

### **3W. CONSTITUTION AND BYLAWS OF FACULTY SENATE**

**3W.01 CONSTITUTION** (FSB 82007; FSR 85003; FSR 85012; FSB 87007; FSB 87008; FSR 93009; FSB 93016; FSB 96006; FSB 97006; FSB 99006; FSB 00006; FSB 02009 passed by Faculty Senate 4/15/03; approved by Faculty vote; approved by President 5/13/03; FSR 03015 approved by President 5/18/04; FSB 03014 passed by Faculty Senate 4/6/04; approved by President 5/19/04; FSB 03017 passed by Faculty Senate 4/20/04; approved by President 5/19/04)

The constitution of the Faculty Senate of Emporia State University was adopted by the Faculty Senate on January 17, 1984, approved by the faculty through a written ballot on February 21, 1984, and approved by the President of the University on March 5, 1984.

#### **PREAMBLE**

1. The Faculty Senate of Emporia State University is hereby established to provide the means whereby faculty and administration can engage in cooperative action in the formulation of policy affecting the primary functions of the University. Within the limits established by law and by the regulations and policies of the Kansas State Board of Regents, the faculty reserves to itself the responsibility and the authority for governing itself and the University in a manner conducive to the proper functioning of the University.
2. To fulfill the responsibility of faculty governance, the faculty hereby delegates its authority to the Faculty Senate, but it retains the right of referendum.

#### **Article 1. The Voting Faculty**

1. All persons holding the rank of professor, associate professor, assistant professor, or instructor who are full time faculty members of University Libraries and Archives, the School of Library and Information Management, the School of Business, the Teachers College, and the College of Liberal Arts and Sciences who spend at least quarter-time during the academic year in teaching, academic research, or supervision of student teachers shall be considered voting members of the faculty of Emporia State University. Any voting faculty member in the year previous to his/her sabbatical or leave shall not lose his/her right to vote by reason of his/her absence. Voting rights apply to referendums and election of Second Vice President.
2. The faculty shall elect from the voting members of the faculty the Second Vice President of the Faculty in accordance with the rules set forth in the Constitution of the Faculty Senate and Article III of the Bylaws. The Second Vice President may not hold an administrative position above the rank of department chair.
3. At the conclusion of the President of the Faculty's term, the President of the Faculty shall assume the position of immediate past President of the Faculty. The First Vice President shall become the new President of the Faculty and the Second Vice President shall become the First Vice President of the Faculty.

4. The First Vice President, the President, and the immediate Past President shall serve as Faculty Senate Officers. The President of the Faculty shall serve as the presiding officer of the Faculty Senate. The First Vice President shall serve as the Secretary of the Faculty Senate. The immediate Past President of the Faculty shall serve as the parliamentarian of the Faculty Senate.
5. The Second Vice President of the Faculty will have no specific duties to the Senate. The Second Vice President is encouraged but not required to attend Senate meetings and Faculty Senate Executive Meetings as a non-voting member while preparing to assume their 3-year obligation. In the event that the President of the Faculty or the First Vice President of the Faculty is unable to complete his or her term, it may be necessary for the Second Vice President to undertake an active leadership role in accordance with Article II Section 3 of the Constitution.

## **Article II. The Faculty Senate**

### Section 1. Function

The Faculty Senate of Emporia State University is designated as the official and only body to represent the faculty of the University. The Faculty Senate is empowered to act for the faculty in all matters that come within the realm of faculty concern.

### Section 2. Membership

1. Voting membership of the Faculty Senate shall be constituted as follows:
  - a. The President of the Faculty, who shall vote only to break ties.
  - b. Senators who shall be elected from the voting faculty of the School of Library and Information Management, University Libraries and Archives, and each department within the School of Business, the Teachers College, and the College of Liberal Arts and Sciences, according to the formula of one senator for each ten faculty positions or majority part thereof. Each department of a college/school is guaranteed at least one senator. The total number of senate positions for each department, SLIM, and University Libraries and Archives shall be based on equivalent full-time faculty positions. The equivalent full-time faculty positions shall be determined by the Committee on Campus Governance during the fall semester of each year. Any adjustment in representation shall be made prior to spring elections with terms of office beginning on June first.
  - c. In addition, one senator shall be elected from the full-time unclassified staff of each of the following areas: Student Affairs (which shall include University Advancement), Academic Affairs (which shall include unclassified personnel from University Libraries and Archives), and Fiscal Affairs (which shall include Intercollegiate Athletics, Public Affairs and Marketing and any unclassified personnel otherwise unmentioned).
2. Non-voting membership of the Faculty Senate shall consist of the Vice President for Academic Affairs of the University, the First Vice President for the Faculty Senate, the immediate Past President of the Faculty, and the President of the Associated Student Government.

3. Only voting members of the Faculty Senate as defined under Article I of the Constitution of the Faculty Senate not holding administrative positions above the title of department chair are eligible to chair a standing committee of the Faculty Senate. Any chair of a Faculty Senate standing committee who is promoted to an administrative position shall immediately relinquish his/her position as chair of that committee.
4. Election of the appropriate number of senators shall occur as follows:
  - a. For University Libraries and Archives, the School of Library and Information Management, the School of Business, the Teachers College, and the College of Liberal Arts and Sciences, senators shall be elected by the respective faculty of each department/unit.
  - b. For Student Affairs (which shall include unclassified personnel from University Advancement), Academic Affairs (which shall include unclassified personnel from University Libraries and Archives), and Fiscal Affairs (which shall include Intercollegiate Athletics, Public Affairs and Marketing, and any unclassified personnel otherwise unmentioned), senators shall be elected by the respective full-time unclassified staff and faculty of each unit.
5. In case of reorganization of academic departments or administrative units, the terms of office of all senators previously elected by the old units shall be terminated. The Committee on Campus Governance shall determine the correct number of new senators, and will notify the new department(s)/unit(s) of this number within 30 days of the actual reorganization. Within 30 days of this notification, elections will be held in the new departments/units. The newly elected senators will assume office, with full Faculty Senate privileges, at the first meeting of the Faculty Senate following their elections.
6. In the event that an elected senator from one department/unit is transferred to a different department/unit, the senator's term shall be immediately terminated. New elections shall be held within 30 days in the affected department/unit, and the newly elected senator will assume office, with full Faculty Senate privileges, at the first Faculty Senate meeting following election.

### Section 3. Terms of Office

1. All terms of office shall begin on June first.
2. Senators:
  - a. Faculty senators elected as representatives under Section 2 above shall serve a term of two years, with the objective of any reorganization that one half of their number will be subject to election each year as to be specified in the bylaws.
  - b. No senator elected under Section 2.1.b. and c. shall serve more than two terms consecutively. Service of less than one year as a replacement shall not constitute a term.

3. Officers:
  - a. The term of the President, First Vice President and Second Vice President shall be one year each.
  - b. In the event the President is unable to complete a term of office, the First Vice President shall become President, the Second Vice President shall become First Vice President and a new Second Vice President shall be elected by the faculty. Should the First Vice President succeed to his or her predecessor's term for more than six months, he or she shall serve as President only to the completion of the predecessor's term, at which time the First Vice President in office shall succeed to the position of President. Otherwise, the First Vice President shall serve the partial term as well as his or her own full term as President.
  - c. If the First Vice President is unable to continue in office, or has succeeded to the presidency, the Second Vice President shall succeed him or her and a special election shall be held to fulfill the remaining terms of the Second Vice President. Senatorial positions made vacant by such a special election shall be filled in their conventional manner.

#### Section 4. Responsibilities of the Faculty Senate

1. Within the scope set forth in the preamble of this constitution, the Faculty Senate's primary function shall be the initiation of new policies, as well as the review and amendment of existing policies, that implement the academic mission of the University. In addition, the Faculty Senate shall retain the privilege of reviewing and making recommendations concerning all existing policies, and all proposals from non-Faculty Senate sources for new policies, that affect faculty welfare and the overall mission and/or major objectives of the University.
2. Faculty Senate-approved bills shall be considered official policy of the University upon receiving the approval of the President of the University and, when necessary, the Board of Regents.
  - a. In the event the President of the University takes no action on a Faculty Senate-approved bill within 30 calendar days after receiving official written notice of the Faculty Senate's approval of the bill, that bill shall be considered university policy. Action is defined as the President's approval or disapproval of the Faculty Senate-approved bill, or the Faculty Senate's approval of a request from the President of the University for an extension of time, not to exceed an additional 30 calendar days.
  - b. In the event of a Presidential disapproval of a Faculty Senate-approved bill, the Faculty Senate may express its views on the issue at hand by considering an appropriate resolution. (see Bylaws, Article IV, Sec. 8c)
3. Any disagreement about what is or is not a matter within the realm of faculty governance shall be resolved by the cooperative action of the President of the University and the Executive Committee of the Faculty Senate, except that any such resolution is subject to review of the full Faculty Senate.

## Section 5. Official Actions of the Senate

1. The Faculty Senate shall express its views officially by the means of bills and resolutions. The Faculty Senate reserves the right to express its views by other means, as it deems appropriate.
2. Actions of the Faculty Senate may occur from the review of committee reports (FSCR), resolutions (FSR), or bills (FSB). Committee reports are the formal reports of the four standing committees (academic affairs, faculty affairs, committee on campus governance, and executive committee) or of committees appointed by a standing committee. Resolutions are expressions of opinion addressed to the President of the University, other members of the campus community, or external agencies. Bills are statements of policy, and when signed by the President, become University policy.
3. Any item of business (i.e., bills, committee reports, resolutions and amendments) that originates in the Faculty Senate or one of its committees, or is submitted to the Faculty Senate from another source, must be placed on the agenda of the Faculty Senate and introduced as business within 45 calendar days. Items of business submitted from another source (not the Faculty Senate) must be submitted by:
  - (a) a petition bearing the signatures of at least two senators or five members of the faculty, or
  - (b) a written request from the President of the University, or
  - (c) a written request from the Vice President for Academic Affairs of the University.
4. The Faculty Senate reserves the right to review the actions of any of its committees or task forces and to affirm or change those actions through Faculty Senate bills or resolutions.

## Section 6. Minutes

1. The Faculty Senate and each of its committees or task forces shall keep official minutes of their respective actions. All minutes shall specify the dates and places of meetings, the members present, the important details of all actions taken, and the nature of all issues raised and discussed.
2. The Faculty Senate web site will contain minutes from all meetings of the full Senate and the Senate Executive Committee. Hard copies of minutes will be kept on file in the office of the Faculty Senate. Copies will be made available on request to any member of the faculty at a cost consistent with accepted copy rates available within the University.
3. A permanent file of all Faculty Senate minutes shall be kept in the Emporia State University Archives. The Secretary of the Faculty Senate shall be responsible for submission of minutes to the University archivist.

## Section 7. Internal Structure of the Faculty Senate

1. To facilitate the action of the Faculty Senate, that body shall be divided into the following standing committees: the Executive Committee, the Academic Affairs Committee, the Faculty Affairs Committee, and the Committee on Campus Governance. The Executive Committee may appoint such task forces or ad hoc committees as it may deem necessary or desirable for the

proper conduct of Faculty Senate business. Other committees may appoint sub-committees as deemed necessary.

2. The Vice President for Academic Affairs of the University, First Vice President of the Faculty, the immediate Past President of the Faculty, and the President of the Associated Student Government shall not sit as voting members of the Academic Affairs Committee, the Faculty Affairs Committee, or the Committee on Campus Governance. With the exception of the Executive Committee, as stipulated below, the president of the Faculty shall appoint each voting senator to at least one standing committee.
3. The Executive Committee
  - a. Shall be composed of the President of the Faculty, First Vice President of the Faculty, Second Vice President of the Faculty, chairs of the three standing committees of the Faculty Senate, and the immediate past President of the Faculty. The Vice President for Academic Affairs of the University shall serve ex officio as a non-voting member of the Executive Committee. The President of the Faculty shall serve as chair of the Executive Committee.
  - b. Decisions resulting in a tie vote must be reconsidered. A majority of members must be present when voting on an issue.
4. The Executive Committee shall be responsible for the following:
  - a. Referring items of business to an appropriate committee, to a task force, or to the Faculty Senate as a whole.
  - b. Establishing the agenda of Faculty Senate meetings.
  - c. Developing and maintaining effective communication among the members of the Faculty Senate, Faculty Senate committees, faculty, administration, support services, student body, alumni association, community, and faculty governing bodies of institutions represented by the Kansas Board of Regents.
  - d. Evaluating annually the activities and actions of the Faculty Senate through on-going review of the Faculty Senate Constitution and Bylaws.
  - e. Addressing other functions as the President of the Faculty or the Faculty Senate deems appropriate and this constitution otherwise assigns.
  - f. Implementing administrator evaluations as specified in Faculty Senate legislation.
5. The Academic Affairs Committee and the Faculty Affairs Committee shall be responsible for matters assigned to them by the Faculty Senate or its Executive Committee. In addition, these two committees shall have the prerogative to discuss those matters they deem appropriate and make recommendations in the form of bills, resolutions or committee reports to the Faculty Senate.

6. The Committee on Campus Governance shall be responsible for the following:
  - a. Recommending to the Executive Committee potential members for ad hoc committees and task forces as the Executive Committee designates, or University policy stipulates that the Faculty Senate be involved in staffing.
  - b. Reviewing the actions of University task forces, committees, councils, and boards, as stipulated by policy and referring to the Faculty Senate any action that may be of concern to the Senate.
  - c. Reviewing all proposals from the Associated Student Government and its agencies on campus in those cases where such proposals affect the implementation of the mission of the University.
  - d. Undertaking any additional functions as assigned by the President of the Faculty or by the Faculty Senate.
  - e. Monitoring terms of office based on initial dates of election or appointments of Senators.
  - f. Conducting the election of the Second Vice President of the Faculty. In order to facilitate an election, the committee shall obtain and verify a list of voting faculty from the office of the Vice President for Academic Affairs. COCG will distribute candidate biographies and construct a ballot. The committee may secure outside technical assistance to run an electronic ballot in order to get a timely efficient result instead of paper or other secure balloting.
7. Only those members of non-Faculty Senate task forces, committees, councils, or boards who have been specifically and individually designated by the Faculty Senate for membership on such groups shall be recognized by the faculty as official Faculty Senate representatives. Such representatives shall be responsible to the Executive Committee and, through it, the Faculty Senate for the activities as members of such groups.
8. All bills and resolutions originating in Academic Affairs, Faculty Affairs, or the Committee on Campus Governance shall be submitted in writing to the Executive Committee prior to being presented on the Faculty Senate floor.

#### Section 8. Meetings

1. All meetings of the Faculty Senate and its committees and task forces are open. Any member of the University community may have floor privileges in the Faculty Senate meeting or committees but may not vote.
2. The Faculty Senate shall meet at least three times each fall and spring semester. The Faculty shall meet at least twice each year at the request of the President of the Faculty or President of the University.

### **Article III. Rules and Procedures for Ratification, Amendments, and Bylaws**

#### Section 1. Ratification

Ratification and adoption of this constitution shall be accomplished upon the approval of two-thirds majority of the members of the faculty voting in an election conducted by mail. Following its approval by the faculty, this constitution shall be submitted to the President of the University and shall enter into force upon receiving the President's approval.

#### Section 2. Amendments

1. This constitution may be amended by a two-thirds vote of the members of the faculty voting in an election conducted by paper or electronic ballot by the Faculty Senate Office. Any amendment to the Constitution must be submitted to the Faculty Senate in the form of a bill and be approved by majority vote of the Faculty Senate before being sent to the faculty. An amendment so approved by the faculty shall be sent to the President of the University and shall become part of this constitution upon the President's approval.
2. The changes specified below (a, b, c) do not require a vote of the general faculty and may be amended by a three-fourths vote on a bill passed by the Faculty Senate.
  - a. All of Article II, Section 7, "Internal Structure of the Faculty Senate," except that the Executive Committee must retain its stated responsibilities.
  - b. The time of election and beginning date of terms of office.
  - c. A name change of a department/unit specified in Article II, Section 2, "Membership," should those names (only) be officially changed unless the name change results in a change in the number of individuals or organizational structure represented in the department/unit.
  - d. Grammatical and spelling corrections.

#### Section 3. Bylaws

Bylaws that the Faculty Senate deems necessary or desirable may be adopted by a majority vote of the Faculty Senate membership.

### **Article IV. Enactment of the Constitution**

The Faculty Senate existing at the time of acceptance of this constitution is authorized to take such steps as may be necessary to implement this constitution.

**3W.02 BYLAWS** (FSB 88011, FSR 93014, FSB 93015, FSB 96005, FSB 97006, FSB 00007 passed by Faculty Senate 11/21/00; approved by Faculty vote 12/7/00; approved by the President 12/21/00; FSB 03018 passed by Faculty Senate 04/20/04; approved by the President 05/04/04)

The bylaws of the Emporia State University Faculty Senate were adopted by the Faculty Senate on February 19, 1985, as FSB 84014 and approved by the President of the University on March 3, 1985.

## **Article I. Membership and Elections**

### Section 1

1. Senators elected by the respective faculty of the School of Library and Information Management; Psychology & Special Education; Instructional Design and Technology; Accounting & Computer Information Systems; Biological Sciences; Music; Nursing; and Physical Sciences departments or units shall be elected prior to the second Tuesday of March of even numbered years. Senators elected by the respective faculty of the Art; Communication & Theatre; English; Foreign Languages; Mathematics & Computer Science; Social Sciences; Sociology & Anthropology; University Libraries and Archives; Business Administration and Education; School Leadership/Middle & Secondary Teacher Education; Counselor Education & Rehabilitation Programs; Health, Physical Education and Recreation; and Early Childhood/Elementary Teacher Education departments or units shall be elected prior to the second Tuesday of March of odd numbered years. Departments electing two or more senators shall elect one senator prior to the second Tuesday of March of even numbered years and the remaining senators prior to the second Tuesday of March of odd numbered years.
2. Senators elected by full-time unclassified staff of the units of Student Affairs, Academic Affairs, and Fiscal Affairs shall elect one senator per unit prior to the second Tuesday of March of even numbered years.
3. The Student Affairs unit shall be composed of full-time unclassified staff in the Office of the Vice President of Student Affairs and those units or programs that report to the Vice President of Student Affairs, as well as University Advancement.
4. The Academic Affairs unit shall be composed of full-time unclassified staff in the Office of the Associate Vice President for Academic Affairs and the Office of the Vice President for Academic Affairs. It shall also include those units or programs that report to the Associate Vice President for Academic Affairs or the Vice President for Academic Affairs that do not have representation through another program or unit.
5. The Fiscal Affairs unit shall be composed of full-time unclassified staff in the Office of the Vice President of Administration and Fiscal Affairs and those units or programs that report to the Vice President for Administration and Fiscal Affairs. For the purpose of Faculty Senate business, Intercollegiate Athletics, Public Affairs and Marketing, and any full-time unclassified personnel otherwise unmentioned shall be considered part of Fiscal Affairs.

## Section 2

At the first Faculty Senate meeting each April, senators whose terms expire the following June first shall certify to the Secretary of the Faculty Senate that an election has been held by the faculty/unclassified staff of their respective department or unit for the purpose of electing their successor, and provide to the Secretary of the Faculty Senate the name of the senator-elect.

## Section 3

The number of senators elected by each department or unit shall be determined by the Committee on Campus Governance using the following formula. One senator shall be elected for each ten equivalent full-time faculty positions or majority part thereof, with each department guaranteed at least one senator. Equivalent full-time faculty positions shall be determined by the Committee on Campus Governance using the official University budget during the fall semester of each year. The number of senators to represent each department or unit shall be reported to the Faculty Senate by the Committee on Campus Governance no later than the first meeting held during the month of February.

## Section 4

The office of a senator shall be declared by the Secretary of the Senate to be vacant (a) whenever the senator or the senator's substitute is not present at four regularly scheduled meetings of the Faculty Senate, to include Faculty Senate and Faculty Senate committee meetings, during one academic year (b) upon the resignation from the University faculty/staff by the faculty/staff member serving as a senator, and (c) upon receipt by the Secretary of the Faculty Senate of the senator's letter of resignation from the Faculty Senate, and (d) if a senator is elected Second Vice President of the Faculty. Within ten class days following the declaration that the office of a senator is vacant the Secretary shall notify the head of the department or unit represented by the senator that the office is vacant. The unit must then elect a replacement for the remainder of the senator's term.

## Section 5

A senator who is unable to attend any regular meeting of the Faculty Senate or any of its constitutionally identified committees of which the senator is a member may appoint a temporary substitute to serve, subject to the following procedures: (a) a temporary substitute must be a member of the department or unit which is represented by the senator; (b) a temporary substitute or absentee senator must notify the Secretary of the Faculty Senate or appropriate committee secretary of the identity of the temporary substitute prior to the convening of the meeting. The substitute shall have the rights and privileges exercised by the senator for whom the substitution is made.

## Section 6

A temporary substitute to the Executive Committee for a committee chairperson must be a member of the same committee as the committee chairperson and has the same responsibilities as the chairperson.

## Section 7

Senators who shall be absent from Faculty Senate and Faculty Senate committee meetings for a period of one semester or less shall have the right to appoint a substitute senator under the provisions of Section 5. A senator who shall be absent from Faculty Senate and Faculty Senate committee meetings for a period greater than one semester does not have the privilege of naming a substitute senator, and the unit the senator represents must elect a replacement for the remainder of the senator's term.

## Section 8

Election of standing committee chairs for the coming academic year (excluding the Executive Committee) usually occurs at the last regularly scheduled meeting of the Faculty Senate in May.

## **Article II. Meetings**

### Section 1

The regular meetings of the Faculty Senate are to be held on the first and third Tuesdays of each month during the academic year. The time of the meetings should be set for 3:30 - 5:00 p.m.

### Section 2

Faculty Senate committees should meet on the second and fourth Tuesdays of each month during the academic year from 3:30 - 5:00 p.m. and at other times when deemed necessary.

### Section 3

The first meeting in May shall be known as the Annual Meeting at which time the annual reports are received from standing committees and other special committees appointed during the year.

### Section 4

Special meetings of the Faculty Senate shall be called by the President of the Faculty with at least a seven-day advance notice. The seven-day advance notice may be waived by  $\frac{2}{3}$  affirmative vote of the Executive Committee. No business shall be transacted except that identified in the notice of the special meeting.

### Section 5

A quorum of the Faculty Senate is the majority of the voting membership of the Senate.

### Section 6

1. With the exception of routine operating procedures and motions involving parliamentary procedures, meetings of the Faculty Senate shall include three types of formal actions: (a) an action by the Faculty Senate which would add to, delete from, or change the existing official

policy of the University shall be entitled Faculty Senate Bill (FSB); (b) an action by the Faculty Senate which does not change the official policy of the University but reflects the concern or position of the Faculty Senate shall be entitled Faculty Senate Resolution (FSR); and © acceptance of an official written report to the Faculty Senate from any committee or council established by the Faculty Senate entitled Faculty Senate Committee Report (FSCR).

2. All formal actions of the Faculty Senate shall be numbered consecutively.

## Section 7

During the summer session when the Faculty Senate does not regularly meet, the officers of the Faculty Senate may address issues of concern to the faculty and represent the interests of the faculty if the President of the Faculty, First Vice President, and Immediate Past President concur. Decisions or positions considered during this period are subject to review by the Faculty Senate at its first meeting of the academic year.

### **Article III. Election of Second Vice President of the Faculty**

1. A nominating committee shall select nominees for the election of the Second Vice President. It is expected that the nominating committee will propose at least two nominees.
2. The nominating committee shall be composed of the current First Vice President of the Faculty and current Second Vice President of the Faculty and one faculty senator from each of the following designations: 1) University Libraries & Archives or the School of Library and Information Management, 2) the School of Business, 3) The Teachers College, 4) the College of Liberal Arts and Sciences, and 5) one faculty senator chosen at large. For designations 1, 2, 3 and 4 the respective senators shall caucus and select a committee member. An at-large member shall be chosen by the First Vice President of the Faculty with the concurrence of the Faculty Senate Executive Committee.
3. The nominating committee will convene to construct a recommended ballot of candidates for the position of the Second Vice President of the Faculty. The recommendation will be developed by a consensus of the committee. No member of the nominating committee may be a nominee in an upcoming election for Second Vice President of the Faculty.
4. Recommendations from the nominating committee shall be presented at a meeting of the faculty, at which nominations from the floor may also be invited. Nominations from the floor must be seconded and nominees must accept or decline their nomination to be placed on the ballot.
5. Elections shall be conducted using written or secure e-mail procedures and shall provide for a minimum of two working days for faculty to cast ballots.
6. Procedures adopted for election campaigning shall be clearly communicated to all nominees and the faculty as a whole.

7. The election for Second Vice President shall normally be held during the month of August and must be held before September 15.
8. The nominee receiving the most votes shall be declared elected, except that if no nominee receives at least 40 percent of the ballots cast, a run-off election between the two nominees receiving the largest number of votes shall be held immediately.

#### **Article IV. Rules of Procedure**

##### Section 1

Any bill (FSB) offered on the floor of the Faculty Senate by any of the four regular committees of the Faculty Senate shall, upon first reading, be subject to discussion and debate but no vote shall be taken nor shall any amendment be allowed. A bill is not considered on "first reading" until a motion is made and seconded that the bill be accepted for adoption.

##### Section 2

Any bill (FSB) offered on the floor of the Faculty Senate by any senator or group of senators shall, following an explanation of the content and the intent of the bill, and the offering and answering of questions from the floor, be referred by the presiding officer to the appropriate senate standing committee. The appropriate committee shall deliberate on the bill and may choose to advance the original bill to the Faculty Senate floor or may let the bill die in committee. If advanced, it shall be considered on first reading.

##### Section 3

No bill (FSB) shall proceed to more than one reading at any single meeting of the Faculty Senate, and no more than one meeting of the Faculty Senate may be held in any twenty-four hour day. A proposed bill should be presented for second reading at the next regularly scheduled meeting following its first reading in the Faculty Senate.

##### Section 4

Adoption of a motion to lay on the table a bill (FSB) which is on second reading shall cause the bill to be on second reading when it is returned to the floor. Adoption of a motion to refer back to committee a bill (FSB) which is on first or second reading shall cause the bill to be on first reading when it is returned to the floor.

##### Section 5

Upon second reading, any bill (FSB) shall be subject to debate, open to amendment, and subject to vote for final disposition.

## Section 6

Amendments to a bill (FSB) should be circulated in writing to the senators prior to their consideration in a Faculty Senate meeting. Such amendments may be sent to the Executive Committee for circulation.

## Section 7

Upon approval of a bill, the President of the Faculty shall transmit the official written notice of the Faculty Senate recommendation to the President or Acting President of the University.

## Section 8

- a. When the President of the University informs the Faculty President that he or she has officially approved a bill (FSB) passed by the Faculty Senate, the Faculty President shall report the approval at the next regular meeting of the Faculty Senate. This announcement shall conclude deliberations on the bill.
- b. When the President of the University informs the Faculty President that he or she has given conditional approval to a bill (FSB) passed by the Faculty Senate, the Faculty President shall refer the bill to the committee of origin. The committee shall, at its next meeting give due consideration to the conditions of approval and prepare to return the bill to the Faculty Senate with its recommendations. If the Committee accepts the recommendations of the President, the Faculty Senate should be provided the recommendations in the form of an amendment. The Faculty Senate shall make the bill the first order of business at the next regularly scheduled meeting. The bill shall be on second reading.
- c. If the Committee does not accept the recommendation(s) of the President of the University, the appropriate Faculty Senate committee may recommend that the original bill be “amended after adoption”.
- d. When the President of the University informs the President of the Faculty that a bill passed by the Faculty Senate has not been approved, the text of the President's official message shall be distributed to the Senators at or before the next regularly scheduled meeting of the Faculty Senate. No later than two regularly scheduled Faculty Senate meetings after the President's message is distributed, as the first item of old business, the President of the Faculty or any Senator may place a motion before the Faculty Senate saying, "Resolved that Faculty Senate Bill number \_\_\_\_\_ be approved notwithstanding the President's disapproval." An affirmative vote cast by a majority of the total membership of the Faculty Senate shall be required for passage of the motion. The vote shall be by secret ballot, and a record of the number of yea, nay, and abstaining votes and the number of senators absent shall be made part of the Faculty Senate record, and the same conveyed to the President of the University.

## Section 9

If action on a bill being considered in the Faculty Senate at the end of the academic year is not resolved by the last meeting of the year, it may be reintroduced as a new bill in the following

academic year. Bills that have not been signed by the President by the close of the spring semester remain viable bills and must be acted on by the President consistent with Article II, Sec. 4, #2 of the Constitution. If a bill is not approved by the President, the Faculty Senate will consider recommendations or further actions at the first Senate meeting of the fall semester.

#### Section 10

The Senate may, by majority vote, call up for consideration at its next session any matter of business before any of its committees.

#### Section 11

In contrast to the procedure outlined above for the handling of bills (FSB) to establish policy, resolutions (FSR) may be received by the Faculty Senate without referral to committees, and may be introduced, debated, amended, and voted upon in a single meeting. Resolutions should be written so they may be properly reviewed. The President of the Faculty may waive this procedure if it is deemed necessary. Resolutions do not require the signature of the President of ESU.

#### Section 12

With the exception of a vote on a bill vetoed by the President of the University, the vote on any bill, resolution, or amendment shall be by a show of hands, or a division of the house, unless one-fifth of the membership present and voting shall request a roll call vote.

#### Section 13

Annual Standing Committee reports must be submitted for acceptance to the Faculty Senate at the last regularly scheduled meeting of the academic year.

#### Section 14

1. It is the responsibility of the presiding officer of a Senate meeting or committee to initiate time-limits for discussion and speaking privileges if it is felt appropriate. Time-limits may also be established by the Faculty Senate in accordance with the procedures outlined in Robert's Rules of Order.
2. Any member of the Faculty Senate who wishes to comment on an issue shall be recognized. No member of the Faculty Senate may comment more than once on an issue (exception would be to respond to a specific question or to clarify a comment in response to a question or comment from a member) until all other members who desire to comment have been given the opportunity. After all members desiring to comment have been provided an opportunity members may then be recognized again to provide additional comments.
3. Individuals from the University Community may enjoy floor privileges at a Faculty Senate meeting or a Faculty Senate committee or task force meeting. Guests wishing to address the Faculty Senate or one of its committees shall present themselves to the presiding officer of the Faculty Senate or Committee prior to the time the meeting is called to order. The presiding

officer shall determine when the guest shall speak as well as set time limits for comments. Non-members of the Faculty Senate will not be recognized until after all Faculty Senate members desiring to comment have been given the opportunity. Non-members must receive recognition from the presiding officer of the Faculty Senate and comments should be directly related to the issue being discussed or in response to a question from a Faculty Senate member.

4. In some situations a non-member may request to distribute materials or address the Faculty Senate or a committee. Requests should be submitted in writing to the presiding officer of the meeting prior to a scheduled meeting; requests should identify the purpose and anticipated time desired. Approval of requests may be granted by a motion and majority vote of the Faculty Senate or respective committee.
5. All guests who address the Faculty Senate or its committees must do so in a respectful and civil manner. The presiding officer has the right to suspend or deny floor privileges to those who violate these rules. This right, however, should only be exercised in extreme cases and must not be used to stifle debate or to prevent freedom of expression. The University's Affirmation of Values Statement provides the basis for these procedures.

#### Section 15

The President of the Faculty, with approval by the Executive Committee, may appoint an individual to handle the responsibilities of maintaining the Faculty Senate webpage subject to review by the Executive Committee.

#### Section 16

The Faculty Senate may, by simple majority vote, amend Faculty Senate bylaws. The Faculty Senate may, by  $\frac{2}{3}$  majority vote, suspend any of the bylaws.

#### Section 17

For the conduction of campus-wide votes involving Faculty Senate business, US mail, campus mail and electronic mail shall all be considered official.

#### Section 18

Robert's Rules of Order shall govern any matter not resolved by these Bylaws and rules of procedure.