

CONSTITUTION AND BYLAWS OF FACULTY SENATE

CONSTITUTION (FSB 82007; FSR 85003; FSR 85012; FSB 87007; FSB87008; FSR 93009; FSB 93016; FSB 96006; FSB 97006; FSB 99006; FSB00006; 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; FSB03014 passed by Faculty Senate 4/6/04; approved by President 5/19/04; FSB03017 passed by Faculty Senate 4/20/04; approved by President 5/19/04; FSB07001 passed by Faculty Senate 10/16/07; approved by President 11/29/07; FSB08010 passed by Faculty Senate 4/21/09; approved by President 4/24/09; FSB11006 passed by Faculty Senate 3/06/12; approved by President 3/30/12; updated 10/2/2013; FSB 14008 approved by President 4/15/2015; FSB 14020 approved by President 5/15/2015; approved by COCG 1/30/2018, FSB 23001, 23002, 23003, 23004, 23005, 23006, 23007, & 23008 approved by President 9/17/2023)

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 I. The Voting Faculty

All persons holding the rank of professor, associate professor, assistant professor, or

instructor shall be considered voting members of the faculty of Emporia State University. Any faculty member who is eligible to vote in the year prior to a sabbatical or leave shall retain the right to vote during their absence.

Article II. Faculty Senate Officers

1. 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.
2. At the conclusion of the President of the Faculty's term, the President of the Faculty shall assume the position of Past President of the Faculty. The Vice President shall become the new President of the Faculty and the Second Vice President shall become the Vice President of the Faculty. The succession is detailed in Article II Section 3 of the Faculty Senate Constitution.
3. The Past President, President, Vice President, and Second Vice President shall serve as Faculty Senate Officers.

Article III. 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 and Eligibility

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 shall be elected from the voting faculty.
2. Faculty with 0.5 or more appointment in teaching, academic research, or supervision of student teachers are eligible to be faculty senate officers or senators. Faculty Senate Officers and Senators may not hold a position that, in the course of their job responsibilities, involves making decisions or recommendations regarding faculty merit pay, retention, promotion, tenure, post-tenure review, or sabbatical leave. Faculty Senate Officers and Senators may serve on committees that make collective recommendations with regards to the above.
3. Non-voting membership of the Faculty Senate shall consist of the Provost and Vice President for Academic Affairs of the University, the Vice President for the Faculty Senate, the Second Vice President of the Faculty, the Past President of the Faculty, President of Staff Senate, and the President of the Associated Student Government.

4. Only voting members of the Faculty Senate as defined under Article I of the Constitution of the Faculty Senate are eligible to chair a standing committee of the Faculty Senate.
5. Election of the appropriate number of senators shall occur as follows:
 - a. Senators shall be elected by the respective faculty of each academic unit.
6. In case of reorganization the terms of office of all senators previously elected by the old academic unit shall be terminated. The Committee on Campus Governance shall determine the correct number of new senators, and will notify the new academic unit of this number within 30 days of the actual reorganization. Within 30 days of this notification, elections will be held in the new academic unit. The newly elected senators will assume office, with full Faculty Senate privileges, at the first meeting of the Faculty Senate following their elections.
7. In the event that an elected senator is transferred to a different academic unit, the senator's term shall be immediately terminated. New elections shall be held within 30 days in the affected academic 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, 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 Vice President shall become President, the Second Vice President shall become Vice President and a new Second Vice President shall be elected by the faculty. Should the Vice President succeed to their predecessor's term for more than six months, they shall serve as President only to the completion of the predecessor's term, at which time the Vice President in office shall succeed to the position of President. Otherwise, the Vice President shall serve the partial term as well as their own full term as President.
 - c. If the Vice President is unable to continue in office, or has succeeded to the presidency, the Second Vice President shall succeed the Vice President and a special election shall be held to fulfill the remaining terms

of the Second Vice President. A Senatorial position made vacant by such a special election shall be filled in its 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 Provost and 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.
3. A permanent file of all Faculty Senate minutes shall be kept in the Emporia State University Archives. The Vice President 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 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 Provost and Vice President for Academic Affairs of the University, Vice President of the Faculty, the Second Vice President of the Faculty, the 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, Vice President of the Faculty, Second Vice President of the Faculty, chairs of the three standing committees of the Faculty Senate, and the Past President of the Faculty. The Provost and 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 voting-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. 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.
 - b. 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.
 - c. Undertaking any additional functions as assigned by the President of the Faculty or by the Faculty Senate.
 - d. Monitoring terms of office based on initial dates of election or appointments of Senators.
 - e. 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 Provost and 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 IV. 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's total voting-eligible membership before being sent to the faculty. An amendment so approved by the faculty shall become part of this constitution.
2. The changes specified below (a, b, c, d) 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 an academic 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 academic unit.
- d. Grammatical and spelling corrections and corrections of errors in fact.

Section 3. Bylaws

Bylaws that the Faculty Senate deems necessary or desirable may be adopted by a majority vote of the Faculty Senate's total voting-eligible 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.

BYLAWS

(FSB 88011, FSR 93014, FSB 93015, FSB 96005, FSB 97006, FSB00007 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; FSB 08002 passed by Faculty Senate 11/04/08; approved by the President 11/05/08; FSB 08006 passed by Faculty Senate 2/3/09; approved by the President 2/4/09; FSB 08011 passed by Faculty Senate 4/21/09; approved by the President 4/24/09; FSB 11007 passed by Faculty Senate 3/6/12; approved by the President 3/13/12; FSB 12007 passed by Faculty Senate 03/05/13; approved by the President 3/12/13; updated 10/2/2013; FSB 14007 approved by President 4/17/2015; FSB 14012 approved by President 4/17/2015; FSB 14020 approved by President 5/15/2015; FSB 16012 approved by President 5/9/2017); FSB2008 approved by President 4/8/2021; FSB21002; FSB 23001, 23002, 23003, 23004, 23005, 23006, 23007 & 23008 approved by President 9/19/2023); FSB25002 approved by Faculty Senate 10/7/2025)

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. All senatorial elections shall occur prior to the second Tuesday of March.

Section 2

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

Section 3

The number of senators elected by each academic 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 (greater than five), with each academic unit guaranteed at least one senator. Equivalent full-time faculty positions shall be determined by the Committee on Campus Governance using each academic unit's official University budgeted full-time faculty equivalents (FTE) or actual full-time unclassified positions, whichever is greater, during the fall semester of each year. The number of senators to represent each academic 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.

Those academic units with fewer than five full-time faculty shall elect which academic unit to join for the purpose of senate representation.

Section 4

The office of a senator shall be declared by the Vice President to be vacant when any of the following conditions are met:

- a. Whenever the senator or the senator's substitute is not present at 4 regularly scheduled meetings of the Faculty Senate, to include Faculty Senate and Faculty Senate committee meetings, during 1 academic year;
- b. Upon the resignation from the University by the faculty/staff members serving as senator;
- c. Upon receipt by the Vice President of the senator's letter of resignation from the Faculty Senate;
- d. If a senator is elected Second Vice President of the Faculty.

Within 10 class days following the declaration that the office of a senator is vacant the First Vice President shall notify the head of the academic unit represented by the senator that the office is vacant. The academic 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 standing committees of which the senator is a member may appoint a temporary substitute to serve, subject to the following requirements and procedures: (a) a temporary substitute must be a member of the academic unit which is represented by the senator; (b) a temporary substitute or absentee senator must notify the Vice President or appropriate committee chair 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, but is not considered a voting member and does not count toward quorum if the substitute does not meet the eligibility requirements to serve as a Faculty Senate senator or officer, as laid out in Article III of the Faculty Senate Constitution, Section 2, Item 2.

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. Roles and Responsibilities of Faculty Senate Members

Section 1

- a. The Past President of the Faculty shall serve as the parliamentarian of the Faculty Senate.
- b. The President of the Faculty shall serve as the presiding officer of the Faculty Senate, attend Kansas Board of Regents and Council of Faculty Senate Presidents meetings, and represent at other functions as needed.
- c. The Vice President shall, in the absence of the Faculty Senate Assistant, serve as the Secretary of the Faculty Senate, and, serve as President if President is

absent. The Vice President shall certify the election of senators each spring, declare vacant senate seats, and monitor all senator substitutions. In the event the Faculty Senate Assistant is unable, the Vice President shall perform office management duties such as

- i. prepare or supervise minutes of the Faculty Senate and the Faculty Senate Executive Committee meetings,
 - ii. share or oversee approved minutes of senate and standing committee meetings on the website, and
 - iii. maintain or oversee an archive of agendas, minutes, and other senate documents. The documents are shared with the university archivist at the end of the year.
- d. The Second Vice President shall attend Faculty Senate and Faculty Senate Executive Committee meetings and prepare to assume the role of Vice President. The Second Vice President is also the Chair of the nominating committee for their successor.

Section 2

The Faculty Senate Assistant is hired by and works with the Officers of the Faculty Senate. Duties of the Faculty Senate Assistant may include and are not limited to:

- a. Attend all regular sessions of the Senate.
- b. Maintain accurate records and minutes of all Senate proceedings.
- c. Working with the Vice President, transmit approved minutes, bills, resolutions, and any other official content to the university archivist for permanent storage.
- d. Prepare minutes for each Faculty Senate meeting within three working days and share with the Vice President of the Faculty to review before approval by senators.
- e. Ensure all agendas, bills, and resolutions are on the Faculty Senate website.
- f. Maintain records of those committees and taskforces reporting to and created by Faculty Senate. Records include membership, Constitution & Bylaws, and minutes.
- g. Upload the agendas and approved minutes of Faculty Senate meetings, including the standing committees and Faculty Senate Executive Committee to the official Faculty Senate website.

Article III. 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 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 total voting-eligible 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 (3) 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. Formal actions shall be assigned the next number in sequence for that academic year at the time they are submitted to FSEC or introduced on the floor of the Faculty Senate, whichever is earlier.

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, the Second Vice President, and Immediate Past President concur to meet. A consensus must be achieved for decisions or positions considered during this period, which are then subject to review by the Faculty Senate at its first meeting of the academic year.

Article IV. 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 selected at the first Faculty Senate meeting in September of the calendar year immediately prior to the calendar year of the election.
3. The nominating committee shall be composed of the current Second Vice President of the Faculty and one faculty senator from each academic unit. Senators representing each academic unit shall caucus and select a committee member.
4. The current Second Vice President of the Faculty shall serve as the chair of the nominating committee and shall convene meetings of this committee.
5. 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.
6. Recommendations from the nominating committee shall be presented at the Spring Faculty Meeting of the year of the election, at which nominations from the floor shall also be invited. Nominations from the floor must be seconded and nominees must either accept their nomination, to be placed on the ballot, or decline their nomination.
7. 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.
8. The Committee on Campus Governance, charged with conducting the election of the Second Vice President of the Faculty, is also charged with organizing and hosting a candidate open forum to be held during the early part of Spring semester of the election year. Procedures adopted for election campaigning shall be clearly communicated to all nominees and the faculty as a whole.
9. The election for Second Vice President shall be held following the candidate open forum, near the first of March. The election vote shall be confirmed by a committee consisting of 1 faculty senator from each academic unit.
10. 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.
11. In the event of a tie vote, the Committee on Campus Governance Chair shall flip a coin to determine the winner. This action shall take place in person with the President of the Faculty, the First Vice President of the Faculty, and the candidates who are tied as witnesses.

12. The numerical results of the election shall be made available to the candidates upon request to the Committee on Campus Governance Chair.

Article V. 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 the bill dies in committee, it may still be advanced to the Faculty Senate floor to discuss via the procedures in Section 10. 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 they have 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 they have given conditional approval to a bill (FSB) passed by the Faculty Senate, the University President shall provide a written explanation that includes reasons for the conditional approval, and may provide recommendations to help the Faculty Senate decide how to proceed. When the President of the University's conditional approval has been based on advice of legal counsel, the President's explanation shall include a written explanation of the advice given by legal counsel, with citations to specific laws and regulations when applicable. Legal counsel may also provide guidance on modifications to the bill to conform to laws and regulations. The Faculty President shall refer the bill and the University President's written explanation 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 University President, in whole or in part, then the Faculty Senate should be given the bill as amended by the committee. The Faculty Senate shall make the bill the first order of business at the next regularly scheduled meeting, and 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 University President shall provide written explanation that includes reasons for non-approval, and may provide recommendations to help the Faculty Senate decide how to proceed. When the President of the University's action has been based on advice of legal counsel, the President's explanation shall include a written explanation of the advice given by legal counsel, with citations to specific laws and regulations when applicable. Legal counsel may also provide guidance on modifications to the bill to conform to laws and regulations. The text of the University President's written explanation 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

written explanation 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 University President's disapproval." An affirmative vote cast by a majority of the total voting-eligible membership of the Faculty Senate shall be required for passage of the motion. 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., #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 currently or previously before any of its committees during the current legislative year as long as the business has been before the committee for at least 2 committee meetings, including to consider a bill that has already died in committee.

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 voting- eligible members present at the meeting of the Faculty Senate or of a 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 of total voting-eligible memberships, amend Faculty Senate bylaws. The Faculty Senate may, by 3/4 majority vote of total voting-eligible membership, temporarily suspend any of the bylaws. The Faculty Senate may not suspend its bylaws for the purpose of votes by secret ballot.

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. The version of Robert's Rules of Order that shall be used is the one authorized by the Robert's family and maintained and updated by the Robert's Rules Association, which is available online at robertsrules.com.