

# Constitution of the Faculty Senate

*(As revised by Senate February 24, 1995, April 21, 1995, March 20, 1998, February 19, 1999, June 15, 2001, November 14, 2003, March 12, 2004, November 2, 2008, April 3, 2009, and March 4, 2011)*

## Division 1: General Provisions

### Article 1 Name and Purpose

#### Section 101

The name of this organization shall be the Faculty Senate, hereafter referred to in this document as the Senate.

#### Section 102

The Senate shall provide for the faculty both a forum and a voice and so allow it to assert for the general welfare of the university its distinctive viewpoint and principles. As duly elected representatives of the faculty, the Senate shall act on matters relating to due process, governance, resource allocation, and university planning.

As a key partner in university governance, the Senate shall have responsibility for (1) facilitating meaningful input regarding matters of faculty concern; (2) advising on policy, development, planning and budgeting, resource allocation, and operations of the university; (3) ensuring faculty representation to all relevant university committees, boards, and task forces administering the affairs of the university.

Shared governance is the responsibility of the Faculty Senate, other faculty bodies, the faculty as a whole, and the administration. As a partner in governance, the Senate is entitled to be informed by the university administration in a timely matter of the disposition of any matters, recommendations, or motions made to the administration by the Senate.

## Division 2: Membership

### Article 1 Composition

#### Section 110:

The membership of the Senate shall be composed of elected representatives from the full-time faculties of designated academic division of the University with administrative rank no higher than Chair.

Section 111: Each of the following academic division of the University shall be entitled to representatives to the Faculty Senate: College of Arts and Letters, College of Business, College of Education and Psychology, the College of Health, the College of Science and Technology, the Gulf Coast Campuses, and the USM Libraries.

Section 112: The total number of senators shall range from 42 to 45 with representatives assigned by proportion of the total faculty members in the year of apportionment. Allotment of representative shall

be guided by the following principles: (1) insure geographical breadth and (2) insure each department with at least ten full-time faculty has one senator before any department has two senators.

Section 113: Whenever academic colleges, division, or units are created or substantially changed, reapportionment shall occur as the terms of existing senators affected by the changes expire.

#### Section 114

The Senate shall be reapportioned according to official University statistics in February 1989, and at three year intervals thereafter.

#### Section 115

Whenever the number of representatives allocated to an academic division is reduced, all faculty representatives on the Senate from that division shall serve out the remainder of their terms of office.

### Article 2        Term of Office

#### Section 120

Senate representatives shall serve staggered three year terms and may be reelected to a second consecutive term of three years. Following at least a one year absence from the Senate, a faculty member becomes eligible once more to serve two consecutive terms.

#### Section 121

Terms of Senate representatives shall begin with the organizational meeting of the Senate in June and end with the adjournment of the meeting immediately preceding the next organizational meeting of the Senate in June.

#### Section 122

The terms of Senate representatives appointed by the president of the Faculty Senate under the provisions of this constitution shall begin on the date of their appointments and end with the adjournment of the Senate meeting immediately preceding the next organizational meeting of the Senate in June.

#### Section 123

The term of a Senate representative elected to fill a position vacated shall be for the unexpired term of the representative vacating the position.

### Article 3        Eligibility Requirements

#### Section 130

To be eligible for membership on the Senate, the faculty member must be an employee of USM and must be a full time member of the faculty without any qualifying designation such as "visiting," "special," or "adjunct." Professional librarians are members of the faculty at USM.

### Article 4        Election of Representatives to the Senate

#### Section 135

Senate representatives from each division shall be elected in April by the full time faculty assigned to that division. The eligible membership of each division as defined in Section 130 of this constitution shall elect the appropriate number of representatives by secret ballot, according to the procedures

prescribed in the bylaws. In order to complete the election of Senate representatives in April, the elections process shall be initiated the last week in February.

#### Section 136

A full time member of the faculty holding a joint appointment across divisions may vote for representatives in only one of the divisions in which he or she hold appointments and may be elected as a representative in only one of these divisions.

### Article 5          Vacancies and Leaves of Absence

#### Section 140

A vacancy on the Senate which arises between annual elections in April shall be filled in the interim by appointment from eligible faculty of the affected college or division by the president of the Faculty Senate with the advice and consent of the Senate.

#### Section 141

If a vacancy for one year or more on the Senate is in prospect at the time of the annual elections in February, the vacancy shall be filled by regular election procedures as prescribed in the constitution and bylaws of the Senate.

#### Section 142

If a vacancy for less than one year is in prospect at the time of the annual elections in February, it shall be filled in the interim by appointment from eligible faculty of the affected college or division by the president of the Faculty Senate with the advice and consent of the Senate.

#### Section 143

If an elected representative of the Senate takes a leave of absence for a year or less, he or she shall appoint a proxy from his or her college who is eligible for membership as an elected representative or who is a current elected Senate representative from his or her college or division.

#### Section 144

If an elected representative on leave fails to designate a proxy or his or her leave of absence extends beyond one year, the position shall be declared vacant by the president of the Faculty Senate and filled in the interim by appointment from eligible faculty of the affected college or division by the president of the Faculty Senate with the advice and consent of the Senate.

#### Section 145

If an elected Senate representative fails to attend two consecutive regularly scheduled meetings without supplying a proxy, he or she shall be notified in writing by the president of the Faculty Senate that his or her position will be declared vacant in the event of a third consecutive absence. Upon his or her third consecutive absence, his or her position shall be declared vacant by the president and filled in the interim by appointment from eligible faculty of the affected college or division by the president with the advice and consent of the Senate.

### **Division 3: Officers and Committees**

#### Article 1                      Officers, Eligibility, and Term of Office

##### Section 150

The officers of the Senate shall consist of president, president elect, secretary, and secretary elect.

##### Section 151

Any elected representative to the Senate shall be eligible to hold elective office.

##### Section 152

The terms of Senate officers shall be for one year or less. The terms of officers elected to serve one year terms shall begin and end with the adjournment of the Senate at its organizational meeting in June. The terms of Senate officers elected or appointed to fill positions vacated during the Faculty Senate year shall begin at the time of their election or appointment to office and end with the adjournment of the Senate at its organizational meeting in June.

#### Article 2                      Election of Officers

##### Section 155

The regular election of Senate officers for the Faculty Senate year shall be held at the regularly scheduled meeting of the Faculty Senate in May.

##### Section 156

With the exceptions prescribed in Sections 165 and 168 of this constitution, the president and the secretary shall be the persons whose terms as president elect and secretary elect are ending at the time of the organizational meeting of the Senate in June.

##### Section 157

As prescribed in Sections 166, 167, and 169 of this constitution, special elections of Senate officers shall be held to fill Senate offices vacated during the Faculty Senate year.

##### Section 158

All Faculty Senate officers shall be elected by secret ballot according to the procedures prescribed in the bylaws.

## Section 159

No person may hold two offices simultaneously.

## Article 3          Vacancies and Leaves of Absence

### Section 165

If the office of president becomes vacant, the president elect shall become president for the remainder of that term and remain president for the following term.

### Section 166

If the office of president elect becomes vacant before the December meeting of the Senate, the Senate at its next meeting shall elect an elected representative from its membership to serve as president elect for the remainder of that term. The newly elected president elect shall serve as president of the Senate the following term, provided the presidency is not occupied by an incumbent under the provisions of Section 165 of this constitution. If the office of president elect becomes vacant after the December meeting of the Senate, it shall remain vacant until the end of the term.

### Section 167

If the office of president becomes vacant when the office of president elect is also vacant, the secretary or the secretary elect shall convene a special meeting of the Senate within fourteen days (unless the May election meeting of the Senate is sooner) to elect a president from its membership to serve the remainder of the term. Such a person shall be eligible for election as president or for any other Senate office open the following term. The office of president elect shall remain vacant until the end of the term.

### Section 168

If the office of secretary becomes vacant, the secretary elect shall become secretary for the remainder of that term and remain secretary for the following term.

### Section 169

If the office of secretary elect becomes vacant before the December meeting of the Senate, the Senate at its next meeting shall elect an elected representative from its membership to serve as secretary elect for the remainder of that term. The newly elected secretary elect shall serve as secretary of the Senate the following term, provided the office of secretary is not being occupied by an incumbent under the provisions of Section 168 of this constitution. If the office of secretary elect becomes vacant after the December meeting of the Senate, it shall remain vacant until the end of the term.

### Section 170

If the office of secretary becomes vacant when the office of secretary elect is also vacant, the president of the Faculty Senate shall appoint, with the advice and consent of the Senate, a secretary and a secretary elect from its elected membership to serve the remainder of the term. Such persons shall be eligible for election as secretary and secretary elect, respectively, or for any other Senate office open the following term.

### Section 171

If an elected officer of the Senate takes a leave of absence or is physically incapacitated for more than three consecutive months, the office shall be considered vacant and shall be filled according to the provisions of this constitution and its bylaws.

## Article 4          Duties of Officers

#### Section 175

It shall be the duty of the president to (a) provide general supervision over all business of the Senate, (b) open and preside at all meetings of the Senate, (c) preside at meetings of the Executive Committee, (d) serve ex officio on all committees, and (e) perform such other duties as are prescribed in the bylaws.

#### Section 176

It shall be the duty of the president elect to (a) assist the president (when asked) in the execution of his or her responsibilities, (b) preside at meetings of the Senate in the president's absence, (c) serve as the Senate's financial officer and signature authority, (d) maintain all financial records of the Senate, (e) provide general oversight of the Senate reapportionment every three years, and (f) perform such other duties as are prescribed in the bylaws.

#### Section 177

It shall be the duty of the secretary to (a) conduct Senate correspondence as directed by the president; (b) read or summarize important correspondence at meetings; (c) record the substantive actions and proceedings of all meetings of the Senate; (d) prepare and sign the official minutes of each meeting (including a statement of members present and absent) and secure the signature of the president of the Senate; (e) read the minutes of the previous meeting if requested, and record any amendatory changes approved by the Senate; and (f) maintain the Senate web site; (g) notify all members of the meetings of the Senate; (h) distribute agenda, minutes, and proposals to Senate members; and (i) perform such other duties as prescribed in the bylaws.

#### Section 178

It shall be the duty of the secretary elect to (a) assist the secretary as needed with distributing agenda and proposals; (b) take the roll call of members and proxies and record members present and absent at all meetings of the Senate; (c) inform the Senate when a quorum is present; (d) assist the secretary in the recording of substantive actions and proceedings of all meetings of the Senate; (e) assist the secretary in the preparation of the official minutes of each meeting (including a statement of members present and absent); (f) distribute the minutes of each meeting as needed to faculty members, to appropriate administrative and staff personnel of the University, and to other individuals as directed by the president of the Senate; (g) preserve and have available the official documents and records of the Senate; (h) arrange with the University Archivist for the permanent housing of each year's records; (i) assist the secretary (when asked) in the execution of his or her responsibilities; (j) serve in the secretary's absence as acting secretary; and (k) perform such other duties as prescribed in the bylaws.

### Article 5      Committees

#### Section 185

The Executive Committee of the Senate shall consist of the officers of the Senate. The Committee shall perform such duties as prescribed in this constitution and bylaws.

#### Section 186

An Elections Committee shall be established by the Senate. This committee shall provide general oversight of all elections of Senate representatives according to the provisions specified in the bylaws.

#### Section 187

The Faculty Senate may establish such other standing and special committees as its business may require. The members and officers of these committees shall be appointed by the president of the Faculty Senate with the advice and consent of the Senate.

## **Division 4: Meetings of the Faculty Senate**

### Article 1      Schedule of Meetings

#### Section 190

Article 1, Section 190. The Senate shall meet in nine regular sessions, once each month during the year except for the months of July and August. The Senate shall meet once over the span of January and February. Special sessions of the Senate may be called as required by the president of the Senate or at the request of a majority of its voting members.

#### Section 191

The Senate shall establish a schedule of regular meetings for the year at its September meeting. The schedule shall be published and distributed promptly to all members of the Senate and to appropriate administrative and staff personnel of the University.

### Article 2

#### Section 195

Agenda for meetings shall be prepared by the Executive Committee of the Senate which shall establish the priority of items on the agenda.

#### Section 196

Copies of the agenda for all regular and special meetings shall be distributed by the secretary to all members of the Senate at least three class days in advance of such meetings.

#### Section 197

Agenda prepared by the Executive Committee for a meeting may be changed at the meeting by a majority vote of the voting membership present. A call for non agenda items shall be made at each meeting.

### Article 3      Meeting Procedures

#### Section 201

The meetings of the Faculty Senate shall be open except when, by majority vote, the Senate deems it necessary to restrict a meeting to Faculty Senators only. At its discretion, the Senate may invite specific individuals to attend and participate in a closed meeting (revised November 14, 2003).

#### Section 202

The president shall serve as the presiding officer of all meetings of the Senate. In his or her absence, the president elect shall preside. If both are absent, the secretary shall preside. If all other officers are absent, the secretary elect shall preside.

#### Section 203

A quorum of the Senate shall consist of more than one half of its voting members.

#### Section 204

Meetings of the Senate shall be conducted according to the latest edition of *Robert's Rules of Order* (as interpreted by the president), except insofar as the constitution and bylaws make expressed provisions to

the contrary. The president may appoint a parliamentarian from or outside the Senate membership to advise him or her in interpretations of parliamentary procedures.

#### Section 205

The right of the floor at meetings of the Senate shall be afforded to (a) members of the Senate, (b) heads of administrative divisions of the University or persons designated by them to present agenda items, (c) other persons invited by the Senate to address specific items on the agenda, and (d) any other persons recognized by the president.

#### Section 206

Actions of the Senate which require voting, except amendments to the constitution, may be enacted by a majority vote of the members present and voting, a quorum being present. Voting shall be by voice or show of hands unless a roll call or vote by secret ballot is requested by a voting member.

#### Section 207

Any voting member of the Senate unable to attend a meeting shall designate a proxy in a signed statement or in an electronic mail message originating from that member's electronic mail account. It is the member's responsibility to ensure that all proxy statements reach the secretary or the secretary elect by the time of the meeting. The proxy must be eligible for membership as a representative of the Senate. Senators may hold no more than two (2) proxy votes for any given meeting and hold no more than three (3) total votes.

#### Section 208

Resolutions brought before the Senate for a vote must be distributed at a regularly scheduled meeting and presented for a vote at the next regularly scheduled meeting. By a two-thirds majority vote, the Senate may elect to suspend the rules and vote on the resolution during the meeting at which it is initially presented.

## **Division 5: Finances**

### Article 1      Budget

#### Section 215

The Senate may request an annual budget from the University to conduct its business. Expenditure may be authorized by either the Senate or by the Executive Committee.

#### Section 216

The president elect shall serve as the Senate's financial officer and signature authority. All financial records of the Senate shall be maintained by the president elect and made available to members of the Senate for examination.

## **Division 6: Amendments and Bylaws**

### Article 1      Amendments to the Constitution

#### Section 220

Amendments to the constitution shall be initiated by the Senate. An amendment becomes effective when approved by (a) a two thirds vote of its total voting membership; (b) by the University Council; and (c) the President of the University.



## Article 2      Bylaws

### Section 225

The Senate by a majority vote of its voting membership may establish bylaws, not inconsistent with this constitution, governing the conduct of the business of the Senate and such matters as may be within its competence.

### Section 226

Any voting member or committee of the Senate may propose additions, amendments, or deletions to the bylaws by submitting a written text of the proposal to the president of the Senate at least fourteen days before a regular meeting at which it is to be considered. The secretary shall circulate the same to all members of the Senate prior to the meeting.

### Section 227

Bylaws of the Senate may be amended by a simple majority vote of its total membership.

