

DATE: September 29, 2017

TO: Jacqueline Huntoon
Provost & VP for Academic Affairs

FROM: Martin Thompson
Senate President

SUBJECT: Senate Proposal 19-17

COPIES: Glenn D. Mroz, President

At its meeting on April 5, 2017, the University Senate approved Proposal 19-17, "Revisions to the Senate Constitution". On April 12, 2017 a referendum was sent to 1,078 constituents regarding this proposal, resulting in 445 responses with 311 approve, 26 reject and 108 abstain. On July 14, 2017, the Administration responded with recommended editorial changes, which have been applied.

The Senate requests that the Provost bring the Senate Constitution to the President for the Board's approval. Please keep me informed about the decision of the Board on this proposal and feel free to contact me with any questions.

APPROVED:

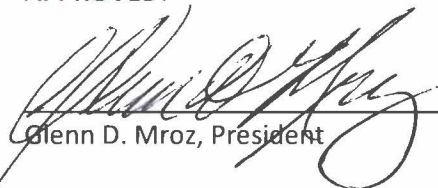


Jacqueline E. Huntoon, Provost & VP for Academic Affairs

Sept. 29, 2017

Date

APPROVED:



Glenn D. Mroz, President

10/4/17

Date

Constitution of the University Senate of Michigan Technological University

Ratified by the Senate constituency on April 4, 2012

Approved by the Board of Control on April 27, 2012

Most recently amended on December 19, 2014

Most recent revision: July 14, 2017

Article I — Name

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

Article II — Constituents

A. The University Senate's constituency is the University's academic and research faculty and professional staff, including staff employed at independent research units. These groups meet and operate as a unit under a single Constitution and Bylaws, with a single set of University Senate officers and committees. Voting on certain issues will be confined to one of these groups, as defined in Article III below.

B. Individuals:

1. University Senate constituents are University professional staff and faculty who are employed full time for a minimum of 9 months per year, unless otherwise excluded because of major administrative functions (see paragraph 4 below). Full time is defined as a minimum of 30 hours per week.

2. Faculty Constituents:

a. Academic faculty shall be constituents of the University Senate, unless otherwise excluded. The academic faculty are individuals holding a rank of instructor, lecturer, senior lecturer, principal lecturer, professor of practice, assistant professor, associate professor or professor for a minimum of nine months full-time.

b. Research faculty shall be constituents of the University Senate, unless otherwise excluded, and will be represented by the Faculty Senator elected from the department in which they are appointed. The research faculty are individuals holding a rank of research assistant professor, research associate professor or research professor for a minimum of nine months full-time.

c. Department chairs, associate deans, and assistant deans, despite their additional status as academic faculty members, shall not serve as senators or alternates. They are considered constituents of the Senate.

3. Professional Staff Constituents

a. Professional staff including members of independent research units, shall be constituents of the University Senate, unless otherwise excluded because of major administrative functions as defined in the Bylaws (independent research units are not administered by one or more academic departments).

b. The Bylaws shall contain procedures for identifying the University professional staff that form the constituency of the professional staff membership and for resolving problems of constituency of individuals not clearly specified in this Article.

4. The University President, Provost, Vice Provosts, Vice Presidents, Chief Financial Officer, and all deans and equivalent directors, shall not be constituents of the Senate.

C. Representation Units

1. Each constituent of the Senate shall be a member of one representation unit. A senator elected by members of each unit shall represent each unit. The units and their included constituents are:

a. Academic Departments. Academic and research faculty holding appointments in an academic department or school shall be the only faculty constituent members of that department or school.

b. Research Units and Professional Staff:

i. The Senate's Professional Staff Policy Committee will define the composition of the professional staff and independent research representation units.

ii. There shall be no more than 12 professional staff representation units, including independent research units. One of the units shall be the Library. The other eleven shall be composed as defined by the Bylaws. The groupings of the professional staff units are only for Senate representation. The reporting structures of constituents within any one unit may differ.

iii. All Senate constituents employed in an independent research unit shall be constituent members of that unit. A research unit may be included as part of another constituent unit.

iv. Senate constituents as defined above who are not constituent members of an academic department or research unit shall be members of a professional staff representation unit

2. In cases where a constituent is eligible to belong to more than one unit, that person will permanently select one unit and inform the Senate Secretary of that selection.

3. The representation units shall be listed in the Bylaws. The Bylaws shall contain procedures for reviewing and updating the list as recommended by the Professional Staff Policy Committee.

Article III — Functions

A. The Senate is the representative body for its constituents and speaks on their behalf on matters under the Senate's jurisdiction. The Senate shall establish, review, and recommend policy and procedures on matters under its jurisdiction. The Senate also is the principal forum for discussion of any matters of interest to the university community.

B. The Senate shall have the responsibility and the authority to review and establish policy in some matters, and to review and make recommendations in other matters. The University President, the Board of Trustees, or their designated representatives may stipulate additional areas in which the Senate shall have responsibility and authority.

C. By its approval of this constitution, the Board of Trustees relinquishes none of its constitutional or statutory authority.

D. Section F of this article lists matters in which the Senate has the responsibility and the authority to review and establish policy. Normally, the Board of Trustees will approve policy in these areas only after it receives policy proposals approved by the Senate.

E. For matters in which the Senate has the responsibility and the authority to review and establish policy, proposals shall be submitted to the Board of Trustees following these procedures.

1. Policy proposals that originate with the University President (or designated representatives) shall be presented to the Senate for review and approval before being submitted to the Board of Trustees.

2. Likewise, proposals approved by the Senate shall be transmitted to the University President for approval.

3. Proposals approved by the Senate and the University President shall be submitted by the University President to the Board of Trustees. It is the responsibility of the Senate officers to ensure such submission.

4. Proposals approved by the Senate may be vetoed by the University President within three months (not including the time from the end of the Spring semester of one academic year to the start of the Fall semester of the next academic year) of their transmittal to the University President.

5. If the University President vetoes a proposal passed by the Senate, that veto shall be presented in writing to the Senate President. The Senate President shall report the veto to the Senate at its next meeting. The Senate may appeal the veto to the Board of Trustees upon a two-thirds majority vote of eligible senators. Written notice of the appeal shall be transmitted immediately to the University President who shall submit a written copy of the veto to the Board of Trustees. The Senate President shall also submit a written copy of the Senate's appeal to the Board of Trustees.

6. If, within three months (not including the time from the end of the Spring term of one academic year to the start of the Fall term of the next academic year) of transmittal to the University President, a proposal passed by the Senate is neither vetoed nor approved by the University President, the proposal will be deemed approved by the University President, and will be submitted by the Senate President to the Board of Trustees for its approval. Procedures for temporarily extending the three-month period for particular proposals shall be contained in the Bylaws.

F. List of Matters of Responsibility and Authority

1. Matters of Academic Policy and Procedures

a. The Senate has the responsibility and authority to review and establish policy and procedures in these areas:

- i. All curricular matters, including establishment, dissolution, and changes in degree programs.
- ii. Requirements for certificates and academic degrees.
- iii. Regulations regarding attendance, examinations, grading, scholastic standing, probation, and honors.
- iv. Teaching quality and the evaluation of teaching.
- v. All matters pertaining to the academic calendar.
- vi. The appointment, promotion, tenure, dismissal, and leaves of the academic faculty.
- vii. Criteria for positions that are to be accorded academic rank.
- viii. Academic freedom: rights and responsibilities.
- ix. Regulations concerning the awarding of honorary degrees.
- x. Procedures for the selection of Deans and Department Chairs.
- xi. Requirements and criteria for unit charters for each academic department.
- xii. Other areas under authority as may be granted by the Board of Trustees, the University President, or their designated representative.

b. The Senate has the responsibility to review, make recommendations, initiate, and participate in the formulation of policy and procedures in these areas:

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

2. Matters of Research Policy and Procedures

a. The Senate has the responsibility and authority to review and establish policy and procedures in these areas:

i. All issues and performance other than the allocation and distribution of resources.

b. The Senate has the responsibility to review, make recommendations, initiate, and participate in the formulation of policy and procedures in these areas:

i. Allocation and distribution of unrestricted funds made available to the university for discretionary allocation in support of research or scholarly work.

3. Matters of Policy and Procedures Concerning Professional Staff

a. The Senate has the responsibility to review, make recommendations, initiate, and participate in the formulation of policy and procedures in these areas:

i. All issues of concern only to professional staff.

4. Other Matters of Policy and Procedure

a. The Senate has the responsibility and authority to review and establish policy and procedures in these areas:

i. Internal function of the Senate, including Bylaws, committee structure, etc.

ii. Other areas under authority as shall be granted by the Board of Trustees, the University President, or their designated representative.

b. The Senate has the responsibility to review, make recommendations, initiate, and participate in the formulation of policy and procedures in these areas:

i. Fringe benefits.

ii. Institutional priorities.

iii. Allocation and utilization of the university's human, fiscal, and physical resources.

iv. 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.

v. Admission standards and procedures.

vi. Student financial aid.

vii. Selection of the University President, the Provost, and other major university-wide administrators.

viii. Administrative procedures and organizational structure.

ix. The evaluation of administrators.

x. All areas of student affairs not mentioned specifically above, including their effect on the educational process and on academic achievement.

G. Voting on the various matters shall be limited to subsets of senators and their constituents. (Reference is made to Section F of this article).

1. Only Senators shall vote on matters before the Senate, or their Alternates may vote if the Senator is not present.

2. Only Faculty Senators or their Alternates, including at-large Faculty Senators, may vote on academic matters.

3. Only Faculty Senators or their Alternates, including at-large Faculty Senators, and Professional Staff Senators representing independent research units or their Alternates may vote on research matters.

4. Only Professional Staff Senators or their Alternates, including at-large Professional Staff Senators, may vote on matters affecting the professional staff.

5. All Senators or their Alternates may vote on Senate matters affecting the entire university.

6. All Senators and their Alternates may vote in Senate committee deliberations.

7. The Bylaws shall include procedures for classifying the academic, research, staff, and other matters brought before the Senate.

H. As part of its functioning, the Senate should coordinate its activities and cooperate with appropriate representative groups of faculty, staff, and students on campus.

Article IV — Membership

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

1. One senator and one alternate elected by and from the academic and research faculty of each academic department.

2. One senator and one alternate elected by and from each of the professional staff and research unit representation units.

3. Four at-large academic and research faculty senators shall be elected by the entire faculty constituency.
4. Two at-large professional staff senators shall be elected by the professional staff and research unit constituencies.
5. Academic department representation units and academic and research faculty senators at-large shall comprise at least 60 percent of the Senate's total membership.
6. Official non-voting liaison members from units designated by the Senate and listed in the Bylaws.

B. Election and Terms of Office

1. The term of office of elected senators and alternates shall be three years except as set forth in Paragraph 3 below. After serving for six consecutive years as a senator and/or alternate, an individual shall not be eligible for re-election for a period of one year. The term limit shall be waived on presentation to the Executive Committee a request approved by a majority vote of the constituents of the Representation Unit.
2. The election years shall be distributed as equally as possible among the various representation units and at-large positions.
3. Election of senators shall be held in the spring of each year. The term of office shall commence on July 1. 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 terms by elections.

Article V — Officers

The officers of the Senate shall be a President, Vice-President, and Secretary. Their duties shall be defined in the Bylaws. These officers shall be chosen by the continuing senators- and the senators-elect following the annual spring elections in a manner described in the Bylaws. The officers-elect of the Senate shall assume their duties on July 1.

Article VI — Committees

- A. The number, responsibilities and membership of committees of the Senate shall be determined by the Senate using procedures contained in the Bylaws.
- B. Committee chairs shall be senators or alternates.

Article VII — Procedure

A. The business of the Senate shall be conducted according to the current edition of *Robert's Rules of Order Newly Revised* (RONR) when these are not in conflict with the Bylaws of the Senate.

B. The full Senate, by two-thirds majority vote, shall rule on interpretation of ambiguous language in this Constitution and the Bylaws. Such interpretations shall be considered as amendments to the Bylaws.

Article VIII — Petitions And Ballot Initiatives

A. Petitions may be submitted to the Senate by constituents to require:

1. An immediate vote on policy proposals specified in the petition; or
2. That a Ballot Initiative (or referendum) of eligible constituents be conducted immediately as a challenge to some vote of the Senate.

B. Such petitions must be signed by at least 20 percent of constituents eligible to vote on the matter. (Reference is made to Article III, Section G).

C. A majority of eligible Senators may vote to require a Ballot Initiative of eligible constituents.

D. The President of the University or the Board of Trustees or their designated representatives can request a Ballot Initiative on a designated issue other than the appeal of a presidential veto.

E. The Bylaws shall contain procedures for the conduct of Ballot Initiatives.

ARTICLE IX — Meetings

The Senate shall meet at least once during each term of the regular academic year, in meetings scheduled before the end of Spring term of the preceding academic year. Additional meetings shall be called by the Senate President as needed, or upon written request of 20% of senators. 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 calendar months by a two-thirds majority, the proposed amendment shall be submitted to the Senate Constituency. Ratification shall require a majority vote in a referendum in which a majority of eligible senate constituents cast a valid ballot. The amendment shall then become effective upon approval by the Board of Trustees.