



**ACCREDITING
COMMISSION
for COMMUNITY and
JUNIOR COLLEGES**

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February 18, 2011

PRESIDENT'S OFFICE

FEB 23 2011

BY: _____

MEMO TO: Chancellors, Chief Executive Officers, Accreditation Liaison Officers, Academic Senate Presidents and Interested Others

FROM: Barbara A. Beno, Ph.D. *Barbara A. Beno*

SUBJECT: Changes to Commission Bylaws

The ACCJC, at its meeting of January 11, 2011, adopted changes to its Bylaws. I have enclosed a copy of the amended Bylaws for your information; they can also be found on the Commission's website at www.accjc.org: Bylaws/Constitution.

The Bylaws establish a new *election process* that will be used to fill vacant Commissioner positions from this point forward. There are nineteen Commissioners, and they will be elected for staggered, three-year terms. Each sitting Commissioner may be elected to a second three-year term. The Commissioner Election Process will include the following:

- At its January meeting, the Commission will announce the identities of departing Commissioners, the names of Commissioners seeking a second term, and the types of Commissioner positions that are becoming vacant and to which individuals may be elected or sitting Commissioners may be elected to a second term.
- Each February, the Commission will send a letter to the field announcing the Commissioner positions becoming vacant, accompanied by an invitation for applications and nominations for Commissioner positions that are becoming vacant. The announcement will be widely distributed and posted on the Commission's website.
- A Nominating Committee, selected by the Commission's Executive Committee and comprised of four Commissioners and four persons representing member institutions, will review applications for Commissioner positions and create a slate of candidates for the vacant Commissioner positions.
- The Presidents/Chancellor of each institution that is accredited by the ACCJC will be asked to review the slate and may nominate alternative candidates through the process described in the Bylaws.
- Each May, the slate of candidates, with any additional alternative candidates, will be sent to the President/Chancellors of each institution accredited by the ACCJC. The President/Chancellor will vote for the slate candidate or the alternative candidate for each Commissioner position becoming vacant.

OCT 13
2:30 - 4:00

- Each June, the results of the Election will be announced at the Commission's meeting and thereafter made public on the Commission's web site and in its summary of the June meeting contained in its newsletter.
- New Commissioner terms begin on July 1 of each year.

BAB/ws
Enclosure

**BYLAWS FOR THE
ACCREDITING COMMISSION FOR COMMUNITY AND JUNIOR COLLEGES,
WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES**

(Adopted, June 1998; Revised January 1999, January 2001, January 2002, June 2002;
Edited January 2004; Edited October 2007, Amended January 2011)

ARTICLE I

PURPOSE

Section 1. Name. The name of this organization shall be the Accrediting Commission for Community and Junior Colleges of the Western Association of Schools and Colleges. It shall be referred to throughout these bylaws as the "Commission."

Section 2. Purpose. The purposes of the Commission shall be the evaluation of member institutions to assure the educational community, the general public, and other organizations and agencies that an institution has clearly defined objectives appropriate to higher education; has established conditions under which their achievement can reasonably be expected; appears in fact to be accomplishing them substantially; is so organized, staffed, and supported that it can be expected to continue to do so; and demonstrates that it meets Accreditation Standards. The Commission encourages and supports institutional development and improvement through an institutional self evaluation using the Accreditation Standards, Eligibility Requirements and Policies, as well as Midterm, Follow-Up, and Special Reports, and periodic evaluation of institutional quality by qualified peer professionals.

ARTICLE II

ACCREDITED INSTITUTIONS

Section 1. Member Institutions. The member institutions of the Commission shall consist of all of the institutions accredited by the Commission. In the event an institution loses its accreditation for any reason, its membership status shall cease immediately.

Section 2. Scope. The Commission accredits associate degree granting institutions in California, Hawaii, the Territories of Guam and American Samoa, the Commonwealth of the Northern Marianas, the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

ARTICLE III

COMMISSION MEMBERSHIP

Section 1. Membership. The Commission consists of nineteen members, all of whom are elected by the member institutions, as described in Article VI. One Commission member shall be from the California Community Colleges Chancellor's Office and shall be selected from among the nominees provided by the California Community Colleges Chancellor. One Commission member shall be from the University of Hawai'i Community Colleges and shall be selected from among the nominees provided by the University of Hawai'i Community College Vice President for Community Colleges. In addition, one Commission member shall be selected from among the nominees provided by each of the other WASC Commissions to represent the Accrediting Commission for Senior Colleges and Universities and the Accrediting Commission for Schools in accordance with the WASC Constitution. At least five of the Commission members shall be faculty; at least three (the precise number of whom shall at all times represent at least one seventh of the total membership of the Commission) shall be "representatives of the public", meeting the definition under the federal regulations [as defined in 34 CFR §602.3]; a maximum of two who meet the definition of an Affiliate Member; at least three members shall be two-year college administrators, at least one member shall represent independent institutions; and at least one member shall represent institutions in the American Affiliated Pacific Islands. An Affiliate Member shall be a person who does not qualify under any of the other categories enumerated in the preceding sentence but who shall nonetheless be deemed to have expertise or skills that will add meaningfully to the Commission.

Section 2. Election of Commissioner. Commissioners are elected for staggered three-year terms. Appointments are limited to two three-year terms unless the person is elected an officer for a term which extends beyond a sixth year, in which case an additional three-year term or a term of the length necessary to complete service as an officer may be served. Regular appointments are effective on July 1 of the first year and end on June 30 of the last year of a Commissioner's term.

A Commissioner elected to a membership category defined by position or status is expected to maintain that status for the entire term. If the Commissioner's position or status changes during a term so that the Commissioner no longer meets the requirement for the category to which elected, the Commissioner shall notify the Commission's chair or President in a timely manner. A Commissioner whose status has so changed is considered to have completed the term on the date that the new status is actually assumed, except that a Commissioner who holds an administrative or faculty position on the Commission and elects to retire will, upon review and approval of the Commission Chair, be permitted to complete the academic year of service as a Commissioner.

Section 3. Commission Vacancies. Commission vacancies will be filled through the Commissioner Election Process described in Article IV of these Bylaws. Anticipated vacancies will be announced at the winter meeting for Commission terms due to expire at the end of the following June. Notice of Commission vacancies will be sent to the chief executive officers, accreditation liaison officers, and academic senate presidents of all member institutions, districts

and systems; major organizations; and individuals known to have expressed interest. The notice will include the positions open for election, the Commissioners eligible for election, and the deadline for receipt of applications. Institutional and organizational representatives may submit nominations. Individuals may also submit applications. Applications are considered to be in effect for one year.

All individuals that wish to be considered will complete application materials required by the Commission. All applicants and nominees, including Commissioners seeking re-election, will be asked to submit the following:

- a. A letter of application stating the basis for interest in the Commission.
- b. A completed ACCJC data/biographical form. (Service as a Commissioner will be considered for Commissioners seeking a second term.)

Individuals who are seeking initial appointment to the Commission will be asked to submit a resume and two letters of recommendation.

Section 4. Officers. Commission officers shall consist of the chair, the vice chair, and the chair of the Budget and Personnel Committee.

The position of Commission chair is filled by the succession of the vice chair. The Commission vice chair is elected by the Commission and succeeds to the office of chair when that office becomes vacant. He or she then serves a two-year term as chair. No member of the Commission may serve as its chair for longer than three consecutive years. Thus, the vice chair may succeed to no more than twelve months of an unexpired term, followed by his or her two-year term. When a vacancy occurs in the vice chair position, an election to fill that office must occur within 45 days of the position becoming vacant.

Nominations for vice chair are normally solicited from the Commissioners before the winter meeting prior to the end of the chair's term. Nominees for the position shall represent a different membership category from that of the incoming chair. Four weeks prior to the scheduled vote, each nominee must submit a 200-word statement explaining why he or she is seeking the office. The statement is distributed to the full Commission prior to the vote. Voting is conducted through a secret ballot submitted to the Commission executive staff. The results are announced to Commission members within one week. Vacancies occurring outside normal term conclusions are filled through a similar process.

Commission officers are expected to serve in several ex-officio capacities. The Commission chair serves as an ex-officio, voting member of the Budget and Personnel Committee and of the Policy Committee, and as chair of the Executive Committee. The Commission chair also serves on the WASC Board. The Commission vice chair serves as an ex-officio voting member of the Executive Committee, and the Committee on Substantive Change, and may serve as the Substantive Change Committee's chair. The chair of the Budget and Personnel Committee serves as an ex-officio member of the Executive Committee of the Commission.

Section 5. Removal of a Commission Member. Commissioners may be removed by two-thirds vote of the Commission for failure to exercise their responsibilities in accordance with the Commission policy on Professional and Ethical Responsibilities of Commission Members or for conduct which is detrimental to the purposes of the Commission.

ARTICLE IV

COMMISSIONER ELECTION PROCESS

Section 1. Nominating Committee. There shall be a Nominating Committee, the purpose of which shall be to nominate persons to serve on the Accrediting Commission for Community and Junior Colleges. The Nominating Committee shall consist of eight (8) persons, and shall serve for two years. The Commission Executive Committee shall appoint four Commissioners and four individuals from member institutions to the Nominating Committee. The Chair and Vice Chair of the Commission may not serve on the Nominating Committee. The Nominating Committee will be chosen to represent the broad interests of the Commission's member institutions. At least one such appointment shall be a current or former public member (§602.3) of the Commission. The Executive Committee shall select the Chair of the Nominating Committee. The names of individuals appointed to the Nominating Committee shall be reported to the member institutions by the Commission.

Section 2. Solicitation of Commission Applicants. The Commission shall notify the members of the Nominating Committee of the number and types of Commissioners to be selected and of any special considerations pertaining to such vacancies. The Nominating Committee shall write to all of the Presidents/Chancellors of the Commission's member institutions, the President of the Accrediting Commission for Senior Colleges and Universities (ACSCU) and the Executive Director of the Accrediting Commission for Schools (ACS), the chief executive officers, accreditation liaison officers, and academic senate presidents of all member institutions, districts and systems, and major organizations; and individuals known to have expressed interest, listing the number and nature of any positions to be filled and soliciting nominees for the projected vacancies. To be considered the nominations must be returned by the date and time established by the Commission. Members of the Nominating Committee are ineligible for nomination to the Commission while serving on the Nominating Committee. The Nominating Committee shall review the nominees' qualifications, and shall prepare a slate of candidates, with one candidate being recommended for each position. In preparing such a slate, the Nominating Committee shall consider the need to meet the membership requirements of the Commission as outlined in Article III of the Bylaws, as well as the following:

- Representatives from the entire area served by the ACCJC, including California, Hawai'i, Guam, American Samoa, the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau and the Commonwealth of the Northern Marianas.
- Diversity in institutional characteristics such as mission, size, geography, and location; personal characteristics such as ethnicity and gender.

Section 3. Nominations At Large. The notice to the Presidents/Chancellors informing them of the slate of the Nominating Committee shall also include a notice of the right of the Presidents/Chancellors to nominate candidates on an at-large basis for the vacant positions on the Commission within the time frame established by the Commission. To be added as an at-large candidate, a candidate must have the written endorsement of ten (10) or more Presidents/Chancellors.

Section 4. Election. The Commission shall send a ballot to the President/Chancellor of each member institution which shall include the slate of the Nominating Committee and any candidates at-large. Each President/Chancellor shall be asked to vote for or against the slate, or for any at-large candidates nominated by the process described in Section 3 in lieu of those individuals on the Nominating Committee's slate. To be considered, ballots must be returned to the Commission offices within the time frame established by the Commission. Ballots received after the cutoff date will not be counted. Ballots shall be handled by the Commission executive staff in a manner to preserve, insofar as practicable, the privacy of persons voting and the institutions they represent. Measures shall be taken by the executive staff to assure the validity of all ballots. The executive staff shall be responsible for the preservation of ballots and tally sheets, which shall be preserved for a period of one hundred eighty (180) days after the election is announced, absent a challenge to an election, in which case the ballots shall be preserved until the challenge is resolved. A challenge to the election results can be brought by any President/Chancellor of a member institution. Any challenge to the election results must be received by the Chair of the Commission within fourteen days after the announcement of the election results. The Chair shall refer the challenge to the Nominating Committee which shall have the authority to take whatever steps it considers appropriate to make a final decision on the matter.

Section 5. Counting the Ballots. The counting of the ballots shall take place at the Commission offices and shall be conducted by the executive staff. The persons receiving the highest number of votes shall be elected to the Commission. In the event of a tie which prevents the seating of one or more vacant positions there shall be a runoff of those persons who tied. All persons receiving more votes than those who tied shall be considered seated and shall not participate in the runoff. The runoff shall be by electronic means or mail and shall be conducted according to time frames established by the Commission. The results of the election shall be announced as soon as practicable thereafter. Every effort shall be made to complete the process by mid May.

Section 6. Vacancies. If the position of a Commissioner becomes vacant, whether through resignation, separation from his/her institutional affiliation, death, removal or otherwise, the Nominating Committee shall be promptly notified. The Nominating Committee shall, at its sole discretion, either select a person to serve out the remainder of the term of the position vacated or shall have the position filled at the next regularly scheduled election as described in this Article IV. In selecting a person to fill a vacancy, the Nominating Committee should consider, but not be limited by, the list of those persons previously proposed by the presidents of constituent institutions.

ARTICLE V

COMMISSION MEETINGS

Section 1. The Time and Place. The Commission shall meet in regular session twice each year to consider the accredited status of institutions evaluated since the previous meeting and to address such policy and organizational business as shall come before it. Written notice of the time and place of meetings, and a preliminary agenda shall be mailed to the chief executive officer of each member institution, normally 45 days prior to the date of each meeting. At its discretion, the Commission may schedule such additional meetings as it deems necessary.

Section 2. The Agenda. Consideration of the accredited status of institutions will occur in executive session as will all personnel matters. Any matter where it has been deemed necessary to consult with legal counsel will be discussed in Executive Session.

All policy language being considered for Commission approval as first or second readings, and all language revising Accreditation Standards, shall be considered in public session. All changes to Bylaws and the WASC Constitution shall be considered in public session. Observers are provided the opportunity to address the Commission in accordance with the Commission Policy on Access to Commission Meetings.

Section 3. Minutes. The Commission shall maintain minutes of all of its meetings. The Commission Chair, in consultation with the President, shall designate those subjects which are to be discussed in executive and public session.

Section 4. Commission Actions. At the call of the Commission Chair, and subject to prior consent setting forth such action by two-thirds of the Commission then in office, executed in writing, FAX, e-mail, telephone, or other electronic means, actions required or permitted to be taken at a meeting of the Commission may be taken without a meeting. Such consent, the reasons therefore, and the substance of the Commission action is filed with the minutes of proceedings of the Commission.

ARTICLE VI

COMMITTEES

The Executive Committee of the Commission shall be comprised of the Commission chair, the vice chair, and the chair of the Budget and Personnel Committee. For purposes of continuity of leadership, an individual who has completed a two-year period as Commission chair and who remains on the Commission to complete a term will also serve on the Executive Committee. The Executive Committee shall serve as council to the President between Commission meetings and is authorized to act for the Commission between meetings of the Commission on all matters that would appropriately come before the Commission and where action prior to the next

Commission meeting is necessary. All actions taken by the Executive Committee shall be reported to the Commission at its next meeting.

The Commission shall be served by such standing and *ad hoc* committees as it creates. *Ad hoc* committees may be created at the discretion of the Commission chair, but their creation, functions, and authority must be ratified by a simple majority of the Commission membership at the first Commission meeting following the creation of the *ad hoc* committee.

Standing committees shall be authorized by a simple majority of the Commission and may be dissolved by the same margin of the Commission. The Commission may charge a standing committee with authority to act on its behalf. No Standing Committee membership may be comprised of a majority of the Commission. Members and chairs of standing committees are appointed by the Commission chair and serve two-year terms. Current standing committees of the Commission are the Audit Committee, the Budget and Personnel Committee, the Committee on Substantive Change, the Policy Committee, and the Evaluation and Planning Committee. The Commissioner Nominating Committee is constituted at regular intervals as described in Article IV, above.

ARTICLE VII

STANDING RULES

The Commission shall govern itself by Robert's Rules of Order except in the case where it has adopted standing rules. All standing rules of the Commission take precedence over Robert's Rules of Order, but they may be suspended temporarily by the provisions of Robert's Rules of Order.

ARTICLE VIII

AMENDMENTS

These bylaws may be amended by a simple majority vote of the Commission after the proposed amendments have been circulated among the Commission members at least two weeks before the meeting at which the vote is taken. In those instances where time is of the essence, the Commission may employ telephone, mail, or electronic ballot processes.