

# The University Senate of Michigan Technological University

## Proposal 56-21

(Voting Units: All)

## Bylaws Update

Presented by the Ad-hoc Senate Bylaws Update Committee

### Bylaws of the University Senate of Michigan Technological University

#### Revision History/Notes

- March 18, 2019: Editorial changes to align verbiage and ensure consistency across documents.
- April 5, 2017: Revised to reflect approved content from Proposal 22-17.

## I. Operational Bylaws

### A. Meetings

#### a. Quorum

- a. One-half of all elected Senators, or elected Alternates if their Senator is not present, shall constitute a quorum to transact Senate business requiring action of all Senators. One-half of all elected faculty Senators, or Alternates if their Senator is not present, shall constitute a quorum to transact Senate business requiring action of faculty Senators only. One-half of all elected professional staff Senators or Alternates if their Senator is not present, shall constitute a quorum to transact Senate business requiring action of professional staff Senators only.
- b. Elected Senators and Alternates are those persons who have been elected by their constituent academic or professional staff units.

#### b. Electronic Meetings

- a. The Executive Committee has the authority to call for meetings of the Senate and/or the Executive Committee to be held completely or partially electronically on-line per the rules and regulations outlined in these Bylaws, and as further defined below:
  1. Internet Meeting Service: The internet meeting service utilized for the meetings shall be a service recommended and supported by the University's Information Technology Department.

2. Technical requirements and malfunctions: Each member shall be responsible for their individual audio and internet connections; no action of the Senate shall be invalidated due to the loss of, or poor quality of, an individual's connection.
3. Recognition from the floor: To be recognized by the Chair during discussions individual members shall utilize the hand raising/chat function of the internet meeting service being utilized, which shall be monitored by the Secretary or the Vice-President.
4. Voting procedure shall be as outlined in Article J (voting procedures)

## **B. Executive Committee**

- a. The Executive Committee of the Senate shall consist of the officers of the Senate and the chairs of the standing committees.
- b. The Executive Committee shall function as a steering committee of the Senate, **working to identify the objectives and broader agenda of the Senate by fostering dialogue among the Senate Officers and Chairs of Senate standing committees. In this capacity, the Executive Committee provides support and guidance for members as a forum for sharing information, voicing concerns, providing feedback, and offering advice on matters related to the work of the Senate.** Normally, the Senate officers will conduct the daily business of the Senate.
- c. The Executive Committee shall maintain the lists of constituents and representation units. It shall use the Constitution and Bylaws as guidelines in its deliberations. Its recommendations for changes in the lists shall be submitted to the Senate for approval.
- d. The Executive Committee shall have the authority to extend to a maximum of one calendar year the three-month period for presidential approval or veto of proposals. This approval requires a two-thirds majority vote of the Committee.
- e. The Executive Committee shall represent the Senate at meetings with the Board of Trustees.
- f. The Executive Committee shall coordinate interaction between the Senate and the Board of Trustees.

## **C. Senate Standing Committees — Organization**

- a. Normally, each Senator or Alternate is expected to serve on one standing committee of the Senate. With the approval of the full Senate, the Senate officers may serve on but may not chair standing committees.
- b. Only senators or alternates may vote in Senate standing committees.
- c. Each committee shall elect its own chair **or co-chairs**, who shall be a senator or alternate.
- d. Given the issues likely to be addressed by the committee in any given year, in electing a

- chair, committees are encouraged to consider whether tenure would be an asset.
- e. Any member of the university community may serve without vote on any Senate standing committee, subject to the approval of the committee.
  - f. The Registrar or a representative of the Registrar will serve as a non-voting ex-officio member of the Curricular Policy and Academic and Instructional Policy Committees.
  - g. The full Senate must approve yearly the voting membership of each standing committee before it begins to function.
  - h. The Senate officers will draft a preliminary list of committee assignments, and circulate the list to the Senate no less than 10 days before the first meeting of the Senate in the fall semester.

## **D. Senate Standing Committees — Responsibilities**

Authority for responsibilities assigned to the standing committees are derived generally from the Constitution and Bylaws, as noted in the following list (III-F-1-a-6 for example, refers to Article III, section F, paragraph 1, and part a, item 6 of the Senate Constitution).

### **1. Academic and Instructional Policy Committee**

- a. Appointment, promotion, tenure, dismissal, and leaves of the academic faculty (III-F-1-a-vi).
- b. Criteria for positions that are to be accorded academic rank (III-F-1-a-vii).
- c. Academic freedom: rights and responsibilities (III-F-1-a-viii).
- d. Regulations concerning the awarding of honorary degrees (III-F-1-a-ix).
- e. Regulations regarding attendance, examinations, grading, scholastic standing, probation, and honors (III-F-1-a-iii).
- f. Teaching quality and the evaluation of teaching (III-F-1-a-iv).
- g. All matters pertaining to the academic calendar (III-F-1-a-v).

### **2. Administrative Policy Committee**

- a. Selection of the University President, the Provost, and other major university-wide administrators (III-F-4-b-vii).
- b. Administrative procedures and organizational structure (III-F-4-b-viii).
- c. Evaluation of administrators (III-F-4-b-ix).

### **3. Committee for Promoting and Facilitating Equity and Understanding**

- a) Identify, research, propose, and evaluate actionable initiatives related to the promotion and furtherance of equity, diversity, inclusion, and understanding at Michigan Technological University. (III-F-4-b-ii, vii, x)

### **4. Curricular Policy Committee**

- a. All curricular matters, including establishment, dissolution, and changes in degree programs (III-F-1-a-i).

- b. Requirements for certificates and academic degrees (III-F-1-a-ii).

## **5. Elections Committee**

- a. Conducting ballot initiatives (VIII-D and Bylaws).
- b. Conducting Senate elections (Bylaws).
- c. Conducting University-wide elections (Bylaws).
- d. Assisting Senate Officers in identifying nominees for Senate representatives to various University standing and ad hoc committees.
- e. Providing a slate of nominees for Senate offices.

## **6. Finance and Institutional Planning Committee**

- a. Allocation and utilization of the university's fiscal resources (III-F-4-b-iii).
- b. Student financial aid (III-F-4-b-vi).
- c. Institutional priorities (III-F-4-b-ii).
- d. Allocation and utilization of the university's human and physical resources (III-F-4-b-iii).
- e. Admission procedures (III-F-4-b-v).
- f. General admission standards (III-F-4-b-v).

## **7. Fringe Benefits Committee**

- a. Fringe benefits (III-F-4-b-i).

## **8. Information Technology Committee**

As related to Information Technology:

- a. Allocation and distribution of unrestricted funds made available to the university for discretionary allocation in support of research or scholarly work (III-F-2-b-i).
- b. Allocation and utilization of the university's human, fiscal, and physical resources (III-F-4-b-iii).
- c. Formulation of policy and procedures regarding allocation and utilization of the university's human, fiscal, and physical resources (III-F-4-b-iii).

## **9. Professional Staff Policy Committee**

- a. Policy on all issues of concern only to professional staff (III-F-3-a-i).

## **10. Research Policy Committee**

- a. Policy on all research issues and performance other than the allocation and distribution of resources (III-F-2-a-i).
- b. **Review make recommendations, initiate, and participate in the formulation of** policy and procedures on the allocation and distribution of **unrestricted funds and** resources (III-F-2-b-i).

## **E. Budget**

- a. During the fall semester, the Finance and Institutional Planning Committee shall prepare and submit a budget request to the University President (or designated representative) for the subsequent fiscal year, and shall be empowered to negotiate with the University President (or designated representative) as required.
- b. The Senate officers, after taking office in July, shall develop a draft allocation of the budget after receiving the amount of budgeted funds from the University President (or designated representative). The Senate officers shall have authority during the summer to pay for necessary expenses.
- c. The Senate shall at its first meeting retroactively approve, or revise and approve, the allocation of the budgeted funds.
- d. The Executive Committee shall have the authority to approve spending within the line item allocation approved by the Senate.
- e. At the end of the year the Executive Committee shall report to the Senate on how the budget monies were spent.

## **F. Senate Temporary and Ad Hoc Committees**

- a. Within the areas of Senate authority but outside the responsibilities of the standing committees, matters may arise requiring committee action. The Senate shall establish temporary or ad hoc committees in such cases.
- b. Membership of temporary or ad hoc committees.
  1. In those matters for which the Senate has specific constitutional authority to establish and review policy, membership of temporary or ad hoc committees shall conform to the stipulations for membership in standing committees.
  2. In other matters, the membership of temporary or ad hoc committees shall be approved by the Senate.
- c. After the Senate approves the formation of a temporary or ad hoc committee, the President shall read into the Senate minutes the charge to that committee.

## **G. Qualifications of Officers**

- a. The President and Secretary shall have tenure.
- b. The Vice President shall be from a unit other than an academic unit.

## **H. Duties of Officers**

- a. The President shall preside at all meetings of the Senate and of the Executive Committee.
- b. The Vice President shall preside at meetings of the Senate in the absence of the President of the Senate.
- c. The Secretary shall record and maintain the minutes of meetings of the Senate and the Executive Committee.
- d. The officers shall perform other duties as described in the Constitution and these Bylaws.

## **I. Replacement of Officers**

- a. In the case of resignation or incapacitation of any officer, an election of a replacement shall be held **following the election procedures in Section K and within 30 calendar days.**

## **J. Voting Procedures**

- a. Unless specifically stated otherwise, the terms “majority” or “two-thirds” vote refer to the number of individuals voting.
- b. A request for a secret ballot on the Senate floor shall take precedence over calls for a roll call vote or a voice vote and shall be automatically granted upon request.
- c. **During times when senate meetings are held in part or in full electronically (e.g. using Zoom) nomination and voting shall be conducted as follows:**
  1. **Votes stipulated as “floor” or “voice” votes without a clear majority, and as requiring a ballot, will occur synchronously using electronic voting means (e.g. Google poll or survey).**
  2. **Electronic voting will be administered by the Senate Assistant, who will broadcast the electronic vote tally to the senate constituency upon calling the election.**
  3. **The Senate Assistant will use their discretion to administer the electronic voting technology that enables regulation of one vote per senator, and a clear vote count.**
  4. **The anonymity or roll call status of the vote will be determined as noted in section J.b above.**

## **K. Elections**

- a. **The following offices and seats will be filled using a ballot delivered electronically (e.g. via email link to Survey monkey) as administered by the Senate Assistant to solicit nominations, and for elections: Senate Officers; Search Committee membership for the President, Provost, Vice Presidents, Deans and Directors; faculty and professional staff senators at large).**
  1. **Ballots will be distributed upon the approval of ballot content, form, and timeline by the Election Committee.**
  2. **Nominees will confirm their willingness to serve with the senate administrative assistant and the Senate Election Committee at least 7 calendar days after the close of the nomination period, in order to be placed on the ballot.**

3. The Senate Assistant will establish and maintain a voter information page on the Senate Website where the following information will be posted:
    - i. Office or seat to be filled and dates of term
    - ii. Candidate name, title, Senate Representation unit, and department or unit as commonly known
    - iii. Biographical information as supplied by the candidate
    - iv. Statement of reasons for running for office or a seat and verifiable qualifications as supplied by the candidate
  4. Ballots for nominations and elections shall be distributed during the regular academic year (except in the event of emergency replacement of officers during the summer); remain open for a minimum of 5 business days and maximum of 10 business days, with the exception of periods that include breaks within or between semesters, or in cases of resignations or suddenly vacated offices or seats.
- b. Election of Officers
1. Following the annual spring election of senators by the representation units, Senate officers shall be elected for the next academic year. The election shall be held electronically following the election procedures outlined in section K.a.
  2. Before the electronic election, the Elections Committee, in consultation with the Executive Committee, shall solicit nominees for Senate officers among the continuing senators and senators-elect.
  3. The nominations shall be presented at the first regular Senate meeting in April, with a final call for additional nominations from the floor. After any additional nominations from the floor, the officers for the next academic year will be elected electronically before the final Senate meeting of the current academic year.
  4. In the event that senators-elect cannot participate in the annual spring election, incumbent senators may vote on behalf of their Representation Unit.
  5. A majority vote is needed for the election of an officer. If there are more than two candidates and a majority vote is not obtained, the candidate with the lowest number of votes shall be stricken from the list of candidates and another vote shall be taken until a majority is obtained.
  6. The officers-elect of the Senate shall assume their duties on July 1.

## **L. Ballot Initiatives**

- a. A Ballot Initiative (or referendum) can be placed before the eligible Senate constituency (Article VIII). 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. Procedures
  1. If a Ballot Initiative is presented to the Senate by petition of its constituents, then the originators of the initiative shall select a spokesperson who has the authority

to represent them on all matters concerning the initiative.

2. In matters that do not involve an attempt either to repeal a Senate action or to require a vote on an agenda item, appropriate committees of the Senate shall have the 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.
3. The vote on the initiative shall be by secret ballot.
4. 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 cases, the initiative shall be held as soon as possible after the meeting where it is submitted or proposed.

## **M. Proposals**

### **a. Definitions**

1. The word “proposal” used in this section shall be construed to comprise only those formally moved Senate actions involving major considerations such as:
  - i. Establishment of University policy and procedures,
  - ii. Recommendations to the University administration,
  - iii. Measures affecting organization or primary procedures of the Senate,
  - iv. Formal definitions of Senate policy, and
  - v. Establishment of Senate standing committees.
2. The word “proposal” as used in this section shall be construed to exclude all operative motions and actions pursuant to the normal routines of a deliberative body, such as:
  - i. Moving appointment of, appointing, approving, or discharging ad hoc committees, or
  - ii. Requesting, hearing, or accepting business and committee reports.
3. 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 these definitions.
4. In these Bylaws, “full Senate” refers to the entire body of senators, regardless of constituency. The term “whole Senate” refers to the Senate acting as a body, as contrasted with Senate committees.



- b. Proposals may be submitted by a Senator, a Senate Committee, or by the University President (or designated representative). Proposals may be submitted individually, or on behalf of any group.
- c. All proposals shall be submitted in writing to the Senate officers, who shall assign a number to the proposal and place a copy of the full text on the Senate Website. The Executive Committee shall determine the appropriate body to refer the proposal, after which the officers shall transmit the proposal expeditiously.
- d. The Executive Committee shall refer a proposal to the appropriate standing committee, or to the whole Senate. The Senate officers shall, at the next Senate meeting, include in their report a list of proposals that have been received and their disposition by the Executive Committee. This list shall be entered into the minutes.
- e. A proposal **assigned to** a Senate Committee shall go directly to the whole Senate. The Executive Committee shall not initiate any proposal **or resolution** except in relation to its own function as **a steering committee as defined in these Bylaws, such as proposals and/or resolutions that clearly do not fit within the charge of a particular Senate standing committee, matters related to the broader work and functioning of the Senate, the creation of certain ad hoc committees, or Sense of the Senate resolutions proposed on behalf of the membership of the Executive Committee.**
- f. A proposal comes before the Senate by way of a formal motion to take action. A proposal that has been moved and seconded may be debated, but no subsidiary motions may be made (to amend, refer, etc.) until a subsequent Senate meeting. Debate shall be limited to 10 minutes during the meeting in which a proposal first comes before the Senate. Proposals that are moved and seconded are automatically placed on the agenda for the subsequent Senate meeting as unfinished business.
- g. A proposal that has been referred to a standing committee shall be automatically placed on the agenda for the 6<sup>th</sup> subsequent Senate meeting, unless it has come before the whole Senate before this time.
- h. Classification of Proposals
  - 1. Before any proposal is referred to a standing committee or to the whole Senate, the Executive Committee will determine its classification, following Article III-F of the Constitution. This determination will be based on a reasonable interpretation of the Constitution. This classification will be indicated in the proposal.
  - 2. During debate on any proposal, any senator may object, on constitutional grounds, to the classification of any proposal.
  - 3. The classification of a proposal may be altered by a two-thirds majority vote of the full Senate.

i. **Submission of a Sense of the Senate Resolution**

1. Unless otherwise specified, the submission process for a “Sense of the Senate Resolution” will follow the same guidelines as a Proposal.

i. A “Sense of the Senate Resolution” shall be submitted to the Senate officers and distributed by the Senate office to the Senate Executive Committee and assigned to a standing committee if appropriate.

ii. A 2/3 majority vote is needed to add such items to the agenda and is also needed to approve the item.

iii. A “Sense of the Senate Resolution” shall not include actionable items requiring administrative approval.

iv. A “Sense of the Senate Resolution” may be submitted as an emergency following the guidelines of Emergency Proposals.

j. **Emergency Submission of a Proposal**

1. A proposal or resolution that has not been moved for adoption in a previous Senate meeting may be considered as an Emergency Proposal at the next meeting. Such proposals may be submitted by a Senator individually or on behalf of a group of Senators, and must have been sent to the Senate Officers no less than 12 hours before the meeting.
2. The Senate officers shall handle a submitted Emergency Proposal following the same procedures as for any other proposal/resolution, except that they shall assign a classification to the proposal/resolution and send it expeditiously to the whole Senate for consideration.
3. A two-thirds majority vote of the full Senate is required to approve taking up **and for** adopting any such proposal.
4. If the Senate does not vote to consider the proposal, it shall be placed on the agenda for the subsequent Senate meeting as unfinished business.
5. **If the Emergency Proposal does not meet the 2/3 majority to approve for adoption, it shall be deemed a failed proposal.**

k. **Amendment of Proposals**

1. A proposal that is not amended by the Senate can be approved by the Senate provided it has been formally moved for adoption in a previous Senate meeting, or is an Emergency Proposal.
2. A proposal, other than an Emergency Proposal, that is amended by the Senate may not be adopted sooner than the subsequent Senate meeting.
3. A proposal that has been changed only editorially may be approved at the meeting during which the change is made.
4. 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.

l. Administrative Changes of Proposals

1. When the University President or designated representative suggests changes without veto in a proposal transmitted from the Senate, the proposal and the suggested changes shall be considered by the Senate in the same manner as a newly-submitted proposal, using the number of the old proposal.
- m. A proposal that has not been approved by the Senate within one year of being assigned a number shall expire. An expired proposal may be resubmitted in the same or modified form and will be assigned a new number.
- n. Nothing in this section shall preclude the Senate from considering a motion at any meeting that is not otherwise classified as a proposal.

## N. Special Constituency Issues

a. ~~Definition~~

1. ~~Throughout the Constitution and these Bylaws the term "Department" shall apply to the College of Business and the College of Forest Resources and Environmental Science. For Senate purposes these two units are considered equivalent to departments until such time as departments within those Colleges are created.~~

a. The following shall not be constituents of the Senate:

1. Any Dean or any Director equivalent to a Dean. The Professional Staff Policy Committee shall make a determination regarding equivalence, which shall be approved by the whole Senate.
- b. 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.
- c. All Directors that are equivalent to Department Chair, Associate Dean, or Assistant Dean, may be constituents of the Senate, but may not serve as Senators or Alternates. The Professional Staff Policy Committee shall make a determination regarding equivalence, which shall be approved by the whole Senate.
- d. The Senate's professional staff constituency consists of those persons so defined by the Senate Professional Staff Policy Committee and in consultation the University's Office of Human Resources, the determination of which shall be approved annually by the whole Senate. The Senate Professional Staff Committee shall recommend the composition of individual professional staff constituency units, which shall be approved annually by the

whole Senate.

## **O. Meeting Agenda**

- a. The Senate shall adopt an agenda for every meeting.
- b. A draft agenda shall be prepared by the Senate officers, approved by the Executive Committee, and posted on the Senate website no less than five (5) days in advance of any scheduled meeting.
- c. Not more than 30 minutes shall be reserved in the agenda of any regular meeting to be devoted to presentations by invited guests.
- d. Non-members may submit written comments respecting any item on the Senate agenda. When the item comes up for consideration during the meeting, the presiding officer shall present the comments and enter them into the minutes.
- e. During the debate on a motion before the Senate, non-members may provide points of information if requested by a member.
- f. Not more than 15 minutes shall be reserved in the agenda of any meeting for comments from the public. Each individual will be restricted to a maximum of three (3) minutes for their presentation.

## **P. Amendments**

- a. All proposals with respect to amending the Constitution or Bylaws will be delegated to an ad-hoc committee of the Senate. The ad hoc committee shall have a minimum membership of three, duly elected by the Senate.
- b. The amendment to the Constitutions and Bylaws can be approved by the Senate provided it has been formally moved for adoption in a previous Senate meeting.
- c. Approval of and amendments to the Bylaws shall require a two-thirds majority vote of the full Senate.

# **II. Representation Units (For a complete listing, contact the Senate office)**

## **A. Academic Units**

1. Applied Computing
2. Army/Air Force ROTC
3. Biological Sciences
4. Biomedical Engineering
5. Chemical Engineering
6. Chemistry
7. Civil and Environmental Engineering
8. Cognitive and Learning Sciences
9. College of Business and Economics
10. College of Forest Resources and Environmental Science
11. Computer Science
12. Electrical and Computer Engineering
13. Engineering Fundamentals
14. Geological and Mining Engineering Sciences
15. Humanities
16. Kinesiology and Integrative Physiology
17. Library
18. Materials Science and Engineering
19. Mathematical Sciences
20. Mechanical Engineering - Engineering Mechanics
21. Pavlis Honors College
22. Physics
23. Social Sciences
24. Visual and Performing Arts

## **B. Professional Staff Units**

1. Academic Services A
2. Academic Services B
3. Academic Services C
4. Administration A
5. Administration B
6. Advancement & Alumni Engagement
7. Auxiliaries & Athletics
8. Information Technology
9. Research 1
10. Research 2
11. Student Affairs
12. University Relations and Enrollment

## **C. Other Units Having Official, Non-Voting Liaison Senate Membership**

1. Staff Council
2. Graduate Faculty Council

3. Graduate Student Government
4. Undergraduate Student Government

The full Senate may appoint or elect reciprocal liaisons to any or all of these units.

#### **D. Membership in other University Committees**

The full Senate shall appoint, elect or provide a slate of representatives from the Senate constituency or **Senate membership based on the requirements of the particular University committee. Department chairs, associate deans, and assistant deans, although they are considered constituents of the Senate, are ineligible to serve as representatives selected by the Senate for University committees. The following procedures shall apply to the selection of representatives:**

1. **If the number of nominations for the committee or council is equal to the number of seats available then the Senate shall appoint the representatives by acclamation.**
2. **If the number of nominations exceeds the seats available, then the Senate shall hold an election per the requirements of Section 1.K.b.**

These committees may include (but are not limited to):

1. Benefits **Advisory Committee**
2. Athletic Council
3. Michigan Tech Enterprise Corporation
4. Public Safety Oversight Committee
5. Academic Integrity Committee
6. Conflict of Interest Committee
7. Faculty Distinguished Service Award Committee
8. Faculty Review Committee
9. Misconduct in Research, Scholarly, and Creative Endeavors Inquiry Committee
10. Sabbatical Leave Committee
11. Committee on Academic Tenure, Promotion, and Reappointment