association meetings.

12.3.2 Quorum

A quorum for local Association meetings shall be a majority of the membership of that college.

12.3.3 Minutes Taken by the Secretary or Designee

Minutes shall be taken and distributed by the Secretary or by a substitute agreed to by the Secretary and the President.

12.3.4 Motions Advisory

Any motions passed during a local college Association meeting shall be advisory to the Representative Council and the Executive Board, except as noted in 12.3.5 below.

12.3.5 Motions Placed on Membership Ballot

By a separate vote of two-thirds (2/3) of a quorum, a motion passed at a local college Association meeting shall be placed on a ballot and sent to all Association members for a vote, with the results to be fully binding upon the Association.

12.4 General Membership Meetings, District and Local

There shall be at least two (2) General Membership or Local Association meetings at each college per year: one (1) before winter recess and one (1) before the end of the spring semester.

General meetings of the bargaining unit members may be called either district-wide or for each college by the President or the Executive Board.

12.4.1 Presiding Officer

The President may designate the local Vice President as Chairperson of local general faculty meetings.

12.4.2 Minutes Taken by the Secretary or Designee

Minutes shall be taken and distributed by the Secretary or, in the case of local faculty meetings, by a substitute agreed to by the Secretary and the President.

12.4.3 Record of Number of Faculty Present

The number of faculty members present shall be noted by the Secretary.

12.4.4 Action Taken at General Faculty Meeting

Any action taken at a general faculty meeting shall be advisory to the Association.

12.4.5 Recording Meetings

Unions typically do not record business meetings for distribution to their membership. In rare circumstances, the YFA president can authorize recording a meeting to facilitate record keeping or other priorities as deemed necessary. The Executive Board shall approve any exceptions authorized by the president.

12.5 Notice of Meetings

Notices of Association, Local Association, Executive Board, General Faculty, or Local General Faculty meetings, including date, place, time, and purpose of the meeting shall be made available to all members of the appropriate constituency at least two (2) days prior to the meeting, except during crisis situations.

12.6 Emergency Meetings

For emergency meetings during crisis situations, the Executive Board shall notify the Representative Council within forty-eight hours.

13. PARLIAMENTARY AUTHORITY**13.1 Robert's Rules of Order**

In cases not provided for in rules adopted by the Representative Council, *Robert's Rules of Order* (latest edition) shall be followed at all meetings of the Association, the Representative Council, and the Executive Board.

14. AMENDMENTS**14.1 Two-Thirds of Members Who Vote**

These Bylaws may be amended by two-thirds (2/3) of the members who vote in a secret ballot election. Proposed amendments shall be submitted to all members at least two (2) weeks before the vote. Elections to change the Bylaws must take place during the regular fall or spring semesters.

15. WHISTLEBLOWER POLICY

15.1 YFA officials are obligated to comply with all relevant legal requirements in carrying out their responsibilities. A failure to meet this obligation—whether intentional or inadvertent—can have adverse consequences for the reputation and operation of YFA. The purpose of this Whistleblower Policy is to establish a procedure by means of which any such failures can be brought to the attention of YFA so appropriate corrective action can be taken.

15.2 Definitions

15.2.1 The term “misconduct” means an action taken by a YFA official in carrying out their YFA responsibilities that is in violation of a legal requirement.

15.2.2 The term “YFA official” means a YFA Officer, a member of the Executive Board, a member of a YFA committee, and any other person designated by governance to represent YFA.

15.2.3 The term “person” means a member of YFA, an employee of YFA, a consultant or vendor who does or seeks to do business with YFA, and any other representative of YFA.

15.2.4 The term “Whistleblower Officer” means the person who is responsible for the implementation of the Whistleblower Policy.

15.2.5 The term “whistleblower” means a person who notifies the Whistleblower Officer of an action that they have reasonable cause to believe constitutes misconduct.

15.3 Whistleblower Officer

15.3.1 The YFA Vice President for MJC shall serve as the Whistleblower Officer and shall in that capacity be responsible for the implementation of the Whistleblower Policy. The Whistleblower Officer shall monitor the implementation of the Whistleblower Policy and make periodic reports regarding its implementation to the YFA Executive Board. The Whistleblower Officer shall recommend to the YFA Executive Board such modifications in the Policy as from time to time may be deemed appropriate.

15.4 Notifying YFA of Alleged Misconduct

15.4.1 Any person who has reasonable cause to believe that a YFA official has engaged in or is about to engage in misconduct, should notify the Whistleblower Officer in writing. That person (the whistleblower) shall identify themselves in the notice to the Whistleblower Officer, but the Whistleblower Officer shall, if requested to do so by the whistleblower, treat the notice as anonymous and shall not, except in response to a legal mandate, reveal the whistleblower’s name. If the Whistleblower Officer is unavailable, and the whistleblower believes that a delay in providing notification can have adverse consequences for YFA, they may notify the YFA Vice President for Columbia College who shall, as soon as possible hereafter, turn the matter over to the Whistleblower Officer.

15.4.2 If, based on information provided by the whistleblower and other relevant information, the Whistleblower Officer has reasonable cause to believe that a YFA official has engaged or is about to engage in misconduct, the Whistleblower Officer shall conduct an expeditious investigation of the alleged misconduct and shall submit to the YFA Officers a written opinion setting forth its conclusions as to whether the YFA official has engaged or is about to engage in misconduct, and, if so, what should be done to correct the situation.

15.4.3 The YFA Executive Board, in consultation with the Whistleblower Officer, shall arrange for such action to be taken as it deems appropriate to correct the situation.

15.5 Protection of Persons Who Provide Evidence of Alleged Misconduct

15.5.1 Except as otherwise provided in Article 15.4 above, no person shall be subject to any form of direct or indirect retaliation by a YFA official, a YFA employee, or other YFA representative because they (1) are a whistleblower, (2) have participated in an investigation of alleged misconduct, or (3) have in good faith in any other way been involved in the implementation of the Whistleblower Policy.

15.5.2 If any person believes that they have been subject to retaliation in violation of the Article 15.5.1 above, that person shall report such retaliation to the Whistleblower Officer. The Whistleblower Officer shall investigate the matter, and if the Whistleblower Officer concludes that a YFA official, YFA employee, or other YFA representative has engaged in retaliation, the Whistleblower Officer, after consulting with the YFA Executive Board, shall arrange for appropriate disciplinary action to be taken against said YFA official, YFA employee, or YFA representative.

15.6 Additional Considerations

- 15.6.1** Nothing in the Whistleblower Policy shall be interpreted or applied to deprive any person of any right that they may have under the YFA governing documents, a contract with YFA, or a statute. To the extent that the Whistleblower Policy is inconsistent with any such right, the right in the YFA governing document, contract with YFA, or statute shall take precedence.
- 15.6.2** Any person who believes that a YFA official has engaged or is about to engage in misconduct is encouraged to exhaust the Whistleblower Policy before attempting to deal with the matter in any other forum.
- 15.6.3** All information and documents involved in the implementation of the Whistleblower Policy shall be treated as confidential, and the Whistleblower Officer shall make such information and documents available to others only on an “as needed” basis. To the extent relevant, all privileges, including the attorney/client and attorney work product privileges, shall apply to information and documents involved in the implementation of the Whistleblower Policy.

16. CONFLICT OF INTEREST POLICY

- 16.1** The following provisions are incorporated into the YFA Bylaws between the Association, the Executive Board, and the members of the Negotiations Team and are included as conditions of employment of staff.

No member of the Executive Board, Negotiation Team, or Association staff shall

- 16.1.1** Have any interest, financial or otherwise, directly or by family members, in, or engage in, any business or financial transaction or professional activity, or incur any obligation of any nature which is in conflict with the proper discharge of their duties of the Association.
 - 16.1.2** Make any personal investments or serve as an officer of any enterprise which they know, or could reasonably be expected to know, may be affected by ratification in which the member/employee is involved; no member/employee shall make personal investments or serve in any position that may create substantial conflict between the duty to serve the interest of the Association and the member/employee’s private interest.
 - 16.1.3** Engage in any transaction with any business entity or organization in which they have a direct or indirect interest.
 - 16.1.4** Directly or indirectly sell goods or services to the Association other than those services that have been approved by the Executive Board.
 - 16.1.5** Accept any position that will impair their independence of judgment in the exercise of their official duties.
 - 16.1.6** Disclose or otherwise use confidential information gained by reason of their Association position to further their personal interest and/or professional and career interests.
 - 16.1.7** Receive directly or indirectly compensation or anything of value (including but not limited to gifts) from a firm, corporation, individual, or any other source which sells goods or services to the Association.
 - 16.1.8** Take positions on political candidates or issues in any public forum that can reasonably be expected to be attributed to the members of the Association or the Association itself unless the position is entirely consistent with a position formally adopted by the Association.
- 16.2** At the first meeting of the fall semester, all members of the Executive Board or staff shall make an annual disclosure in writing concerning any possible conflict of interest, using the form in Appendix C: Conflict of Interest Disclaimer.

16.3 Allegations shall be signed in writing by the individual(s) who is/are claiming the violations to this policy. It shall specifically set forth the claimed violation(s). The Executive Board (not including anyone involved in the allegation) shall conduct an appropriate investigation and take remedial action.

16.4 The YFA considers it best practice that Officers, members of the Executive Board, or members of the Negotiating Team not take a position in the college or district administration within one year of their service.

17. RETENTION AND DESTRUCTION OF RECORDS

Records will be retained and destroyed based on the list of records in Appendix D: Document Retention Schedule.

18. ENABLING CLAUSE

18.1 Effective Date

These Bylaws shall take effect and replace the existing YFA Bylaws immediately upon approval of two-thirds (2/3) of those members who vote, with at least 30% of the total membership voting.

19. POLITICAL ENDORSEMENTS

Preceding elections for the YCCD Board of Trustees, when considering the endorsement of candidates, the Association shall adhere to the following guidelines:

19.1 Parameters

19.1.1 The Association may endorse candidates for the YCCD Board of Trustees.

19.2 Procedures

19.2.1 YFA endorsements shall only be considered by a formal resolution submitted to the Representative Council by a dues-paying faculty member, including YFA Representative Council members, but excluding YFA Executive Board members.

19.2.2 Endorsement resolutions must be submitted to the Representative Council at least 90 days prior to election day to ensure a thorough process. For clarification, the day before election day is "Day 1," and the deadline for receiving the endorsement resolution occurs 90 days beforehand.

19.2.3 Endorsement resolutions shall have a minimum of a First and Second reading by the Representative Council before they are sent out to a membership-wide vote. First and Second readings shall not be waived to expedite the approval of candidate endorsements.

19.2.4 Endorsement resolutions receiving at least a two-thirds (2/3) vote will be considered as approved. For clarification, the two-thirds (2/3) vote will be counted from the number of members who voted, not from the entire membership.

19.2.5 Candidates for the Board who are being considered for endorsements must make themselves available for a meeting open to all faculty before the endorsements are presented for a vote by the membership.

19.2.6 Candidates for the YCCD Board of Trustees requesting endorsements by the Association shall

be notified of the requirements of faculty sponsorship and the 90-day minimum lead time as outlined in Articles 19.2.1 and 19.2.2.

19.2.7 Endorsements made by the Association authorize the relevant candidates to use the Association's logo on both printed and electronic political literature.

Adopted March 27, 1979

Amended January 1989

Amended May 1990

Amended March 1998

Amended May 2002

Amended April 2006

Amended March 15, 2013

Amended April 19, 2014

Amended April 13, 2016

Amended April 12, 2017

Amended December 11, 2019

Amended April 28, 2020

Amended April 9, 2021

Amended November 3, 2022

Amended December 5, 2023

APPENDIX A

PROCEDURES FOR THE NOMINATIONS/ELECTIONS/RATIFICATION COMMITTEE

1. Only YFA members are eligible to nominate candidates, to run for office, to cast ballots in any YFA election, and vote for a Bylaws or contract ratification.
2. All election and contract ratifications shall be confirmed by a simple majority (50% + 1) of the membership who voted.
3. All Bylaws ratifications shall be confirmed by a two-thirds (2/3) majority of the members who vote.
4. In the spring of each year, the Committee shall send notices to all YFA members announcing the opening of nominations, stating the offices involved, describing the duties of each such office, and indicating to whom the nominations are to be sent. Ten (10) business days (M-F) must be allowed for the return of nominations. A reminder should be sent to YFA members at the midpoint of the nominating period.
5. All nominees must be contacted by the Committee to determine their willingness to serve.
6. All nominees must sign Appendix C: Conflict of Interest Disclaimer
7. In the event of a single nomination for any open position on the Executive Board, the nominee's name will be placed on a ballot that requires a simple majority (50% + 1) vote to be officially elected.
8. In the event of multiple nominees for an open position, each candidate should submit a written statement (one page maximum) describing his/her candidacy. The President should poll the Representative Council to determine if a Candidates' Forum is to be held. The candidate statements must be distributed to all Association members prior to the forum date. Candidate statements must accompany ballots.
9. The Committee shall develop a ballot to be provided to each Association member. The ballot must include provision for write-in candidates. If Candidates' Forums are to be held, notice of the time, date, and place of such forums must be provided at this time.
10. The names of each nominee for an office should be placed on the ballot by a random selection process.
11. Balloting shall be done either by email via a computerized balloting program such as Survey Monkey or by paper ballot.
12. The program used for computerized balloting shall be selected by the Elections Committee and approved by the Representative Council. The YFA President (may be delegated to the Chair of the Elections Committee) shall send an email to the faculty advising them of the upcoming election/ratification. This communication shall be sent to both official YCCD email addresses and personal email addresses. Ten school days (M-F) must be allowed for the return of ballots following the date of distribution. The closing date for balloting must be clearly stated on the ballot.

13. When a paper ballot is used, efforts should be made to create ballots that are difficult to duplicate. The ballot should be sent to each member of the Association in a sealed envelope with an addressed envelope enclosed for the ballot's return. Ballots are to be placed in an official YFA Ballot Box. The location of these boxes must be clearly stated on the ballot.
14. Once collected, ballots must be kept in a secure place. The Elections Committee will notify the membership as to the time, place, and date of the ballot count. The counting of the ballots by Committee members may be witnessed by any other YFA member. All Committee members and witnesses should sign the final tally sheet(s). The number of void ballots should be noted. All ballots and the final tally sheet must be kept for one year in the Association office and then destroyed. The Chair of the Elections Committee will save election results in Survey Monkey for at least one year.
15. Supporting documents sent out as part of the ballot (such as proposed Bylaws revisions) shall be kept for five years in a manner accessible to the Executive Board.
16. If more than two (2) candidates run for an office, a run-off election will be held between the top two (2) vote-getters if no candidate receives a simple majority (50% + 1) of the ballots cast for that office.
17. The Committee must communicate the results of all elections/ratification to the YFA President who shall release the results as soon as possible to the YFA membership.
18. Elections must be concluded by the end of March.

Election Years

All offices have two-year terms (or until their successors are elected).

Even Years

Vice President (Modesto)
 Secretary
 MJC College Council Representative
 MJC At-Large (#1)
 Columbia College At-Large/College Council Representative

Odd Years

President
 Vice President (Columbia)
 Treasurer
 MJC At-Large (#2)

For the Faculty Liaison to the Board position, see Appendix E.

APPENDIX B

APPROVED REASSIGNED TIME FOR YFA EXECUTIVE BOARD MEMBERS

Reassigned Time

Summer compensation for the President and VPs will be an hourly stipend, according to the number of hours worked, and will not exceed the specified loads. The hourly rate will be Column 4, Step 8 on the PTOL.

Academic Year

YFA President	100%
Vice President/Modesto Junior College*	60%
Vice President/Columbia College*	40%
Columbia College At-Large/College Council Representative	10%
YFA Secretary	10%
YFA Treasurer	10%
Faculty Liaison to the Board of Trustees	1/3 of 20%
Lead Negotiator	20%
Negotiation Team Member (unless included in job description)	10%

**Includes serving on the Negotiating Team.*

Summer

YFA President	40%
Vice President/Modesto Junior College	20%
Vice President/Columbia College	10%

APPENDIX C

CONFLICT OF INTEREST DISCLAIMER

I confirm that I have read and that I am familiar with the YFA Conflict of Interest Policy. I am aware that it is my responsibility to disclose to the Executive Board in writing, a full description of any current or contemplated activity, interest or relationship on my part or any immediate family member which might create or appear to create a conflict of interest under the terms and provisions of said policy. I understand that it is my responsibility to notify the Executive Board throughout the year prior to my engaging in such activity, interest, or relationship.

I understand that if I have any doubts concerning the applicability of the policy to any activity, disclosure of the activity is required. To the best of my knowledge, neither I nor any member of my immediate family are now engaged in any activity, interest or relationship which would create or appear to create a conflict of interest under the terms and provisions of said policy, except the following:

(Please describe in detail any facts giving rise to any actual or apparent conflict of interests. Attach additional sheets, if necessary. If none, insert the word “none”.)

Name _____

Position or Title (i.e., officer, staff, etc.) _____

Signature _____

Date _____

APPENDIX D

DOCUMENT RETENTION SCHEDULE

Record	Recommended Retention Period
Electronic copies of payments and monies received	7 years
Electronic copies of monthly balances	7 years
Audit reports (external)	Permanently
Bank reconciliations	7 years
Cash receipts	7 years
Chart of Accounts	7 years
Checks (canceled, except as noted below)	7 years
Checks (canceled- for important payments, such as taxes, purchase, property, special contracts, etc. Checks should be filed with the papers pertaining to the underlying transactions).	Permanently
Contracts (expired)	7 years
Correspondence (routine) with vendors	1 year
Correspondence (general)	3 years
Correspondence (legal and important matters)	Permanently
Depreciation schedules	7 years
Electronic copies of deposit records	1 year
Employee personnel records (after termination)	Permanently
Employment tax records (withheld income taxes, FICA, unemployment, etc.)	7 years
Expense analysis and expense distribution schedules	7 years
Financial statements (end of year)	Permanently
General ledgers and end of year trial balance	Permanently
Insurance policies (expired)	3 years
Insurance records, current accident reports, claims, policies, etc.	Permanently

Internal reports (miscellaneous)	3 years
Invoices from vendors	7 years
Meeting minutes (Executive Board, Representative Council)	Permanently
Notes receivable ledgers and schedules	7 years
Payroll records and summaries	7 years
Petty cash vouchers	7 years
Purchase orders	7 years
Subsidiary ledgers	7 years
Tax returns and worksheets, and other documents relating to determination of income tax liability	Permanently
Time sheets and activity reports	7 years

Vouchers for payments to vendors, employees, etc. (includes allowances and reimbursements of employees, officers, etc. for travel expenses)	7 years
Legal files (grievances, arbitrations, and legal suits)	Permanently
Board of Trustees meetings and other District records	3 years
Dues list, retired	1 year
Sabbaticals	3 years
Supporting documents sent with ballots (i.e., proposed Bylaws changes)	5 years

APPENDIX E

YOSEMITE COMMUNITY COLLEGE DISTRICT FACULTY LIAISON TO THE BOARD OF TRUSTEES POSITION

In the interest of participatory decision-making, a Faculty Liaison to the Board of Trustees position has been created with the following policies and procedures agreed to by the Columbia College Academic Senate (CC), the Modesto Junior College Academic Senate MJC, the Yosemite Faculty Association (YFA), and the Yosemite Community College District (YCCD) Board of Trustees.

The primary goal of this position is to build, strengthen, and maintain good communication between all YCCD faculty and the Board of Trustees. It is critical that the Faculty Liaison act as the faculty's ambassador and operate with strict confidentiality when appropriate. Similarly, it is critical that the Faculty Liaison share information and ideas acquired from the Board of Trustees and/or Chancellor when appropriate.

Eligibility Requirements

To be eligible, a candidate must have served at least two (2) years as an Academic Senate or Yosemite Faculty Association Executive Board member.

Election Procedures

YFA calls for elections.

Candidates who fulfill the eligibility requirements should announce their intention to run for the Faculty Liaison position by submitting a hardcopy resume to each of the following constituencies: the CC Academic Senate, the MJC Academic Senate, and the YFA Representative Council. Candidates will be invited to attend a meeting of the above-mentioned faculty constituencies to describe their background and interest in filling the position.

On predetermined dates, each of the constituencies will vote by secret ballot for the candidate of its choice.

1. If all three constituencies elect the same candidate, they will be elected by unanimous consent.
2. If two out of three of the constituencies elect the same candidate, they will be elected by two-thirds (2/3) of the faculty constituent groups.
3. If each constituency elects a different candidate, there is a run-off vote by a ranking system (secret ballots in each constituency). The Executive Board of each constituency will run this ranking system and total the points. The final tally will be administered by the YFA Elections Committee.

Note: The Faculty Liaison to the Board of Trustees will be elected every two (2) years or until their successors are elected. There are no term limits.

Duties and Responsibilities

The Faculty Liaison to the Board of Trustees shall

1. Attend all Board of Trustees meetings and be seated at the table with the Board of Trustees.
2. Receive all Board agendas and attachments related to public session items.
3. Participate in all open discussions under relevant rules.
4. Communicate unresolved and/or unaddressed issues with the Board and/or Chancellor.
5. Meet informally with members of the Board and/or Chancellor on an "as-needed" basis.
6. Communicate on a monthly basis with the YFA Executive Board, the MJC Academic Senate Executive Board, and the CC Academic Senate Council with updates on events at YCCD, and strive to encourage civility amongst all constituent groups.
7. Attend all district meetings and participate in monthly faculty constituent meetings as indicated below:

DISTRICT MEETINGS

Board of Trustees.....As scheduled monthly
 District Council.....As scheduled monthly
 Board of Trustees Retreat.....Annually
 Leadership Retreat.....Annually

COLUMBIA COLLEGE MEETINGS

Academic Senate Executive Board.....As requested
 Academic Senate General Meetings.....As scheduled monthly
 Columbia College Council.....As requested by any constituent

MODESTO JUNIOR COLLEGE MEETINGS

Academic Senate Executive Board.....As requested by either party
 Academic Senate General Meetings.....As scheduled bi-weekly
 Modesto College Council.....As requested by any constituent

YOSEMITE FACULTY ASSOCIATION MEETINGS

YFA Executive Board.....As requested by either party YFA
 Representative Council.....As scheduled monthly

Compensation

1. Reassigned time of 40% will be granted to accomplish the duties and responsibilities from the following funds:
 - a. YCCD/ District Council 20%
 - b. Yosemite Faculty Association 6 2/3%
 - c. Modesto Academic Senate 6 2/3%
 - d. Columbia Academic Senate 6 2/3%

Note: In order to be available for meetings and perform the listed duties and responsibilities, it is strongly recommended that reassigned time be taken as opposed to taking overload.
2. YCCD transportation will be available or compensation for use of a personal car for approved travel between campuses or colleges of approximately 200 miles per week will be allowed. A log will be kept and submitted to the Chancellor’s Office for payment.
3. Access to District support staff and computer when needed for activities directly related to this assignment.

Evaluation

The job description may be evaluated at any time by the CC Academic Senate, the MJC Academic Senate, the YFA, and/or the YCCD Board of Trustees. Modifications to the position will require mutual agreement and approval by all four constituencies.

Recall

1. A recall may be initiated by any of the three faculty constituencies: the CC Academic Senate, the MJC Academic Senate, or the YFA Representative Council.
2. The recall must be supported by at least two (2) of the three faculty constituent groups and will be ascertained by a two-thirds (2/3) vote of voting members present at the general meeting.
3. The Faculty Liaison will be notified and then has the option to appear before each constituency group within 30 days to make a rebuttal and engage in discussion prior to the recall vote.

Adopted August 1996

Amended March 2002

Amended May 2004

Amended March 2006

Amended August 2006

Amended DRAFT – agreed to by MJC Academic Senate and YFA Executive Boards – April 2010

Approved amendment by:

MJC Academic Senate

Columbia College Academic Senate

YFA Executive Boards

YCCD Board of Trustees