Periodic Review of Faculty Bylaws: Overall Process

Prepared by Parliamentarian, Maureen Dolan (2/24/22)

Introduction: Periodic review of Faculty Bylaws occurs every five years.

- Though periodic review does not *require* revisions to the Bylaws, recommendations for proposed revisions and amendments to the Bylaws are the customary outcome. Revisions may vary from comprehensive overhaul of the Bylaws with line-by-line, page-by-page revisions (as last occurred in 2006) to a few sections with revisions.

The Chair of Faculty Senate charges FRRC to commence five-year review, by convening Bylaws Working Group (BWG).

- In previous decades, Bylaws Committee was a dedicated **Special Committee** whose members were appointed by the Senate Chair. After a revision to Bylaws in past decade, BWG was changed to a subcommittee of FRRC.
- BWG was recently convened in 2019-2020 to review and vet the proposed revised **ARPT Manual**. As part of that effort, BWG in consultation with ARPT Chair and Parliamentarian discussed appropriate edits and clarifications to language in proposed revised Manual; hosted two open forum for faculty; and worked with Nominations and Elections to facilitate the vote by full faculty to amend the Faculty Bylaws Appendix with revised ARPT Manual.

The Chair of Faculty Rights & Responsibilities Committee serves as chairs of Bylaws Working Group.

- At least three other members of FRRC (not necessarily entire membership) also serve on BWG.
- The Senate Chair serves ex officio. The Parliamentarian traditionally serves on BWG to provide guidance on procedures, precedent, standard practices and SUNY governance model.
- The Senate Chair may also appoint additional representative from the EC or the faculty, if requested by BWG.

At initial meeting(s) of Bylaws Working Group, members are introduced to the overall review process and timeline.

- Initial meetings may include brief discussion of any high priority changes that are expected to be recommended (for example, possible revisions in response to SUNY mandates or internal reorganization).
- The Senate Chair and EC may submit for consideration some recommendations for Bylaws revisions. It is also customary for Parliamentarian to offer recommendations related to procedures and operational effectiveness.

The Bylaws Working Group develops strategy and procedure to solicit input from Standing Committees.

- Input may be solicited from past chairs and past committee membership as well as current chairs and members. BWG may solicit committee input by email or online questionnaire/form.

BWG discusses the input from Standing Committees and any recommendations from FS Executive Committee.

- It is also customary for BWG members to initiate discussion of possible revisions not otherwise identified.
- There is precedent for BWG to consider possible broad structural reorganization to improve overall governance effectiveness. Previous periodic review (2006) resulted in consolidation of standing committees with perceived overlapping functions (e.g., ASC + APC = APPC; Library + TLC = TLRC; Initial Appts + RPT = ARPT).
- **Debate and deliberation during bylaws review is standard practice.** BWG will exercise due diligence responsibility: to discuss, debate, and make recommendations regarding the Bylaws changes that are proposed.

Bylaws Working Group develops first draft of recommended revisions/amendments to Faculty Bylaws.

- Draft recommendations for revisions shall reference each specific Article, section and subsection of Bylaws.
- **Rationale for each proposed change is provided.** Such rationale would typically cite the intended benefit of each proposed change, such as improved effectiveness or meeting a specific/recent need.
- Note: If there is not consensus in the BWG for a proposed revision, then it is appropriate to also provide a **minority perspective** to summarize possible concerns or consequences of such change. This is a past practice and **good governance model** (providing voters with information such as when considering public propositions).

BWG schedules a minimum of two open forums for faculty input.

- Draft recommendations with rationale (and summary of possible concerns, if applicable) are disseminated.
- At first open forum, faculty feedback is sought on possible revisions to Faculty Bylaws proposed by BWG.
- Faculty input is solicited for other possible changes not otherwise identified.

BWG reconvenes to review comments and input from first open forum.

- BWG discusses any possible changes to its initial draft recommendations following faculty forum.
- Revised draft recommendations are prepared, including rational (and summary of possible concerns, if applicable).
- Revised draft recommendations are disseminated.

BWG hosts second open forum for faculty feedback on revised draft recommendations.

- If needed, additional forum can be scheduled, through historically that is rare.

Bylaws Working Group finalizes its recommendations for proposed Bylaws revisions.

- Clear rationale is presented for each recommended change in Bylaws.
- If there is not consensus in BWG for a proposed change, a minority perspective is also provided to summarize possible concerns or consequences of such change.

BWG presents its complete set of recommendations to the Faculty Senate.

- BWG also presents a **resolution seeking Senate approval** of proposed revisions/amendments to Faculty Bylaws.
- If Senate does not approve the BWG resolution to advance the recommended revisions to next step of process, the BWG must address whatever concerns were raised by Senate.
- Note: Senate approval of resolution to amend Faculty Bylaws Appendix to establish Faculty Judicial Committee as new college-wide committee involved 7 iterations of BWG proposal until Senate approval in October 2008.

Following Senate approval, Bylaws Working Group prepares a ballot for Bylaws vote by full faculty.

- A comprehensive ballot provides **separate boxes** to vote on each section of proposed changes to the Bylaws.
- The comprehensive ballot includes the **rationale** for each proposed change in Faculty Bylaws, and if appropriate, minority perspective with summary of concerns about proposed change.

Nominations and Elections committee works with BWG on logistics for Bylaws vote.

- Sufficient time is needed for faculty to review all proposed changes to Bylaws. Voting often occurs in summer.
- Nominations & Elections finalizes the mailing list of FT faculty and others with faculty voting rights, including the President and Provost (technically also the SUNY Chancellor).
- Note: Although 3 professional staff have voting rights in Faculty Senate (as do 3 SGA reps to Senate), under current Faculty Bylaws (Article III, section C), professional staff only have Faculty voting privileges if specifically nominated and approved by the Faculty on an annual basis. *Extending voting privileges to those professionals on a list of nominees was standard practice for many years, but there is no record of this practice in past decade.*
- Note: Professional staff do have voting rights for SUNY Senator and Alternate, per USF governance model.

QUORUM of full-time faculty is required for valid vote on Bylaws revisions.

- Quorum is defined as one-half the total number of full-time faculty (and others with faculty voting rights who received a Bylaws ballot) **plus one**.
- Adoption of any revision or amendment to Faculty Bylaws or Appendix requires **approval by 2/3 majority** of those faculty who participated by returning a ballot.

Nominations and Elections Committee counts the completed ballots (normally within one week of voting deadline).

- For each separate box provided to vote on each section of proposed changes to Bylaws, the total number of votes for-against-abstain is recorded.
- Bylaws Working Group in collaboration with Nominations # Elections issue a summary report with the outcome of faculty **vote on each section** of proposed revisions to Faculty Bylaws.
- Bylaws Working Group prepares revised Bylaws to reflect the changes and amendments approved by faculty.
- Revised Faculty Bylaws (2022 edition) are disseminated and published on Faculty Senate Website.

Note: When voting on revisions to Faculty Bylaws, standard practice is secret "**mailed ballot".** Prior to 2016, such voting was through U.S. Mail. But under 2016 Bylaws, direct communication by "mail" may be traditional mail or electronic.