

University Senate of Michigan Technological University

Proposal 1-94

Senate Constitution

CONSTITUTION OF THE SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY

ARTICLE I - NAME

The name of this organization shall be The Senate of Michigan Technological University.

ARTICLE II – CONSTITUENTS

A. The principal mission of the **University** is the transmission, interpretation, and generation of knowledge. Accordingly, those professional members of the university community who have direct involvement in this mission shall be the primary constituents of the **Senate**. The direct and active involvement in the transmission and interpretation of knowledge can be evidenced by direct contact with students as a teacher or research advisor. The active generation of knowledge means having principal responsibility for the completion of research objectives. In addition some designated professional members of the university community in primary decision-making positions in designated non-academic units shall also be constituents. However, none of these constituents shall be designated administrative personnel such as the **Chief Financial Officer**, the **Vice-Presidents**, the **Vice-Provost**, the **Provost**, or the **President**.

B. Constituency status shall be determined by a person's work unit and title inside the unit. The academic degree-granting departments, the other course-offering units, and the research institutes are all included. The units, along with the other designated non-academic units mentioned in **Section A** above, shall be listed in **Section B** of the **Bylaws**. This section of the Bylaws shall be reviewed and updated at least once a year before the annual spring elections.

C. All of the academic faculty in the academic degree-granting departments, the other course-offering units and the other research units shall be constituents.

(The **academic faculty** are the individuals holding one of the ranks of instructor, lecturer, assistant professor, associate professor, or professor). In addition, the senior research personnel who have principal responsibility for the completion of research objectives shall also be constituents. These titles and the titles of the other constituents mentioned in **Section A** above shall be listed in **Section C** of the **Bylaws** along with more information about the academic

faculty. This section of the **Bylaws** shall be reviewed and updated at least once a year before the annual spring elections.

D. Each constituent of the **Senate** shall be represented by a **senator**. Each academic degree-granting department shall be represented by a **senator**. The other teaching units and research units that do not offer an academic degree may be grouped into suitable representation units. The designated non-academic units containing designated professional members of the university community in primary decision-making positions may be grouped into suitable representation units. In cases where a constituent is eligible to belong to more than one unit, that person will select one and inform the **Secretary of the Senate** of that decision.

ARTICLE III - FUNCTIONS

A. The **Senate** is the representative body for its constituents and speaks for them on all matters of concern to them or under the **Senate's** jurisdiction.

Accordingly, the functions of the **Senate** shall be to establish, review, and recommend and implement policy on matters pertaining to the educational and research mission of the **University** as specified in this **Constitution** and its **Bylaws**.

B. The **Senate** shall have the responsibility and authority to establish and review policy in some matters, and shall review and make recommendations in other matters. These shall be designated in **Section F** of this **Article**. The **Senate** shall also have responsibility and authority in additional areas as designated by the **President of the University** or the **Board of Control** or their designated representatives .

C. The Board of Control by approving this **Senate** constitution is not relinquishing any constitutional or statutory authority. It does allow the **Senate** to submit policy proposals to the **Board of Control** for its consideration in areas listed in **Section III-F** under the headings: **Responsibility and Authority to Review and Establish Policy and Procedures**. In these areas, the **Senate** should normally have an opportunity to provide input to the **Board of Control** before it establishes policy in these areas. The following procedures shall be followed in the transmittal of such proposals to the **Board of Control**.

1. In such matters the **President of the University** (or his/her designated representative) shall present his/her proposals to the **Senate** for review and approval before these proposals are submitted to the **Board of Control**.
2. Likewise, in such matters the proposals of the **Senate** shall be presented to the **President of the University** for his/her approval before they are submitted to the **Board of Control**.
3. In such matters, the **President of the University** has the right to veto proposals passed by the **Senate** within three months (**not** including the time from the end of the Spring Quarter of one academic year to the start of the Fall Quarter of the next academic year) of their passage by the **Senate**.
4. In such matters, if the **President of the University** should choose to **veto** a proposal passed by the **Senate**, that veto shall be presented in writing to the **Senate Executive Committee** for report to the **Senate** at its next scheduled meeting, subject to **Sections A3a** and **A3b** of the **Bylaws**. The **Senate** or the **President of the University** can request a discussion of the veto at the next scheduled **Senate** meeting subject to **Sections A3a** and **A3b** of the **Bylaws**. The **Senate** may then appeal the **President's** veto to the **Board of Control** upon a two-thirds majority vote of the **Senate**. Written notice of the **Senate** appeal shall be presented immediately to the **President**, who shall transmit a written copy of his/her veto to the **Board of Control**. The **Senate** officers shall in turn transmit a written copy of the **Senate** appeal to the **Board of Control**.

5. In such matters, with a presidential approval in writing, or in the absence of a presidential veto in writing within three months (**not** including the time from the end of the Spring Quarter of one academic year to the start of the Fall Quarter of the next academic year) of its passage by the **Senate**, a proposal will be deemed approved by the **President** and submitted to the **Board of Control**.

D. The **Senate officers** have the responsibility to ensure that any approved proposal is carried forward to the **Board of Control**.

E. There will be issues and areas of concern on which voting shall be limited to subsets of the constituency and their **senators**. A quorum of eligible **senators** shall be required on any limited vote in the **Senate** (see **Bylaws: Definitions 4b**).

1. **Senators** from academic degree-granting departments shall vote on matters of concern to the academic faculty such as instructional, curricular, and faculty governance issues.
2. **Senators** from academic degree-granting departments and the **senators** from other units involved with research shall vote on matters concerned with research policy or issues.
3. A responsibility and authority list shall be placed in **Section F** of this **Article**. The list shall delineate the levels of responsibility and authority, and the jurisdiction of the principal subsets of the constituency and its **senators**.
4. The full **Senate** shall rule on which subsets of the **senators** will have voting rights on a particular issue not included on the list in the following **Section F** of this **Article**.

F. RESPONSIBILITY AND AUTHORITY LIST

Jurisdiction over **academic policies** shall reside with the **academic faculty** in the colleges, schools, and departments of the university. However, insofar as actions may affect the university as a whole, or colleges, schools, or departments other than their home unit, they shall be brought before the **Senate**.

The following list shall not preclude the **Senate** from adding responsibilities and authority for review or establishment of policy and procedures in the **Bylaws**, subject to approval by the **Board of Control**.

1. Senators from Academic Degree-granting Departments

a. Responsibility and Authority to Review and Establish Policy and Procedures on Academic Matters

1. All curricular matters, including establishment, dissolution, and changes in degree programs.
2. Requirements for certificates and academic degrees.
3. Regulations regarding attendance, examinations, grading, scholastic standing, probation, and honors
4. Teaching quality and the evaluation of teaching
5. All matters pertaining to the academic calendar
6. The appointment, promotion, tenure, dismissal, and leaves of the academic faculty
7. Criteria for positions that are to be accorded academic rank
8. Academic freedom: rights and responsibilities
9. Regulations concerning the awarding of honorary degrees
10. Procedures for the selection of Deans and Department Heads/Chairs
11. Requirements and criteria for unit charters for each academic degree-granting department or course-offering unit.
12. Other authority granted by the **Board of Control**, the **University President**, or their designated representative

b. Responsibility to Review, Make Recommendations, and Initiate/Participate in the Formulation of Policy & Procedures

1. Academic organization, including the establishment or elimination of schools, colleges, or departments, and the reorganization of the academic structure.

2. Senators from the Academic Degree-granting Departments and Other Units involved with Research

- a. Responsibility and authority to review and establish policy on all research issues and performance other than the allocation and distribution of resources
- b. Responsibility to review, make recommendations and participate in the formulation of policy and procedures on the allocation and distribution of resources
 1. Distribution of unrestricted funds made available to the university for discretionary allocation in support of research or scholarly work.

3. The Full Senate

a. Responsibility and authority to review and establish policy and procedures on matters determined by the Board of Control, the University President, or the Academic Faculty of the University.

1. Determine the Senate constituency
2. Determine the Senate representation units
3. General admission standards

b. Responsibility to Review, Make Recommendations, and Initiate/Participate in the Formulation of Policy & Procedures

1. Fringe benefits
2. Institutional priorities
3. Allocation and utilization of the university's human, fiscal, and physical resources
4. The J.R. Van Pelt Library, computing facilities, audiovisual support, E.R. Lauren Bookstore, Seaman Museum, etc. as they affect scholarly, instructional, and research activities.
5. Admissions procedures
6. Student financial aid
7. Selection of the **University President**, the **Provost**, and other major university-wide administrators
8. Administrative procedures and organization structure
9. The evaluation of administrators

c. To cooperate with and to coordinate its activities, especially with regard to the subjects listed in Section b above, with the Undergraduate Student Government, the Graduate Student Council, and the Staff Council.

d. To consider all areas of student affairs and their effect on the educational process and academic achievement and to make recommendations regarding them

e. To provide the means by which any matters of interest to the Academic Faculty or the University community may be discussed and recommendations made regarding them.

A. Number and Composition: Membership in the **Senate** shall be determined as follows:

1. One member elected from and by each of the **academic degree-granting departments** of the University
2. The other **teaching units** and **research units** which do not offer an academic degree may be grouped into suitable **representation units**. There shall be one member elected from and by each of these **representation units**.
3. The designated non-academic units containing designated professional members of the university community in primary decision-making positions may be grouped into suitable **representation units**. There shall be one member elected from and by each of these **representation units**.
(**Remark:** The units mentioned in **Sections A1, A2 and A3** above shall be listed in a **Section B** of the **Bylaws**. That list shall be reviewed and updated once a year before the annual spring elections.)
4. An alternate member shall also be elected from and by each of the units mentioned in **Sections A1, A2 and A3** above. He/She shall serve with vote in the absence of the regular representative.
5. Six members elected at-large by the **Senate** constituency
6. One non-voting student liaison member selected by the **Undergraduate Student Government**
7. One non-voting graduate student liaison member selected by the **Graduate Student Council**
8. One non-voting liaison member from **Staff Council**
9. Other official non-voting liaison members from units designated by the **Senate** and listed in the **Bylaws**.

For election to the **Senate**, a two-year residence shall be required except for ROTC personnel and academic degree-granting departments having less than three faculty members meeting the minimum qualifications.

B. Terms of Office: The term of office of an elected member shall be three years except as set forth in **Section C** below. After serving for six consecutive years, an elected member shall be ineligible for re-election for a period of one year.

C. Election of Senators and Vacancies: Election of **Senators** shall be held in the spring of each year, with the term of office to commence the following September. Vacancies in at-large membership created by resignation or otherwise may be filled by appointment by the **President of the Senate** until the next election, at which time vacancies shall be filled for the unexpired term be elections.

ARTICLE V -- OFFICERS

The officers of the **Senate** shall be a **President, Vice-President, and Secretary**. These officers shall be chosen by the continuing **senators** and the **senators-elect** following the annual spring elections in the manner described in **Section A** of the **Bylaws**. The officers will assume their duties the first day of the Fall Quarter and those duties shall be defined in the **Bylaws**.

ARTICLE VI -- COMMITTEES

Committee structure shall be determined by the **Senate**, with the provision that committee chairs be **senators** or **alternates**.

ARTICLE VII -- PROCEDURE

The business of the **Senate** shall be conducted according to Robert's Rules of Order when these are not in conflict with the **Bylaws** of this **Constitution**.

ARTICLE VIII -- BALLOT INITIATIVES

- A. If the constituents of the **senators** eligible to vote on an issue want to challenge the vote, they can present to the **Senate** a petition for a **Ballot Initiative of the eligible constituents** signed by 20% or more of the eligible constituents. Likewise a majority of the eligible **senators** can request a **Ballot Initiative of the eligible constituents**.
- B. The constituents or subsets of the constituents can also introduce new legislation via **Ballot Initiatives**.
- C. The **President of the University** or the **Board of Control** or their designated representatives can also request a **Ballot Initiative** on a designated issue other than the appeal of a presidential veto.
- D. **Section A4** of the **Bylaws** contains the rules governing **Ballot Initiatives**.

ARTICLE IX -- MEETINGS

Three regular meetings of the **Senate** shall be held during each of the Fall, Winter, and Spring Quarters with the meeting times and places set before the end of the Spring Quarter of the preceding academic year. Additional meetings shall be called by the **President of the Senate** as deemed necessary or upon written request by any **five** members of the **Senate**. All meetings shall be open.

ARTICLE X -- AMENDMENTS

Amendments to this Constitution may be proposed at any meeting. If passed both at this meeting and at any subsequent meeting within six months by two-thirds of the members present, a proposed amendment shall be submitted to the **Senate Constituency**. Ratification shall require a two-thirds majority of those voting. The amendment shall then become effective upon approval by the **Board of Control**.

SENATE BYLAWS

A. OPERATONAL BYLAWS

1. Executive Committee

- a.** An **Executive Committee** of the **Senate** shall be established and shall consist of the officers of the **Senate**, and the chairs of the standing committees. The **President of the Senate** will preside at the meetings of this committee.
- b.** The **Executive Committee** shall function as a steering committee of the **Senate** for the conduct of the **Senate** business.
- c.** The **Executive Committee** shall hold meetings at such intervals as to permit expeditious consideration of all matters to come before the **Senate**.

d. Upon recommendation of the **Senate**, the **Executive Committee** may create, modify, or discharge the other committees of the **Senate**, and shall assign to these committees appropriate duties within the function of the **Senate**.

e. The **Executive Committee** shall have the responsibility to review and make recommendations on requests to correct or amend the constituency list or the representation unit list. It shall use **ARTICLE II** and the lists in **Section B** and **C** of these **Bylaws** as guidelines in its deliberations. Its recommendations shall be submitted to the **Senate** for approval.

2. Election of Officers

Following the annual spring elections to the **Senate**, the election of **Senate** officers for the next academic year shall be conducted by the **Senate Elections Committee** in consultation with the **Executive Committee**. Nominations for a slate of officers shall be obtained from the **Senate** constituency using regular ballot procedures. This slate shall be presented to the continuing **senators** and **senators-elect** at a special organizational meeting before the end of the **Spring Quarter**. After any additional nominations from the floor, the officers for the next academic year will be elected at that meeting. They will be the officers-elect of the **Senate** until the first day of the Fall Quarter when they assume their duties.

3. Proposals

a. A proposal may be introduced by any member of the **Senate**. It shall be submitted in writing to the **Executive Committee** at least 15 days prior to the meeting at which it is to be presented. The **Executive Committee** through the **Secretary of the Senate**, shall provide copies of the proposal to all members of the **Senate** and post a copy of it in the **J.R. Van Pelt Library** at least 10 prior to the meeting at which it is to be presented. The **Executive Committee** may attach recommendations and reasons therefore to the proposal before its distribution.

b. Emergency Submission of a Proposal

A proposal which cannot meet the requirements set forth above may be submitted from the floor of the **Senate** at any meeting of the **Senate** provided the **Senate** by a majority vote agrees to take it up at that meeting.

c. Adoption of a Proposal

1) A quorum of eligible **senators** (see **Definition 4b** below) shall be required to transact business and a majority vote of them shall be required for the adoption of proposals and the passing of motions.

2) A proposal which is not changed by the **Senate** can be adopted by the **Senate** at once as above.

3) A proposal which is changed by the **Senate** shall be published in the revised form. It shall then be distributed to its members and posted in the **J.R. Van Pelt Library**. The the **Senate** may adopt the proposal as above at its next meeting. In the case of editorial changes, as established below, the **Senate** can adopt the modified proposal at the meeting during which the change is made.

4. Definitions

a. An "**editorial change**" shall be construed to be any minor change in wording that clarifies the meaning or improves the grammatical structure of the proposal

but that has no effect on the substance, scope or application of the proposal. In the event of question, the presiding officer of the **Senate** shall be empowered to rule, subject to the usual parliamentary controls.

b. **Quorum:** Two-thirds of the full **Senate** membership shall constitute a quorum and shall be required for the transaction of business in all cases. There will be issues and areas of concern on which voting shall be limited to subsets of the constituency and their **senators**. A quorum of eligible **senators** shall be required on any limited vote in the **Senate**. On a limited vote of the **Senate** a quorum of eligible **senators** shall mean two-thirds of them.

c. **Proposal:** The word "**proposal**" as used in **Section 3a** and **3b** above shall be construed to comprise only those formally moved **Senate** actions involving major considerations, such as (a) the establishment of **University** policy and procedures, (b) recommendations to the **University administration**, (c) measures affecting organization or primary procedures of the **Senate**, (d) formal definitions of **Senate** policy, or (e) establishment of **Senate** standing committees.

The word "**proposal**" as used in **Section 3a** and **3b** above shall be construed to exclude all operative motions and actions pursuant to the normal routines of a deliberative body, such as (a) moving appointment of, appointing, approving, or discharging ad hoc committees or (b) requesting, hearing, or accepting business and committee reports.

In the event of question, the presiding officer of the **Senate** shall be empowered to rule, subject to usual parliamentary controls, whether or not a motion constitutes a "proposal" within the meaning of **Section 3a** and **3b** above.

d. **Departments:** Throughout this constitution and its **Bylaws** the term "**Department**" shall apply to and should be read as "**School**" for the Schools of Business and Engineering Administration, Forestry and Wood Products, and Technology. For **Senate** purposes, these three units are considered equivalent to departments. Likewise, the term "**Department Head/Chair**" shall apply to and should be read as "**Dean**" of Business, "**Dean**" of Forestry and Wood Products, and "**Director**" of Technology.

5. **Ballot Initiatives**

a. A **Ballot Initiative** (or referendum) can be placed before the **Senate** constituency or a subset of the constituency for a vote by (1) a majority of the **senators** eligible to vote on it or (2) by a petition presented to the **Senate** which is signed by 20% or more of the **Senate** constituency eligible to vote on it. A **Ballot Initiative** is equivalent to action by the **Senate** and can be used to repeal an action of the **Senate**.

b. A **Ballot Initiative** may be required on some matters such as changes in the promotion and tenure policies that must be approved by the **Academic Faculty**.

c. The **President of the University** or the **Board of Control** or their designated representatives can also request a **Ballot Initiative** on a designated issue other than the appeal of a presidential veto.

d. If a **Ballot Initiative** is presented to the **Senate** by petition of its constituents, the the originators of the initiative shall select a spokesperson who has the authority to represent them on all matters concerning the initiative. In matters not involving an attempt to repeal a **Senate** action or to require a vote on an Agenda item, appropriate committees of the **Senate** shall have an opportunity to review and discuss the petition with the originators and/or their spokesperson. The wording of a **Ballot Initiative** shall be reviewed by the **Senate** and the originators of the initiative to insure its fairness and consistency.

The vote on the initiative shall be by secret ballot. The vote on the initiative will not have to take place until after the next regularly scheduled **Senate** meeting. During an academic year, a **Ballot Initiative** to repeal an action of the **Senate** can be submitted during that same academic year up to two regularly scheduled meetings after the action is taken. A petition to require a **Ballot Initiative** on an Agenda item for a particular **Senate** meeting can also be submitted at that same meeting. In either of these two cases, the initiative shall be held as soon as possible after the meeting where it is submitted or proposed.

e. Voting on **Ballot Initiatives** shall be decided by a simple majority of those voting. However, amendments to the constitution require a two-thirds majority of those voting as indicated in **Article X**.

6. Special Voting Procedures

A request for a **secret ballot** shall take precedence over calls for a **roll call vote** or **voice vote** and shall be automatically granted upon request.

7. **Department Heads/Chairs**: despite their additional status as **Academic Faculty** members shall not serve as **Senators**.

B. REPRESENTATION UNITS (1993-1994)

1. Academic degree-granting Departments (n = 17)

Biological Sciences, Business Administration, Chemistry, Chemical Engineering, Civil/Environmental Engineering, Compute Science, Electrical Engineering, Forestry/Wood Products, Geological Engineering/Geology/Geophysics (includes the Seaman Mineralogical Museum), Humanities, Mathematical Sciences, Mechanical Engineering/Engineering Mechanics, Metallurgy/Materials Engineering, Mining Engineering, Physics, Social Sciences, and the School of Technology.

2. Other Course-Offering Units (n = 5)

Education and Public Services, Library, Physical Education (includes the Athletic Department), Air Force ROTC and Army ROTC.

3. Other Research Units (n = 3)

Institute of Materials Processing, Institute of Wood Research, and Keweenaw Research Center.

4. Designated Non-Academic Units (n = 3)

Group 1 (includes Counseling Services and Residence Counselors), **Group 2** (includes Admissions, Registrar, and Financial Aid), and **Group 3** (includes Affirmative Programs, Dean of Students Office, Educational Opportunities, and the University Career Center).

Remark: This grouping into **Representative Units** is only for **Senate** representation purposes. It is

understood that some of these units are independent and report to different people. According to the **Remark after Article IV A3**, these groupings will be reviewed and updated at least once a year.

5. **Colleges Whose Deans are Official Non-Voting Liaison Members of the Senate**

The College of Engineering and the College of Sciences and Arts.

6. **Other Units Which Have an Official Non-Voting Liaison Member of the Senate**

Computing Technology Services, Graduate Student Council, Undergraduate Student Government, and Staff Council.

C. CONSTITUENT TITLES INSIDE THE REPRESENTATION UNITS (1993-1994)

1. **Academic Degree-granting Departments, Other Course-Offering Units, and Research Units**

a. The Academic Faculty inside one of these units (see **Article IIC**). In some cases, adjectives may be used with the primary faculty titles given in **Article IIC**.

The **Senate** shall determine which adjectives can be used to confer academic faculty status on an individual as a **Senate** constituent. The Units that have individuals with adjectives such as "emeritus," "visiting," "temporary," or "part-time" in their faculty titles may petition the **Senate** to have them included as constituents on a case by case basis.

b. The **Research Personnel with Primary Research Rank** inside one of these units. These are individuals with the titles program manager/research leader, senior research engineer/scientist-2, senior research engineer/scientist 1, and research engineer/scientist-2.

c. **Other titles** for personnel inside one of these units. These are individuals with titles such as archivist, assistant director, associate director, curator, director, librarian, supervisor-laboratory, and technical communications specialist.

2. **Designated Non-Academic Units**

a. Inside **Group 1** those individuals holding one of the titles of counselor, psychiatric nurse, psychiatric social worker, or residence counselor.

b. Inside **Group 2** those individuals holding one of the titles of assistant director, associate director, associate registrar, or director.

c. Inside **Group 3** those individuals holding one of the titles of assistant dean, assistant director, associate dean, associate director, dean, director, or judiciary officer.

Adopted by Senate: 16 September 1993

Approved by Board of Control: May 1993 with revision