

## FACULTY SENATE BY-LAWS<sup>1</sup>

### 1. Definition

The Faculty Senate, together with the Administration of the University, has the responsibility of maintaining and improving the academic standards of the University and making the functioning of the University more effective and harmonious. It is the highest faculty governance body in the University. It also coordinates activities among the various College faculties as well as those that involve both the administration and faculty of the University.

### 2. Functions and Responsibilities of the Faculty Senate

- a. To act as a coordinating body to establish mutually satisfactory academic goals and standards among the various Colleges and divisions;
- b. To be consulted as either a whole body or in appropriate committees on all policies, proposals, and problems of faculty concern, including such matters as the creation of new colleges, new campuses, and new departments;
- c. To be the final faculty body to deliberate and act upon recommendations from the University Undergraduate Curriculum Committee or the Graduate Council;
- d. To initiate consideration and recommendation on any matter of faculty concern;
- e. To undertake such legislative and advisory functions in connection with the work of the University as may be referred to it by the President and Board of Trustees; and
- f. To provide communication between the University faculty and the Administration.

### 3. Composition

The Faculty Senate comprises forty members, ~~thirty-three~~ elected faculty members, the Provost, and ~~six~~ administrators who are ~~full-time~~ members of the faculty appointed by the President or his/her designee. ~~Thirty-three~~ faculty members are elected by and from the ~~full-time~~ faculty of the degree-granting Colleges.

Other members of the University Community may attend meetings of the Senate, but they have no vote and enter into discussion only at the pleasure of the Senate.

#### a. Officers of the Senate

- 1) The Chair of the Faculty Senate shall be the Provost. He or she shall normally preside at all meetings of the Senate, although the President of the University may preside at his or her pleasure.
- 2) The Vice Chair shall be elected annually from among the elected members of the Senate. He or she shall preside at the Senate in the absence of the Chair, and act as Chair of the Faculty Senate Agenda Committee. In either of these capacities, the Vice Chair shall retain his or her right to vote.
- 3) The Secretary shall be elected annually from among the elected members of the Senate. He or she shall record the business of the Senate, and at the completion of every academic year shall submit a written report of the Senate's activities to the University faculty.
- 4) The Vice Chair, Secretary, and members of the Agenda Committee shall be elected as follows:
  - a) Election of the Vice Chair

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<sup>1</sup> Original By-laws approved by the Board of Trustees, June 19, 1961. Approved by the Faculty Senate by a vote of 31-0-3 on February 26, 2014; approved by Faculty referendum 154-16-1. Approved by the Board of Trustees on June 6, 2014.

*Nominations* - Nominations for the office of Vice Chair shall be made from the floor at the same meeting of the Faculty Senate at which the election is to take place. No second shall be required. The Chair shall query each person so named as to his or her willingness to be a candidate, and the names of those who decline candidacy shall be withdrawn from consideration. Senators not present at the meeting shall not be named as nominees unless they have signified in writing their willingness to be candidates.

*Introduction of Candidates* - Whenever possible, the Chair will introduce nominees for Vice Chair to the Senate, and candidates nominated by the above procedure shall be permitted up to five minutes to introduce themselves and express their views.

*The Election Ballot* - Each Senator shall vote for one of the nominees by secret ballot. The person receiving the majority of the votes cast shall be elected. Should no candidate receive a majority of votes cast, the two candidates receiving the most votes shall participate in a run-off election. The candidate receiving the majority of the votes shall be elected Vice Chair.

- b) Election of the Secretary  
The procedure for the election of the Secretary shall be the same as that for the election of the Vice Chair.
- c) Election of Members of the Agenda Committee  
Following the election of the Vice Chair and the Secretary, pre-nominations shall be made from the floor for members of the Agenda Committee. No second shall be required. The consent of those pre-nominated shall be obtained in the same manner as for the Vice Chair.

On the first nomination ballot, each Senator shall vote by secret ballot for no more than two names from the pre-nomination list. The four Senators receiving the highest number of votes shall be the nominees. In the event of a tie for fourth place, all persons so tied shall be nominees.

On the first election ballot, each Senator shall vote by secret ballot for no more than two of the nominees. Those two nominees receiving the highest number of votes shall be elected. In the event of a tie for second place, a runoff election shall be held. The nomination and election of the other two members of the Agenda Committee from the remaining names of the pre-nomination list shall be conducted in the same manner as prescribed above.

b. Elections and Terms of Senators

The term of office for elected Senate members shall be two years, and run from July 1 of the first academic year to June 30 of the second academic year. In case of a vacancy during a term, a special election shall be held to select a member for the unexpired portion. A member may serve two successive full terms. A member who has just completed two successive full terms is eligible for reelection a year later.

Thirty-three full-time faculty members of the Senate shall be elected proportionately from the following degree-granting Colleges: Bouvé College of Health Sciences, College of Arts Media and Design, College of Computer and Information Sciences, College of Engineering, College of Professional Studies, College of Science, College of Social Sciences and Humanities, D'Amore-McKim School of Business, and the School of Law. Each of these Units shall have at least one Senate representative, but those with larger faculties shall have correspondingly more representatives. In the spring semester of every year, prior to the election, the Senate Agenda Committee will announce the number of the thirty-three Senate seats to be given each College for the following year. Its determination shall be based upon the number of full-time faculty members in each of the Colleges on February 1.

- c. Elections to the Faculty Senate shall be conducted in each of these Units by the end of the eighth week of the spring semester in accordance with the following procedures and regulations:

1) General Regulations

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- a) Each full-time faculty member is eligible to vote and to serve as Senator.
- b) The Dean of each Unit will transmit to all faculty members of the Unit, at least one week prior to the elections, a list of those faculty members eligible to vote and to serve as Senators, indicating those members who are continuing members of the Senate and those who are not eligible to be re-elected.
- c) The nomination and election will be conducted by a designee of the Agenda Committee.
- d) Secret ballots shall be used for all voting.

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## 2) Nomination Procedure

- a) Any eligible faculty member may be nominated for a vacancy by a single member of the voting faculty in the Unit. The nominee must either accept the nomination in person, or submit a written statement of willingness to serve to the designee of the Agenda Committee prior to the election, for the nomination to be in order. Any faculty member has the right to decline nomination.
- b) After nominations have closed, the nominees will each have up to five minutes to present a statement to the body.

## 3) Election Procedure

- a) If there is a single vacancy to be filled, there will be a vote by secret ballot. A candidate receiving a majority of the votes cast is elected. If no candidate receives a majority, there will be a second ballot to choose between the two nominees receiving the highest number of votes on the first ballot. If there is a tie between candidates on the first ballot, there will be a preliminary runoff to determine the two candidates for the final ballot.
- b) If there is more than one vacancy to be filled, the election will be conducted in two stages. In the first stage, one-half of the number of vacancies will be filled (rounding up to the next highest integer if this number is odd). In the second stage, the remaining vacancies will be filled.
- c) If in either stage the number of nominees exceeds twice the number of vacancies to be elected, there will be a qualifying ballot to reduce the number of candidates to this level. In the event of a tie for a qualifying position, all candidates tied shall be qualified.
- d) After the qualifying ballot, if any, there will be a ballot in which the faculty members receiving the highest number of votes will be elected to the positions to be filled. In the event of a tie for the last position(s), there will be a runoff ballot to fill the position(s).
- e) At each stage, each eligible faculty member may vote in each ballot for up to as many candidates as there are vacancies to be filled.

Interim elections to fill vacancies which may occur between regular elections will follow the same procedures with timing altered to fit the need of the vacancy.

## 4. Committees of the Faculty Senate

Most of the work of the Faculty Senate is performed by Standing and Ad Hoc committees.

### a. Faculty Senate Agenda Committee

This Committee consists of the Vice Chair of the Senate who will act as chair of the Committee; the Secretary of the Senate who will be its secretary; and four additional Senators elected annually by the

Senate from among the elected members of the Senate. The election of the Agenda Committee shall take place in the spring semester preceding the academic year of its incumbency. After the annual Senate elections have been completed, the existing Agenda Committee shall call the Senators-designate to an organizational meeting for the sole purpose of electing the Agenda Committee for the forthcoming academic year. The officers of the existing Senate shall conduct the organizational meeting. The new Agenda Committee and the new Senate shall succeed to their responsibilities on July 1 or earlier with the agreement of the prior year's Agenda Committee.

- 1) This Committee arranges the agenda for all Senate meetings, submits all assignments to standing committees, and establish ad hoc committees for special studies whenever necessary. An item of business may, however, be brought before the Senate for discussion without approval of the Agenda Committee if (i) a motion to do so is made and seconded, in writing, directly to the presiding officer of the Senate, and (ii) a majority of the Senate agrees to the discussion. The item shall then become an item of business at the next succeeding meeting.
  - 2) The Financial Affairs Committee ~~and the Administrator Evaluation Oversight Committee~~, shall be staffed and charged each year. The remaining committees shall be staffed and charged in most years, as needed. As much as possible, committee members shall serve two-year staggered terms. The Agenda Committee may also establish ad hoc committees at its discretion. Detailed descriptions of all Standing Committees are maintained in a separate document.
  - 3) All Senate committees are responsible to the Agenda Committee and must submit their reports to it for review before presentation to the Senate. The Agenda Committee will have the right to return reports to committees if it feels it necessary.
  - 4) The Agenda Committee also provides a regular channel for consultation and communication between the faculty and administration in matters of new programs, planning, and University policy by meeting regularly with the President and the Provost of the University.
  - 5) The Agenda Committee shall be represented by one or more of its members on University-level committees that affect the academic endeavors of the University, including those dealing with issues such as financial planning and technology policy, and shall encourage the participation of other faculty members on these bodies.
  - 6) The Agenda Committee meets at least once each year with the Academic Affairs Committee of the Board of Trustees to report on Senate actions and issues coming before the Senate, and to discuss matters of mutual concern. By mutual agreement, the committees may hold more frequent meetings.
  - 7) At each Senate meeting the Agenda Committee shall present an oral or written report briefing the Senate on its activities.
- b. A list of Senate Standing Committees is maintained in a separate document.
- c. *Ad hoc* Committees  
These Committees are established by the Agenda Committee as the need arises. Members of the University administration may serve on these Committees, but the Chair must be elected by each *ad hoc* Committee from among its faculty members.

## 5. Procedural Policy of the Faculty Senate

- a. The Faculty Senate will meet in plenary session at least twice per semester, and more frequently, if necessary, subject to the decision of the Agenda Committee. A simple majority of the total membership shall constitute a quorum.

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- b. The Faculty Senate will forward resolutions and reports to the University President, who forwards them to the Board of Trustees as appropriate. Certain routine matters, however, may be forwarded at the discretion of the Senate to an appropriate administrator through the Office of the President.
- c. The Faculty Senate, at its discretion, may refer matters under consideration to referendum by either the full-time faculty, the College faculties, or such other groups as it deems appropriate. Such referenda shall be binding on the Senate, provided that at least two-thirds of those eligible shall have participated in the voting.
- d. All faculty, students, staff, and administrators may attend non-executive sessions of the Faculty Senate, but will not be permitted to vote. Only Senators and full-time faculty may be present when the Senate meets in executive session. The Senate shall meet in executive session when
  - 1) the Agenda Committee designates such a session in advance, or
  - 2) During a meeting a simple majority vote cast in secret ballot orders it. (A motion on the Senate floor to move into executive session shall be non-debatable and always in order during debate.)
- e. At all sessions of the Senate the floor may be yielded by any member of the Senate to a non-Senator unless this procedure is expressly suspended by a simple majority vote cast in secret ballot. Yielding the floor to a non-Senator shall not be construed as in any way limiting the right of debate of the yielding Senator.
- f. The Faculty Senate, through its authorized committees or representatives, shall receive information that it needs for its studies from the staff offices of the University.
- g. The rules or procedures in Senate meetings, except as otherwise specified, shall be those presented in the most recent revision of *Robert's Rules of Order*.
- h. The Faculty Senate may adopt rules and regulations for its own operation not inconsistent with the bylaws of the University or the bylaws of the Senate as set forth above.

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**6. Amendments to the Faculty Senate Bylaws**

- a. The foregoing Faculty Senate bylaws may be altered, amended, or repealed, in whole or in part, in accordance with the following procedures.
  - 1) The Method of Proposing Amendments to the Senate Bylaws
    - a) Senate Voting Requirement. A two-thirds affirmative vote of all Senators voting 'yea' or 'nay' in a roll-call vote shall be necessary to propose a bylaw amendment to the faculty from whom the Senators are elected.
    - b) Faculty Notice. At least two successive weeks' notice must be given in writing to each Senator, and the announcement of a proposed amendment and its text must appear on at least two successive Senate agendas circulated to the faculty immediately prior to the beginning of any Senate debate on a proposed amendment.

During the Senate floor debate on an amendment proposal, the usual procedures in the most recent revision of *Robert's Rules of Order* for proposing amendments to any main motion shall apply, thus making advance notice not required.

- 2) The Methods of Ratification of Proposed Senate Bylaw Amendments

Ratification of proposed amendments to the Faculty Senate bylaws shall require the participation of a minimum of 25 percent of the full-time faculty.

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A two-thirds majority of the full-time faculty voting 'yea' or 'nay' by returned secret ballot, shall be necessary to ratify a Senate-proposed bylaw amendment. The list of faculty entitled to vote shall be compiled by the Senate Agenda Committee in conjunction with the University's chief academic officer. Thereafter a ballot prepared by the Agenda Committee, detailing the proposed bylaw amendment(s) and the changes it (they) would effectuate, shall be sent to the listed faculty. The deadline for the return of ballots may not be shorter than ten University working days and must be printed on the face of the ballot itself.

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The Faculty Senate Agenda Committee shall be responsible for the integrity of the balloting procedures; shall count the ballots; and shall certify the outcome of the balloting to the Faculty Senate, the President and the Board of Trustees.

3) Operativeness of Amendments

Amendments to the Senate bylaws shall automatically go into effect unless they have been disapproved by the Board of Trustees within 90 days after written notice of faculty ratification has been sent to the President by the Senate Agenda Committee.

- b. The foregoing organizational arrangements may be altered, amended, or repealed by the Board of Trustees at any of its regular meetings.

Faculty Senate Bylaws