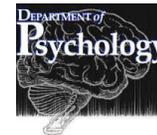




United Faculty of Contra Costa Community College District



Department Bylaws

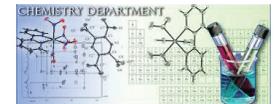


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Department Bylaws Overview

The United Faculty Contract refers to department bylaws, scheduling guidelines and staffing procedures with the expectation that each academic department will determine and delineate its own policies related to decision-making and internal governance. This booklet is designed to help departments create, review and revise bylaws.

Some topics are required to be covered in department bylaws. For example, Article 25.7.8 states that “departments will address in their written guidelines what will be the process for implementing part-time preference in scheduling.” And Article 25.7.7 requires that “departmental staffing guidelines and policies shall be made available to all faculty members in the department.”

Other topics *may* be covered in department bylaws but are not required. These include, for example, procedures for taking and keeping minutes or policies concerning department purchases.

In every case, department bylaws should not conflict with the UF Contract or with established college or district policies and procedures. When there is no such conflict, department bylaws have authority in our system and should be followed. Bylaws often help to resolve disputes. In the scheduling appeal

process (Article 8.1.14), for example, where a faculty member contests a proposed schedule, the appeals committee, by contract, looks to department bylaws to determine department procedures. The more clear and complete the bylaws, the easier it is to resolve conflicts.

Bylaws should be approved by the department, shared with every department member, and an updated copy should be kept on file in the United Faculty office. We keep a folder of all bylaws in the office that faculty may consult. We also encourage departments to review their policies and procedures with UF leadership and to seek our help as needed. Call the UF Office at 925-680-1771 any time if you have questions about anything in this booklet.

Department Membership

All faculty, according to Article 6.2 of the UF Contract, “shall be considered members of the college, division and department wherein their largest assignment falls.” If a part-time faculty member has equal standing in two departments or at different colleges, he or she may be considered a member of two departments. Department bylaws, therefore, do not determine who is a member of the department (since this covered by contract).

Department Meetings

Departments should determine their own meeting schedules, and these may be listed in department bylaws. Some departments specify a regular day of the week and time and ask full-time faculty not to schedule classes at that would conflict with department meetings. Many departments meet monthly, but some meet more or less frequently.

Full-time faculty members not on leave are expected to attend department meetings as part of their general “professional obligation.” The UF recommends that part-time faculty members be invited or encouraged to attend department meetings, but part-timers may not be required to attend. Part-time faculty may need to be excluded from some “closed-session” or “full-time only” meetings where sensitive personnel issues will be discussed.

Some departments specify other procedures for department meetings, such as keeping minutes; publishing agendas; even rotating responsibility for bringing snacks.

At a Glance

- Meeting frequency
- Part-time faculty attendance
- Minutes, agendas, or other protocols

Voting

Bylaws should define voting rights and protocols. Who may vote in department elections? By contract, (Article 6.2.3.1), department chairs are elected for two-year terms from and by the regular and contract employees (tenured and tenure-track full-time faculty) of the department. This means part-time faculty may not vote in department-chair elections. But protocols for all other department votes may vary widely from department to department. Bylaws may specify, for example:

1. All members of the department may vote, regardless if FT or PT;
2. Only full-time faculty may vote;
3. Part-time members may vote only if present;
4. Part-time faculty have a partial vote (defined)
5. Part-time faculty as a group (when present) have a single, composite vote.

Bylaws may specify when votes should be taken. Do schedules require a vote before being proposed to

At a Glance

- Who may vote?
- What department decisions require a vote?
- How are votes cast?

management? Should spending decisions that tap into the department budget be approved by vote? And procedures for voting may also be described (written ballots; electronic votes; in-person show-of-hands; etc.) Bylaws may also define a quorum necessary for in-person votes.

Department Chair Duties

Article 6 of the UF Contract includes an extensive general list of Department Chair Duties. In many cases, the Chair is expected to “coordinate” and “assist” in department projects, such as evaluations and program review. This does *not*

mean that department chairs are expected to personally complete all the paperwork required of departments. From SLO assessments to funding requests (including those for new faculty positions), all full-time faculty are expected to play some role in completing necessary forms, reviewing courses, etc. Bylaws can help departments decide on general structures for dividing the work. If a department elects to divide the Chair position into Co-Chairs,

At a Glance

- All duties listed in Article 6
- How shall Co-Chairs share duties?
- Bylaws may help Chair coordinate paperwork tasks

bylaws may specify the division of duties. For regular faculty responsibilities, like conducting peer evaluations or SLO assessment, bylaws may describe expectations and establish procedures for assigning necessary tasks.

Reassigned Time and Stipends

Compensation for department chairs is determined by a formula in the UF Contract (Article 11), based on full-time-equivalent faculty and faculty head-count within a department. Because the number of faculty in each department may vary from semester

to semester, department chair compensation tends to vary every semester as well. All department chairs receive a minimum of 10% reassigned time or the stipend-equivalent.

Chairs may elect to receive either reassigned time or a stipend as compensation for the Chair position, and generally speaking, the UF recommends taking the reassigned time. Stipends are paid at the “average

At a Glance

- Chair load changes based on # of faculty
- Note that reassigned time may be a better deal than stipend
- Bylaws should specify any sharing of Chair load/stipend

C-contract rate,” which tends to be lower for most full-time faculty than their individual AC-contract rate.

For example, if a faculty member was teaching 120% load, including being department chair (100% plus one extra lecture class as overload, and if the department chair reassigned time was worth 20% [to make this hypothetical example as clear as possible], it would be better for the Chair to take the reassigned time (A-load) for being chair, and get paid at his or her AC-contract rate for the overload class. If the Chair chose the opposite and elected to take the class as A-load and the stipend for being Chair, he or she would be paid only at the average C-contract rate for the extra work (less money in most cases). If you have questions about the relative value of the stipend or load for being Chair, don't hesitate to call your UF representative and talk through your options!

Also, note that by contract, the Chair's load (whether taken as reassigned time or stipend) counts towards the annual overload limitations (an average of 150% over fall and spring semester).

If a department has co-chairs, the bylaws should specify the division of reassigned time or stipend.

Staffing and Scheduling

Article 25 requires that each department have written scheduling guidelines that clearly describe the process for assigning courses to part-time faculty with staffing preference. The base criteria for staffing are determined by Article 25.7.7: “Part-time staffing assignments shall be . . . based upon the following base criteria in order of priority: contract, regular, overload (AC), long-term substitute, categorically funded assignments, part-time faculty with preference and part-time faculty without preference.”

The contract leaves individual departments to determine how assignments will be made within each faculty group (FT; PT with preference; PT without preference; etc.). Departments are directed to “[take] into consideration such things as expertise, experience, seniority, rotation of offerings, first right of refusal to new sections, increase of load as available, [and] ability to teach new courses as qualified.” But each department should select (and describe in

At a Glance

- Work within contractual parameters
- Establish process for assigning/cutting courses
- Use clear, transparent protocols to minimize conflicts

department bylaws) its own system for assigning courses to department faculty.

The more clearly and completely department bylaws describe a system for assigning courses, the better. A “seniority” system, for example, should define seniority (by date of hire; by first-assignment within the department; by course or subject sub-area; etc.) A process for soliciting staffing and scheduling requests from faculty and a general time line should also be described in the bylaws. Staffing policies should take into account not only how new classes might be assigned or how faculty might share or rotate existing assignments but also how cuts should be made in the case of program shrinkage where sections may need to be taken away from faculty.

Furthermore, the contract stipulates that “Exceptions to . . . staffing order can be made for curricular expertise necessary for the departmental program.” Some process for determining when exceptions to the department’s staffing protocols may be made could be described in bylaws. Similarly, some bylaws define “curricular expertise.” Since part-time faculty with staffing preference have a contractual right to be offered their historical (or “modal”) load only if there are courses available within the part-timer’s area of curricular expertise, some departments (especially those with several sub-areas) choose to

clarify how expertise is determined.

Bylaws should also describe any department policies regarding summer schedules, overloads, substitute assignments, and “extra assignments” (such as hours in drop-in labs or non-instructional assignments), etc.

A transparent department staffing policy helps to avoid conflicts and resolve disputes when they arise. But departments should also make sure their written guidelines allow for enough flexibility to meet department needs in changing circumstances.

A number of protocols for communicating about teaching schedules with part-timers who have staffing preference are described in Article 25 of the UF Contract, and there are several appendices that contain forms a department might choose to use for these purposes. For example, part-time faculty members with preference should be asked to “submit to their department chair or designee a Scheduling Preference Form (such as Appendix PT-5) every semester prior to staffing for the next semester.” There is also a form (Appendix PT-4) for letting part-timers with preference know when the department is unable to offer them their full historical load.

Departmental staffing guidelines and policies must be made available to all faculty members in the department.

Department Budgets

Department budgets and procedures for budget augmentation are determined by college policies and not by contract. Bylaws should describe a system for department members to access department budgets as appropriate. Department chairs are responsible for monitoring and maintaining department budgets and for contributing, as needed, to the budget development process. But a written, transparent process for making spending decisions and purchasing teaching tools and equipment is a good idea.

At a Glance

- How should spending proposals be made?
- How will spending decisions be made?

Policies and Procedures

Departments may establish any internal policies and procedures that they find useful, so long as these protocols do not conflict with the UF Contract or with established college or district policies. These

At a Glance

- Departments may have policies on a variety of internal issues, including curriculum, and facilities.
- Some departments have committees.

may touch on issues of curriculum development; program review and SLO assessment; sub-areas and their relationship to the department as a whole; budget development; department representation at other meetings or on college committees; hiring and mentoring new faculty; conducting evaluations; hiring and supervising instructional assistants or tutors; selecting instructional materials and ordering books; security (locking doors, securing equipment); facilities use/sharing; teaching by instructors from other departments or by managers; teaching by emeritus (retired FT) faculty; any special meeting protocols or procedures.

Hiring and Internal Transfers

Hiring policies are covered in the UF Contract, Article 6.4.3. Article 16 also states that “any regular or contract unit member may request transfer from one de-

partment to another, within the same college, when his/her education, training, experience and abilities coincide with the requirements for a vacant position.” It is up to department bylaws to determine how a department will vote on whether to accept an applicant for internal transfer or not. If the Depart-

At a Glance

- Have a Dept. policy for considering internal-transfer applicants.

ment elects to accept an internal transfer from within the college, it may do so instead of completing the full search process. For voluntary transfers between colleges, transfer applicants must participate in the full interviewing process.

Some departments may establish other internal policies related to hiring both full-time and part-time faculty. These may include the composition of hiring committees, creating and maintaining a “pool” of part-time applicants, and other protocols not covered by college or district policy.

Ratification and Amendments

All bylaws should include a description of procedures for ratifying and amending the bylaws. Some departments require a 2/3 majority vote to change the bylaws; others use simple majority. Some require proposed amendments to be shared electronically at least a week before any vote to amend the bylaws may be taken. A regular schedule for reviewing bylaws from time to time is advisable as well.

At a Glance

- Have a policy for proposing and voting on amendments.
- Review bylaws on a regular schedule.

Bylaws FAQs

1. What if my department can't find our bylaws or doesn't have any?

Start over. Write bylaws and have your department ratify them. Send a copy to the UF, and we will keep it on file in the UF Office.

2. What if something in the bylaws contradicts the contract or employment law?

The law and the contract supersede any rule in department bylaws.

3. Are departments required to have bylaws?

Yes. The UF Contract requires every department to have, at minimum, written scheduling and staffing guidelines as well as policies for taking votes.

4. What if an internal issue comes up that isn't covered by department bylaws?

Past-practice may be considered. And bylaws can be amended or expanded.

Typical Department Bylaws

1. Describe Department
 - Mission Statement?
 - Department Structure
 - Sub-Areas / Certificated Programs
 - Membership
2. Voting Rights and Policies
 - Quorum
 - Procedures for Voting
 - Bylaws Ratification/Amendments
3. Meetings
 - Frequency
 - Schedule
 - Expectations/Protocols
5. Department Chairperson
 - Election and Recall Procedures
 - Expectations (based on list in contract)
6. Scheduling and Staffing Policies
 - Scheduling Courses
 - Staffing Courses
 - Determining Curricular Expertise and other Issues Related to Article 25 “PT Staffing Preference”
8. Instructional Policies
 - Curriculum Development
 - Textbook Selection and Ordering
 - Program Review
9. Committees; Evaluations; Assessment
 - Internal Dept. Standing Committees
 - Ad Hoc Committees
 - College and District Committees
 - Program Review
 - SLO Assessment / Content Review
10. Budget
 - Budget Development
 - Budget Allocation/Spending
11. Facilities and Equipment Use
 - Access to Dept.-owned teaching tools
 - Labs and Special Facilities
 - Security protocols

Note that not all departments need policies in the same areas.

Your bylaws will depend on your department structure.

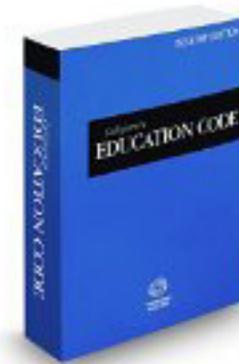
Appendix: PT Faculty Rights

Since department policies and procedures (and therefore, by extension, department bylaws) determine to a large part the role of part-time faculty within a department, we thought it might be useful to include in this booklet the language of from the California Education Code, 87482.8, often called the “Part-Time Faculty Bill of Rights.” That law states, in part:

Whenever possible:

- Part-time faculty should be informed of assignments at least six weeks in advance.
- The names of part-time faculty should be listed in the schedule of classes rather than just described as “staff.”
- Part-time faculty should be considered to be an integral part of their departments and given all the rights normally afforded to full-time faculty in the areas of book selection, participation in department activities, and the use of college resources, including, but not necessarily limited to,

telephones, copy machines, supplies, office space, mail boxes, clerical staff, library, and professional development.



This booklet is published by United Faculty of Contra Costa Community College District as an informal guide to department bylaws. For additional copies of this booklet, or for more information about department bylaws, please contact the UF Office at 925-680-1771 or visit our website at www.uf4cd.org. United Faculty of CCCC is an independent collective bargaining agent affiliated with the California Community College Independents (CCCI) and a contract member of the Faculty Association of California Community Colleges (FACCC).

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