

## **BYLAWS OF THE FACULTY SENATE OF MIDWESTERN STATE UNIVERSITY**

### **Section 1. Officers**

Not later than its April meeting each year the Faculty Senate shall elect a Chairperson, Vice-Chairperson, Secretary, Treasurer, and Parliamentarian from its membership to serve for a term of one year beginning on the first day of the fall semester. Nominees must have at least one full year remaining of their Senate terms at the time of their nomination. A majority vote shall elect such officers. If on any ballot no person receives a majority vote, then there shall be a runoff between those receiving the two highest vote totals. The new officers-elect shall then attend the immediately-succeeding May meeting of the Executive Committee in a non-voting capacity.

### **Section 2. Chairperson**

The Chairperson shall preside at meetings of the Senate and serve as Chairperson of the Executive Committee. The Chairperson shall act as a representative of the Senate on the Administrative Council, Allocation Advisory Committee, Legacy Walk Recognition Committee, Regents' Professor Selection Committee, and any additional standing University councils and committees or ad hoc committees as determined by the President. The Chairperson shall communicate the Senate's advice and recommendations to administrative officers when indicated.

No later than March 1st of each year, the Chairperson shall advise each college dean of the need to conduct an election of senators to succeed those whose terms are about to expire. When indicated, the Chairperson shall promptly advise a college dean of any senatorial vacancy and shall request that the dean conduct a special election to fill such vacancy.

### **Section 3. Vice-Chairperson**

The Vice-Chairperson shall serve on the Executive Committee of the Faculty Senate and preside at meetings of the Senate in the absence of the Chairperson. The Vice-Chairperson shall serve as Chairperson in the event of the Chairperson's death, resignation, or removal from office. In that event, the Senate shall elect a new Vice-Chairperson to fill the unexpired term of office. The Vice-Chairperson shall serve on the Executive Committee of the Senate. The Vice-Chairperson shall serve on the Academic Council of the University, as determined by the President, and act as a representative of the Senate in matters under the purview of the Academic Council.

#### **Section 4. Secretary**

The Secretary shall serve on the Executive Committee of the Faculty Senate. The Secretary shall keep minutes and records of all the proceedings of the Senate. The Secretary shall perform a roll call at each meeting and advise the Chairperson if a quorum is met. The Senate meeting minutes shall include a roll of those senators who were present and those who were absent.

The Secretary shall promptly distribute the minutes of each meeting of the Senate to the University faculty after approval of such minutes by the Senate. The Secretary will post approved agendas and meeting minutes on the Faculty Senate webpage of the University.

#### **Section 5. Treasurer**

The Treasurer shall serve on the Executive Committee of the Senate. The Treasurer shall be responsible for overseeing the budget of the Faculty Senate. The Treasurer shall be responsible for receiving expenditure requests from Senators and communicating such requests to the Faculty Senate for approval. The Treasurer shall serve as a Faculty Senate representative on the Budget Oversight Committee of the University.

#### **Section 6. Parliamentarian**

The Parliamentarian shall serve on the Executive Committee of the Senate. The Parliamentarian shall advise the Chair on all matters of procedure during Senate meetings and apply the latest revision of *Robert's Rules of Order* when appropriate. The Parliamentarian shall serve as the Faculty Senate representative on the Student Affairs Council of the University.

#### **Section 7. Removal from Office**

Any Senator may be removed upon a two-thirds majority vote of the Senate. A vote shall not be taken unless a petition signed by fifteen percent of the senators has been filed with the Executive Committee of the Senate. The petition will be attached to the agenda for the meeting at which the vote shall be taken.

#### **Section 8. Committees**

The Officers of the Senate shall constitute the Executive Committee of the Senate, which shall be responsible for preparing an agenda for each meeting and for distributing it to each senator on or before the Monday preceding the meeting.

The Senate may establish and disestablish ad hoc committees of the Senate as it deems appropriate. The Senate shall appoint members of an ad hoc committee from within the membership of the Senate and provide a charge to the committee. At the first meeting of the ad hoc committee, the members of such committee shall elect a chairperson and such other officers as may be appropriate for the effective functioning of the committee. Senators whose Senate terms have not expired should continue their duties on an ad hoc committee until the ad hoc committee has been disestablished.

### **Section 9. Meetings**

The Senate shall meet at least monthly during the long semesters of the academic year. Monthly meetings shall be held at a time and place as determined by the Executive Committee. The Chairperson of the Faculty Senate can call a special meeting of the Faculty Senate when this officer deems it necessary. A special meeting of the Faculty Senate must be called upon the receipt of a petition to the Chairperson of the Faculty Senate signed by at least ten members of the Faculty Senate.

No business shall be transacted unless a quorum is present and continues to be present at the meeting. A majority of the duly elected and qualified senators constitutes a quorum. In the absence of a quorum the Chairperson may only make announcements of an informative nature, rule on the existence of a quorum, and recess once for a short period to attempt to secure a quorum.

### **Section 10. Vacancy of Senatorial Position**

A Senate seat shall be declared vacant following three absences from regularly scheduled meetings without reasonable cause during a Senator's term of office. The responsibility of reporting cause lies with the Senator.

Reasonable cause may be defined as absence due to other University duties or business, illness, or pressing personal matters. The Chairperson of the Senate shall have the authority to rule on the validity of the cause of absence. The senator affected may appeal the ruling to the Senate, which may overrule the Chairperson by a simple majority.

If a senator is absent for more than five consecutive months with reasonable cause, the seat shall nevertheless be declared vacant. An anticipated absence of more than five consecutive regular meetings shall be cause to declare a seat vacant when such an anticipation is supported by knowledge of the conditions which may be reasonably expected to cause the absence.

## **Section 11. Nominations and Elections**

The Executive Committee of the Senate shall develop a list of available faculty and faculty senate representative positions on university councils and committees for which the Senate is responsible. The Executive Committee will send the list to senators before the first meeting of the Faculty Senate in the fall. At the first meeting, nominations from the floor of eligible and willing candidates will be placed on a ballot. The Executive Committee is responsible for determining that all candidates nominated from the floor are eligible to serve. The Executive Committee shall be responsible for conducting the elections, identifying the winners, and notifying the appropriate administrative officer.

Elections for the new Faculty Senate officers shall take place at the May meeting of the Senate. The Executive Committee shall prepare a ballot of nominees for each officer position and have paper ballots ready for distribution at the meeting. In such case as the meeting is held virtually, the ballot will be created using a secure virtual platform. Nominations for each position may be taken from the floor and in such case, shall be considered a write-in candidate. The Chairperson shall ensure that write-in candidates are eligible to serve. At the time of the election, the Chairperson is responsible for explaining the rules concerning the election to the Faculty Senate prior to balloting.

A person can be nominated for only one elected office at a time. A senator nominated for more than one position must determine which position he or she chooses to run for prior to any vote being taken.

The Executive Committee shall prepare an absentee ballot to be delivered to any senator who cannot attend the May meeting. Absentee ballots shall be delivered electronically to absent senators by the end of the day on which elections are held. Senators must vote by the end of the following day and no later than 24 hours after the regular election. The Executive Committee shall determine the winners and notify the Senate of election results.

If on any ballot, no candidate receives a majority vote, then there will be a runoff between those candidates receiving the two highest vote totals.

## **Section 12. Methods of Communication**

The Executive Committee shall prepare an agenda for each meeting and shall distribute it to each senator on or before the Monday preceding the meeting. The Executive Committee may allot a time period for agenda items and, if so, the duration of discussion of such items at the meeting shall be so restricted unless altered by a majority vote of the Senate. The agenda for the meeting

shall be publicly posted or published in advance of the meeting.

Any student, faculty member, or staff member of the University may bring a matter of university concern to the attention of the Senate by communicating with the Chairperson of the Senate. The Executive Committee shall make an appropriate announcement of the matter either in writing attached to the agenda or by placing the matter on the agenda. The Chair may permit any person the privilege of the floor unless the Senate, by majority vote, should withdraw the privilege.

Any Senator may move to call to the floor any item or subject that is not on the agenda, but such non-agenda item or subject shall not be discussed or considered unless the Senate, by a majority vote, shall amend the agenda.

All meetings shall be open meetings unless otherwise required by law or unless the Senate by two-thirds affirmative vote shall declare that a meeting or a part of a meeting shall be conducted in closed session. No vote shall be taken while a meeting is conducted in closed session.

If a vote of the Faculty Senate is urgently required for an important matter which, in the opinion of the Chairperson, cannot wait until the next scheduled meeting of the Senate, then the Chairperson may, with the approval of the Executive Committee, poll the Faculty Senate by electronic mail (email), including scanned documents or facsimile attachments relevant to the issue in question. Such a vote shall only be taken after the Chairperson provides to all senators (1) an explicit justification for the need for requesting an electronic vote, (2) pros and cons of the issue at stake, and (3) an opportunity for deliberations among senators for at least one week prior to the official vote. Given the impossibility of establishing that a virtual quorum exists over a period of time, the email proceedings will be considered to have met the quorum requirement if a majority of the Faculty Senate membership participates in the electronic vote by returning either a vote or an abstention when the vote is called. The resulting vote will be made public by posting the final tally on the Faculty Senate webpage. Minutes summarizing the main points of the email deliberations shall also be prepared and posted by the Secretary of the Faculty Senate.

### **Section 13. Adoption and Amendment**

These Bylaws have been adopted by a two-thirds affirmative vote of the Senate and can only be amended by a two-thirds affirmative vote of the Senate. A proposal to amend these Bylaws shall be introduced by filing the proposition with the Chairperson in time for it to be attached to the agenda for the next meeting. If two-thirds of the senators are not present at the meeting, voting may be done electronically via a secure virtual platform or email.

Adopted this 31<sup>st</sup> day of January, 2022.