

# **YORK COUNTY COMMUNITY COLLEGE GOVERNANCE CONSTITUTION**

*Approved March 2, 2005  
Amended October 2, 2007  
Amended February 1, 2011  
Amended September 26, 2012  
Amended December 1, 2015  
Amended April 2, 2019*

## **Preamble**

York County Community College is committed to a democratic model of governance. We believe that a governance model rooted in broad-based constituent input on college-wide issues will provide the best means for achieving the vision, mission, core values and strategic plan of the institution.

The goal of the governance system is to produce a transparent process in which timely decisions are made and the reasons for them are guided by involvement and action from the entire college community.

## **The Cornerstones of Governance**

Five essential components are embedded in YCCC's governance system. These components, or "cornerstones" are: *vision, trust, empowerment, communication, and accountability*. Not only are these components individually essential but they are intricately entwined: our ability to fulfill the goals inherent in any one component will impact the success of fulfilling the others. These principles must be valued and supported by the College to ensure a system of governance in which planning, policy, procedure, and practice are aligned and decisions are upheld as guided by the governance process.

### **Vision**

The *vision* of the college leadership is recognized as the means for achieving the College's mission and should guide the decision-making processes of the governance system. The College's Strategic Plan should be the primary expression of this vision. Embracing the strategic plan as a part of our governance process should set the agenda for the institution and guide the work of its committees, divisions, departments, and individuals.

### **Trust**

Mutual trust between all college constituents is essential for meaningful and motivated participation in governance. *Trust* in a governance structure requires good faith, honesty,

fairness, openness to diverse viewpoints, and a respect for people's work and dedication to the college. Embedded in the concept of trust is the need for healthy relationships where all parties consider the value of each other's contributions and acknowledge bonds of mutual obligations in advancing the college's mission.

### **Empowerment**

A sense of empowerment for all constituents of the College is essential to a functional system of governance. *Empowerment* is attained by respecting and supporting the autonomy and authority appropriate to both individual and collective roles within the college. All constituents should be guaranteed opportunities to make and influence decisions, especially on issues that impact them and where they have particular concerns, experience, expertise, or relevant information. Further, the governance system should guarantee that the opinions and concerns of constituents will be heard and responded to in a timely manner. Decision-makers should have ready access to information that may aid in the decision-making process, empowering them to make informed decisions.

### **Communication**

An institutional culture and infrastructure that promotes *communication* is essential to effective governance. A college-wide commitment to communication provides open channels for input and feedback throughout the decision-making process. By incorporating the collective wisdom and strength of those with experience, expertise, relevant information and those impacted by the decisions, we can ensure that all appropriate internal and external constituents are able to participate in and influence the development and direction of the College. By utilizing technology and setting up routines for information sharing, we can ensure that information is communicated quickly and effectively. In order to allow time for full participation, information must be sought and disseminated at the earliest possible moment.

### **Accountability**

Clear lines of *accountability* and responsibility are essential to an effective system of governance. It is important for all involved in governance to know who is responsible for what and to understand precisely where authority resides, whether it be with an individual, a team, a committee, or a division. It is equally important that we are accountable to our constituents and consider the impact of actions and decisions wherever possible. It is recognized that the President has ultimate accountability for all decisions made by the College.

## **The Principles of Governance at YCCC**

The underlying principles of the York County Community College governance system are as follows:

1. The governance structure supports the College's vision, mission, core values, and strategic plans. Effective governance requires a shared commitment to advancing the College.
2. All voices within the college community are significant and play a role in decision-making. Authority and the ability to demonstrate leadership skills are dispersed but delineated within the governance structure, without regard for age, race, national or ethnic origin, gender, sexual orientation, religion, marital/parental/veteran status, or special needs.
3. The scope of governance is broad and is not intended to encroach upon the authority of divisions, departments, or individuals.
4. The governance structure ensures an environment that is conducive to free speech.
5. Effective governance requires the sincere commitment from all constituents to active participation, collaboration, collegiality, and shared responsibility.
6. All of the College's internal constituents are guaranteed opportunities for participation and empowerment in the governance process, based on the expertise, credentials, and experience of individuals, relative to the decision at hand.
7. Governance processes will be open and will encourage a wide level of feedback and participation, and at the same time, balance the need for efficient, effective, timely, and informed decisions.
8. Information relevant to decision-making will be made readily available to participants, to ensure informed judgments.
9. The governance structure provides for clear, timely, and consistent communication within its groups, between its groups, and with the wider college community.
10. The College recognizes that people's time is valuable and that colleague and divisional support for employee participation and contribution within the governance structure is essential.
11. Successful governance requires accountability to the wider College community from all its individual and group participants in carrying out their responsibilities.

## **Roles and Responsibilities within the Governance System**

The primary role and responsibility of all constituents in the governance process is to embrace the five cornerstones of governance in order to create an environment where democratic governance is both possible and effective. All constituents must commit to and take responsibility for building trusting relationships with their colleagues, communicating effectively, exercising their decision-making authority wisely, and being accountable for the decisions made through the governance process. Constituents must also commit to participating in the implementation of decisions. In addition to these general responsibilities, each constituency group has unique contributions to make to the governance process.

## The President

The President of the College is accountable and responsible for the educational leadership and effective management of the college's human, physical and fiscal resources. The President is primarily responsible for communicating and promoting the vision of the college. As a participant in the governance process, the President appropriately delegates authority to the College Council and its committees to build a sense of empowerment. The President also takes the leading role in building an environment within the College community that has high levels of trust and clear lines of communication.

## Students

Students participate in governance to contribute their voice and student-centered perspective to the vision and strategic goals of the College. As recipients of college instruction and services, students are in a position to hold the College accountable for its institutional effectiveness and quality. Incorporating students into the college's governance processes helps to build an inclusive community based on trust.

## Faculty

Faculty participate in governance to achieve the vision and strategic objectives of the College through their expertise in instruction and assessment, curriculum design, course and program requirements, academic advising, and academic elements of student life. Faculty have the most constant and intense interaction with students and therefore ensure accountability by providing the governance process with insight into the effectiveness of the institution.

## Administration and Staff

Administration and staff participate in governance to achieve the College's vision and strategic objectives through their knowledge of student needs, college processes and procedures, as well as professional standards and practices. Administration and staff contribute insight, sound judgment, and professional expertise and help to guide decisions made in the governance process. Administration and staff also play a critical role in communicating information to all governance participants.

# **Governing Bodies**

## **The College Council**

The central governing body is the College Council which is comprised of student, staff, and faculty representatives. The College Council is the major planning body for the institution and provides the forum for discussion and debate and forwards recommendations of initiatives, planning, policies, practices, and procedures to the President. It also serves as a resource of broad-based input for the President.

## **Standing Committees**

Standing committees will be established by the College Council and execute the priorities set by the Council to enable broad-based constituent input and decision-making. Standing committees meet an ongoing need of the college. Standing committees have a purpose that supports specific goals and objectives of the Strategic Plan and which is broader than the duties and responsibilities defined in existing job descriptions.

A standing committee may establish sub-committees comprised of its own members to which it may delegate tasks and authority. Subcommittees are directly responsible to and report only to the standing committee that created them.

## **Ad Hoc Committees**

An ad hoc committee performs a specific, short-term task, delegated by the College Council. The ad hoc committee automatically ceases to exist when its task is completed and a final report has been presented at the College Council.

## **COLLEGE COUNCIL**

### **Purpose**

The College Council is a deliberative and legislative body that provides a college-wide forum for discussion and debate of initiatives, policies, practices, and procedures. The College Council communicates the will of the College community to the President.

The College Council serves as the major planning body of the college. It is responsible for ensuring that the College's Strategic Plan and budget processes are integrated, and that the work of the standing and ad hoc committees are guided by the Strategic Plan.

The College Council communicates information on issues and decisions, including committee, divisional, and departmental actions that would be of college-wide interest to the college community.

### **Scope of Work**

- a. Support and coordinate the development of the Strategic Plan via the Strategic Planning Committee, to align with the mission, vision, and core values of the College.
- b. Annually update and assess the objectives of the Strategic Plan.
- c. Coordinate and prioritize the work of the standing and ad hoc committees in accordance with the Strategic Plan.
- d. Review and forward standing and ad hoc committee endorsements of new initiatives to the President for funding and/or implementation.
- e. Review and forward policy and process recommendations from the standing and ad hoc committees to the President.
- f. Steer and assess the college's governance system, including the creation and elimination of standing and ad hoc committees. The College Council establishes criteria and processes to be used by committees and annually reviews each committee's progress and accomplishments.
- g. Via the establishment of an ad hoc committee, facilitate the accreditation process.
- h. Serve as a public forum for information on all college-wide issues and decisions, including committee, divisional, and departmental actions.
- i. Convene College Forums for broad-based discussion and debate on college-wide issues.
- j. Serve as a resource for the President who may seek advice and counsel on issues and/or policy matters confronting the College.
- k. The council is responsible for reviewing and investigating reported non-compliance of the governance structure and council decisions.

### **Level of Authority**

- a. Issues having broad or campus-wide impact across constituencies
- b. Issues where broad input is needed from people with various expertise
- c. Issues where broad buy-in is needed for successful implementation
- d. Issues about strategic focus of the college
- e. Strategic plan objectives
- f. Policy and procedural guidelines review
- g. Governance structure and process

## **Bylaws of the College Council**

### **Article I: Membership**

#### **Section 1: Composition**

The College Council shall be a representative body of the college's constituents, as follows:

<b>Constituency</b>	<b>Definition</b>	<b># of representatives</b>
Faculty	full-time, part-time, and adjunct faculty with 15+ credit hours of teaching	5 (a minimum of 3 to be permanent faculty) elected by the Faculty Senate
Administration	senior administrative staff	2 appointed by the College President
Staff	professional, technical, and support staff, confidentials	5 selected by an electoral process determined by the staff
Students	part-time, full-time, matriculated and non-matriculated students	2 (at least one being a member of the Student Senate) selected by an electoral process determined by the Student Senate

The College President shall be an ex officio member of the College Council.

#### **Section 2: Selection of representatives**

Annual elections will be held during the spring semester for staff, faculty, and student representatives for Council seats due to open in the following academic year. The chair

and vice-chair will oversee the elections, and representatives will be elected by a majority vote of the appropriate constituency. Elections shall be conducted and election results reported to the Chair and Vice-Chair by April 30 of each year in order to announce results to the College Council at its May meeting.

### **Section 3: Duties and responsibilities of representatives**

- Be an active and informed representative
- Share information and seek to obtain constituent opinions for the purpose of deliberation.
- Advocate for their constituency
- Abide by the Code of Conduct
- Be familiar with Sturgis' Standard Code of Parliamentary Procedure

### **Section 4: Terms**

The terms of the representatives shall be staggered to ensure a sense of continuity and history. All members will be elected to two-year terms in a staggered cycle, with three faculty and two staff and one administrator elected during one cycle, and two faculty, three staff and one administrator elected during the following cycle. The Student Senate will utilize its own process for seating the one-year candidates. There are no limits on terms served.

### **Section 5: Attendance**

Attendance at College Council meetings is required. Representatives missing two meetings during an academic year will receive a letter inquiring into their ability to continue. If the representative is unable to continue, they will be asked to resign.

### **Section 6: Recall of representatives**

College Council representatives may be removed only by the constituency they represent. Member recall requires a majority vote of the appropriate constituency. Valid causes for recall from office are:

1. Continued, gross, or willful neglect of the duties of the office
2. Misrepresentation of the College and its officers to outside constituents
3. Failure to abide by the Code of Conduct outline in Article VIII below.

### **Section 7: Vacancies**

A council seat vacated by a representative will be filled according to the guidelines in Section 2 above.

## **Article II: Officers of the College Council**

**Section 1:** The officers of the College Council shall be a Chair and a Vice-Chair.

**Section 2:** The officers of the College Council shall be one faculty representative and one staff representative.

**Section 3:** The Vice Chair will be considered the Chair Elect. When the current Chair's term expires, the Chair Elect will assume the responsibilities of the Chair. The new Vice Chair will be elected by the College Council at the first kick-off meeting of the academic year from among the council representatives.

### **Section 4: Duties and responsibilities of the Officers**

- The Chair and Vice Chair will review, set, and publish the agenda for each council meeting
- The Chair will respond to originators of agenda items, as necessary.
- The Chair will ensure that the Order of Business is followed.
- The officers will be the resident experts on the chosen model of parliamentary procedure.
- The officers, working with the constituencies, will ensure that all Council seats are filled.
- The officers will assign duties to other representatives as appropriate.
- In the absence of the Chair, the Vice Chair will serve in that capacity.
- The Vice Chair will maintain the Year-to-Date Report.

### **Section 5: Terms of the Officers**

The officers of the College Council may serve in that capacity for one year. The Chair may not serve as Vice Chair for at least two years after his/her term of office has expired.

### **Section 6: Vacancies**

In the event that the Chair becomes vacant, the Vice Chair will assume the duties of the Chair. A new Vice Chair will be elected by the College Council from among the council representatives. If the Vice Chair position becomes vacant, a new Vice Chair will be elected from among the council representatives.

## **Article III: College Council Meetings**

### **Section 1: Regular Meetings**

The College Council will meet monthly during the academic year. The September meeting of the academic year will be an organizational meeting. The May meeting will be an assessment meeting which will include committee end-of-year reports.

For meetings to take place, a quorum must be present in person. Emergency meetings may be called, giving one week notice.

## **Section 2: Quorum**

A quorum will be 2/3 of the voting council membership.

## **Section 3: Meeting Access**

In accordance with State of Maine open-meeting law (M.R.S.A. Sec. 403), College Council meetings will be open. A specified amount of time will be set aside for public participation at each Council meeting.

## **Section 4: Discussion**

In the interest of time and efficient decision-making, discussion of agenda items will be restricted to members of the Council and the presenting parties. Visiting members of the college community may not participate in discussion of agenda items, unless invited by the Chair.

## **Section 5: Voting Procedures**

Decisions will be made by majority vote, after establishing a quorum. Voting will be conducted by a show of hands or by ballot as requested.

The College President, as ex officio member of the College Council, does not vote, except for breaking a tie, or for matters concerning constitutional changes.

## **Section 6: Order of Business**

- Roll Call
- Approval of minutes of previous meeting
- Review of the agenda
- Reports of officers
- Reports of standing and ad hoc committees
- Reports of ad hoc committees
- Public Comments
- Unfinished business
- New business
- Announcements
- Adjournment

## **Section 7: Council Recommendations to the President**

College Council recommendations will be forwarded to the President in writing. The recommendation form will include a brief statement of the recommendation, who will carry out the action, a timeline for the action, and an impact statement (impact on other units of the College; impact on any external constituents of the College).

The President will indicate approval, tabling, or rejection of the recommendation. If tabled or rejected, the President will communicate the reason to the College Council. Recommendations may be tabled once; a final decision must be made within 30 days. Council recommendations are normally accepted by the President. If the President rejects a recommendation or differs substantially with the recommendation received from the Council, the Council Chairperson may submit a revised proposal to the President, providing additional information or rationale as appropriate.

The President will respond to all College Council recommendations within twenty calendar days, unless additional time is needed to seek the review and advice of the President's Council, the Foundation Board, or the system office. In this event, the President will notify the College Council of the delay in writing and within the twenty calendar day response time.

The President's response to College Council recommendations will be communicated at the next College Council meeting and recorded in the minutes.

## **Section 8: College Forums**

In addition to monthly meetings during the academic year, the College Council will hold two College Forums per academic year (November & March) for open, broad-based discussions on matters of interest or concern to constituents.

## **Article IV: Operational Procedures**

The College Council will use Sturgis' Standard Code of Parliamentary Procedure to facilitate the transaction of business and to maintain cooperation and collegiality.

## **Article V: Standing Rules**

### **Section 1: Agendas**

Agendas will be posted four calendar days before the Council meeting. Items may be submitted for inclusion on the agenda by committees, divisions, departments, individuals, or constituency senates. Items must be submitted to the Council five calendar days before the Council meeting to receive full consideration. Items submitted within fewer than five calendar days may be placed on the agenda at the discretion of the College Council Chair.

The officers of the Council will review all agenda items and determine if they are within the scope of the College Council. If the item is not to be included on the College Council agenda, the College Council Chair will return the request to the originator with the reason for not including the item. The decision may be appealed by the originator.

According to parliamentary procedure, the College Council may modify the agenda at the opening of a meeting.

## **Section 2: Minutes and the Duties of the Recorder**

A recorder for College Council minutes will be appointed by the President of the College. The recorder will take accurate minutes of Council meetings and will publish approved minutes to the College Council Governance page on the portal.

The recorder is not a member of the Council and may not participate in discussion of agenda items, unless invited by the Chair.

## **Section 3: Year-To-Date Reports**

The College Council will maintain an ongoing Year-To-Date Report to record the recommendations forwarded to the President and their outcomes.

## **Section 4: Communication**

The College Council will utilize varied and appropriate forms of communication to keep the college community informed of their work. The College Council will be assigned a Governance page on the portal, which will be made viewable to the public.

College Council minutes will also serve as a public forum for information on issues and decisions, including committee, divisional, and departmental actions that would be of college-wide interest.

## **Article VI: Code of Conduct**

Participants in the Governance process agree to the following:

### **Vision:**

- Commit to achieving the college's mission by embracing the institution's vision and core values

### **Trust:**

- Promote mutual respect and trust by expecting the best from other Council members.
- Uphold and expect the highest standards of performance and behavior.
- Act honestly and in good faith, be intentional in avoiding behavior that can undermine goodwill.

- Learn how to disagree vigorously while preserving a working relationship that values diverse viewpoints.
- Trust that knowledge and expertise are valued and relevant to the governance process.

Accountability:

- Devote knowledge and expertise as well as the necessary time, energy and study to the duties and responsibilities of governance.
- Make every effort to participate in the voting process, avoiding abstention. It is understood that a vote will be based on all available facts in each situation.
- Abide by and uphold the final majority decisions.
- Be courageous in identifying the real problems and discussing them candidly.

Communication:

- Actively seek and provide regular feedback to the constituency group represented.
- Welcome and encourage active participation by all members of the college community.
- Actively seek any appropriate information regarding the topics at hand.

Empowerment:

- Bring collective wisdom to bear on institutional problems.
- Be an informed and active participant.

## **Article VII: Amendments and Review**

These Bylaws will be reviewed by the College Council annually at the May meeting.

Amendments to the Bylaws may be made by a majority vote of the College Council. All proposed amendments must be submitted in writing to the Council at least two weeks prior to the meeting.

## **STANDING COMMITTEES**

### **Purpose**

In order to promote empowerment, accountability, and trust, *the purpose* of each standing committee will be defined by the standing committee and submitted for review to the College Council during the implementation phase of the new governance system.

### **Scope of Work**

In order to promote empowerment, accountability, and trust, *the scope of work* of each standing committee will be defined by the standing committee and submitted for review to the College Council during the implementation phase of the new governance system.

### **Level of Authority**

Specific areas of authority will be further defined by each standing committee and submitted for review to the College Council during the implementation phase of new governance system. In general, standing committees will be empowered to make decisions on:

- a. Issues with minimal impact beyond their focus
- b. Issues within budgetary projections

## **Bylaws of Standing Committees**

### **Article I: Membership**

#### **Section 1: Composition**

Composition of the standing committees will be determined by each standing committee and submitted for review to the College Council during the implementation phase of new governance system.

#### **Section 2: Selection of Standing Committee Members**

Selection of standing committee members will usually be by volunteering.

#### **Section 3: Duties and responsibilities of Standing Committee Members**

- Be an active and informed committee member
- Abide by the Code of Conduct
- Be familiar with Sturgis' Standard Code of Parliamentary Procedure

#### **Section 4: Terms**

Standing committee members shall serve for one year. There is no limit on the number of terms served.

#### **Section 5: Attendance**

Attendance requirements will be determined by each standing committee.

### **Article II: Officers of the Standing Committee**

**Section 1:** The officer of the Standing Committee shall be the Chair. The Chair will be elected by majority vote of the Standing Committee.

#### **Section 2: Duties and responsibilities of the Chair**

Duties and responsibilities of the Chair may be further defined by each standing committee. In general:

- The Chair will review, set, and publish the agenda for each standing committee meeting.
- The Chair will respond to originators of agenda items, as necessary.
- The Chair will ensure that the Order of Business is followed.
- The Chair will ensure that all standing committee seats are filled.
- The Chair will assign duties to other committee members as appropriate
- The Chair will maintain the Year-to-Date Report

#### **Section 3: Terms**

The Chair may serve in that capacity for one year. The Chair may be reappointed for additional and/or succeeding years at the discretion of the standing committee which he/she serves.

#### **Section 4: Vacancies**

In the event that the Chair becomes vacant, a new Chair will be elected by the standing committee members.

### **Article III: Standing Committee Meetings**

#### **Section 1: Regular Meetings**

Frequency and time of meetings will be determined by each standing committee.

For meetings to take place, a quorum must be present. Special meetings may be called, meeting the same minimum quorum requirements, giving one week notice.

## **Section 2: Quorum**

A quorum will be 2/3 of the voting committee.

## **Section 3: Meeting Access**

In accordance with State of Maine open-meeting law (M.R.S.A. Sec. 403), standing committee meetings will be open. A specified amount of time will be set aside for public participation at each committee meeting.

## **Section 4: Discussion**

In the interest of time and efficient decision-making, discussion of agenda items will be restricted to members of the committee and the presenting parties. Visiting members of the college community may not participate in discussion of agenda items, unless invited by the Chair.

## **Section 5: Voting Procedure**

Decisions will be made by majority vote, after establishing a quorum. Voting will be conducted by a show of hands or by ballot as requested.

The Chair of the standing committee does not vote, except when it is necessary to break a tie.

## **Section 6: Order of Business**

- Roll Call
- Approval of minutes of previous meeting
- Review of the agenda
- Reports of officers
- Public Comments
- Unfinished business
- New business
- Announcements
- Adjournment

## **Article IV: Operational Procedures**

All standing committees will use Sturgis' Standard Code of Parliamentary Procedure to facilitate the transaction of business and to maintain cooperation and collegiality.

## **Article V: Standing Rules:**

### **Section 1: Agendas**

Agendas will be set and published one day before the committee meeting. Items must be submitted in writing to the Committee Chair seven days before the committee meeting.

The Committee Chair will review all agenda items and determine if they are within the scope of the committee's authority. If the item is not to be included on the committee agenda, the Committee Chair will return the request to the originator with the reason for not including the item. The decision may be appealed by the originator.

According to parliamentary procedure, the committee may modify the agenda at the opening of a meeting.

### **Section 2: Minutes and the Duties of the Recorder**

A recorder for standing committee minutes may be a volunteer. In the event that there is no volunteer, a recorder will be appointed by the senior administrator for the operational area. The recorder will take accurate minutes of committee meetings and will publish approved minutes to the committee's section on the Governance page of the portal.

### **Section 3: Year-To-Date Reports**

The standing committee will maintain an ongoing Year-To-Date Report to record the recommendations forwarded to the President and their outcomes.

### **Section 4: Communication**

The standing committee will utilize varied and appropriate forms of communication to keep the college community informed of their work. The standing committee will be assigned a section on the Governance page of the portal.

## **Article VI: Code of Conduct**

Participants in the Governance process agree to the following:

#### **Vision:**

- Commit to achieving the college's mission by embracing the institution's vision and core values

#### **Trust:**

- Promote mutual respect and trust by expecting the best from other Council members.
- Uphold and expect the highest standards of performance and behavior.
- Act honestly and in good faith, be intentional in avoiding behavior that can undermine goodwill.

- Learn how to disagree vigorously while preserving a working relationship that values diverse viewpoints.
- Trust that knowledge and expertise are valued and relevant to the governance process.

#### Accountability:

- Devote knowledge and expertise as well as the necessary time, energy and study to the duties and responsibilities of governance.
- Make every effort to participate in the voting process, avoiding abstention. It is understood that a vote will be based on all available facts in each situation.
- Abide by and uphold the final majority decisions.
- Be courageous in identifying the real problems and discussing them candidly.

#### Communication:

- Actively seek and provide regular feedback to the constituency group represented.
- Welcome and encourage active participation by all members of the college community.
- Actively seek any appropriate information regarding the topics at hand.

#### Empowerment:

- Bring collective wisdom to bear on institutional problems.
- Be an informed and active participant.