CONSTITUTION OF THE FACULTY SENATE OF THE UNIVERSITY OF TEXAS-PAN AMERICAN

AMENDED BY THE FACULTY SENATE ON 3-20-2007
RATIFIED BY A UNIVERSITY-WIDE FACULTY VOTE ON 4-12-2007

ARTICLE I. The name of this organization shall be the Faculty Senate of The University of Texas-Pan American. (HEREAFTER, "UNIVERSITY")

ARTICLE II. Purpose and Implementation

A. Purpose

The purpose of the Faculty Senate is to promote the general welfare of the University by representing the faculty and librarians in matters that relate to that body.

B. Implementation

This purpose shall be carried out as follows:

1. By advancing the principles of collegiality and faculty/librarian participation in governance, and

2. By examining issues of concern to the faculty/librarians or issues affecting the general well-being of the University through:

    a. Serving as a channel for communication among students, faculty/librarians, staff and administration;

    b. Reviewing existing or proposed educational policy;

    c. Reviewing proposals from faculty/librarians or members of the administration; and

    d. Initiating policy proposals for consideration by faculty/librarians or administration.

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ARTICLE III. Membership of the Faculty Senate

A. Eligibility

1. All full-time faculty members and librarians at the department chair level or below with 50% or less administrative appointment are eligible to vote for Faculty Senate Representative(s).

2. All faculty members/librarians at the department chair level or below with 50% or less administrative appointment are eligible to serve in the Faculty Senate provided they:

    a. Have completed two (2) years of full-time employment at the University, and

    b. Continue to be University employees while serving in the Senate.

3. Questions involving membership in the Faculty Senate shall be decided by the Faculty Senate.

4. For purpose of apportionment, each full-time faculty member or librarian shall be counted as a member of one college, or division (hereafter, "college/library") and one college/library only.

5. Each full-time faculty member/librarian shall be counted in the college/library where the major portion of his/her teaching load lies. In the event the teaching load is evenly divided, he/she shall be counted in the college/library where his/her major field lies.

B. Composition of the Faculty Senate

1. The purpose of the following formula is to provide each college/library with representation on the Faculty Senate proportionate to the ratio of the number of faculty

members/librarians in each college/library to the total eligible University faculty members/librarians.

2. The Senators shall be apportioned among the college/library as follows:

   a. The number of faculty members/librarians for a given school shall be divided by the total number of full-time University faculty/librarians and multiplied by 25.

   b. A fraction of .5 or greater shall be rounded up to the next whole number. In no event shall any college/library have less than one Faculty Senate position.

C. Method of Election

1. At the beginning of each academic year, the Secretary of the Faculty Senate shall obtain from the Provost/Vice-President for Academic Affairs the names of all academic and librarian appointees and their membership classification. The Secretary of the Faculty Senate shall then verify this list within ten (10) working days.

2. The Secretary of the Faculty Senate shall then, with Senate approval, determine the number of Senators to which each college/library is entitled.

3. The Chair of the Faculty Senate shall appoint a Nomination/Election Committee consisting of continuing members of the Senate from each college/library to call for nominations no later than the first Friday after Spring Break for the purpose of nominating candidates for the Faculty Senate.

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a. In the event there is no continuing member of the Senate in the college/library to appoint, the Chair shall conduct the college/library meeting.

b. Nominations for Senators shall be made by eligible members of each college/library for Senators from that college/library.

4. The names of nominees shall be sent to the Secretary of the Faculty Senate, who shall then verify eligibility and prepare and distribute secret ballots to the voting faculty members/librarians of each college/library. The faculty members/librarians of each college/library shall elect only the Senators from that college/library. The ballots should be returned to the Secretary of the Faculty Senate within seven (7) working days of distribution. A committee appointed by the Chair of the Faculty Senate (referred to as election committee) shall count the ballots. The nominees from each college/library receiving the largest number of votes, shall be elected. In the case of ties, run-off elections shall be held.

5. If the number of nominations is less than or equal to the allotted vacancies in that college/library, then the election committee may declare the nominee(s) elected.

6. The Faculty Senate shall certify and publish the final results of the elections, except in cases of run-off and special elections during the second week in April. Results of run-off elections shall be certified and published by the Senate before the last senate meeting of spring semester.

D. Vacancies

1. The Faculty Senate shall fill a vacancy that occurs in a college/library by holding a special election within that college/library. Such election will be held in conformity with Section III. C. of this Constitution.

2. Requests for a temporary leave of absence from the Faculty Senate must be approved by a majority vote of the Senate.

3. Disposition of temporary vacancies created by the leave of absence of a Faculty Senator shall be decided by the Faculty Senate.

E. Term of Office

1. Persons elected to the Faculty Senate shall take office at the end of the spring semester. The term of office shall be for three (3) years.

2. No faculty member/librarian shall serve more than two (2) complete consecutive terms.

3. A vacancy shall be declared when, prior to the expiration of his/her term, a Senate member:

   a. Terminates employment with the University,

   b. Accepts appointment within the University to an administrative position with more than 50% appointment:

   c. Resigns Senate membership, or

   d. Is absent from two (2) consecutive Senate meetings or three (3) such meetings within a calendar year.

4. The Secretary of the Faculty Senate shall notify the Chair whenever a vacancy occurs as a consequence of excessive absence.

   a. In such instances, the Chair of the Senate shall notify the affected faculty member/librarian in writing of his/her removal from the Senate.

b. The affected faculty member/librarian shall have right of appeal to the Executive Committee within ten (10) working days after the date of written notification from the Chair.

c. Upon hearing the appeal, the Executive Committee shall decide by secret ballot whether to declare a vacancy.

d. In the case of a tie vote, the faculty member/librarian shall retain Senate membership.

5. Faculty members/librarians elected to fill a vacancy are entitled to serve two (2) consecutive three (3) year terms in their own right if there is less than one year of the unexpired term remaining on the term they were elected to fill. If a faculty member/librarian is elected to fill a vacancy in which one (1) year or more of the term remains, such term shall count as one (1) regular term of membership for that faculty member/librarian who, therefore, shall be eligible for one (1) consecutive re-election.

6. After serving two (2) complete consecutive terms, a faculty member/librarian will be eligible for election to the Faculty Senate after having been out of the Senate for one (1) full year. Faculty members/librarians leaving the Senate after having served less than two (2) complete consecutive terms will be eligible for election to the Faculty Senate at the next regular or special election of Senate members.

ARTICLE IV. Officers of the Faculty Senate

A. Election

1. The officers shall be organized as an Executive Committee of the Faculty Senate. The Executive Committee shall be composed of the officers and any additional members

necessary to ensure representation from each college/library.

2. The Nomination/Election Committee shall prepare a slate of nominees for the Executive Committee of the Faculty Senate. The Chair and Chair-Elect shall not be from the same college.

3. At the last meeting of each spring semester, the membership of the new Senate shall elect a Chair-Elect, a Secretary, a Parliamentarian, and any additional members necessary to ensure representation from each college/library. The outgoing Chair shall conduct the election of the new officers.

4. Nominations may be made from the floor. All nominees shall be members of the Faculty Senate. Majority vote shall be necessary for election.

5. The term of office shall be one (1) year or until the next regular election except for the Chair and Chair-Elect.

6. The outgoing chair shall sit on the Executive Committee as an Ex-Officio member (unless re-elected to the Executive Committee for a second term).

B. Duties

1. The duties of the officers shall be those prescribed by the Constitution and those that normally pertain to the office held.

2. The Executive Committee constitutes the formal leadership of the Faculty Senate with the Chair as its head. In addition, the Executive Committee shall have duties and responsibilities as prescribed in this Constitution and the Bylaws, and as determined by the Faculty Senate.

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3. All members of the Executive Committee other than the Chair shall be able to speak and vote on all Senate business.

C. Vacancies

1. Vacancies on the Executive Committee occurring during the year shall be filled by election at a regular meeting, with the exception of the Chair. Vacancies in the office of Chair shall be filled by elevation of the Chair-Elect and the election of a new Chair-Elect.

2. Those elected shall hold office for the remainder of the term of the office vacated or until the next regular election.

3. A vacancy shall be declared when a member of the Executive Committee is absent from three (3) consecutive Executive Committee meetings or five (5) such meetings within a calendar year.

    a. Such meetings must be either regularly scheduled meetings or meetings for which the committee member was given at least five (5) working days notice.

    b. In instances of excessive absence, the Chair of the Senate shall notify the Committee member in writing of his/her removal from the Executive Committee. Notification shall be by the Chair-Elect if the Chair accumulates excessive absences.

    c. The affected Committee member shall have the right to file a written appeal for ten (10) working days after the date of written notification. Said appeal shall be filed with the Executive Committee.

    d. The Faculty Senate shall hear the appeal and shall decide by secret ballot whether the Committee

member shall continue as a member of the Executive Committee.

e. In the case of a tie vote, the Committee member shall retain membership on the Executive Committee.

D. Committees

1. The Executive Committee shall be responsible for appointing and discharging committees within the Faculty Senate as the need arises.

2. All Senate committees, with the exception of the Executive Committee, are ad-hoc committees. Members of said committees serve at the pleasure of the Executive Committee.

3. A Faculty Senate member shall serve on not more than two (2) Senate committees at any one (1) time.

ARTICLE V. Meeting and Procedures of the Senate

A. Meetings

1. The Senate shall meet at least four (4) times in the nine-month academic year: September, November, January, and April.

2. The Senate shall be called into special session by the Chair's initiative or upon receipt of a written request of five (5) or more members of the Senate.

3. A majority of the Senate shall constitute a quorum.

B. Procedures

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1. The Executive Committee shall prepare the formal agenda for each regular meeting.

2. A simple majority of those present shall be necessary to pass upon recommendations. Any Senator may call for a secret ballot on substantive questions.

3. Any faculty member/librarian or members of the administration may present a written request to appear before the Senate through any member of the Executive Committee.

4. The Senate must give consideration to any written recommendation submitted to it by any six (6) voting faculty members and/or librarians.

5. Agenda and Minutes of all meetings shall be distributed to all faculty and administrators.

6. Except as otherwise provided herein, the procedures governing Faculty Senate meetings shall be according to the latest edition of Robert's Rules of Order.

ARTICLE VI. Amendments and Bylaws

A. Amendments

1. Amendments to this Constitution may be proposed by:

    a. The Senate by its own initiative upon a 2/3 vote of its membership, or

    b. Petition of ten (10) faculty members and/or librarians to the Senate subject to a favorable vote by 2/3 of the Senate.

2. Ratification Procedure is as follows:

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a. Within ten (10) working days of the date of Senate approval, copies of the proposed amendments must be distributed to the faculty with a ballot.

b. This ballot must be returned to the Secretary of the Faculty Senate within seven (7) working days.

c. If 3/4 of the eligible members voting approve the amendments, they shall be ratified.

d. Such amendments shall take effect when approved by the President of the University and the Executive Vice Chancellor for Academic Affairs.

B. Bylaws

The Senate shall make any bylaws it deems necessary to facilitate the transactions of its business as long as such bylaws are consistent with the provisions of this Constitution and are approved by a majority of its membership.

ARTICLE VII. Ratification

This Constitution shall take effect when approved by a majority of those voting, by the President of the University and by the Executive Vice Chancellor for Academic Affairs.

BYLAWS OF THE FACULTY SENATE OF THE UNIVERSITY OF TEXAS-PAN AMERICAN

1. MEETING AGENDA

Requests submitted for inclusion on the formal agenda shall be submitted at least one day prior to a regularly scheduled Executive Committee meeting.

2. COMMITTEE REPORTS

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A. Committee reports will be included on the agenda for a Senate meeting when the committee chair notifies the Secretary of the Senate ten (10) days in advance of the meeting at which the chair wishes to make such report. Upon notification of the Senate Secretary, the chair of the committee becomes responsible for submission of a written report of the committee's work for distribution to Senators. Said report shall be in the hands of the Senators at least one (1) week prior to the meeting at which the report will be given.

B. Committee reports shall be allowed five (5) minutes for presentation, and a subsequent twenty-five (25) minutes for discussion, questions and editorial considerations. At the conclusion of this thirty (30) minute period a vote for or against the recommendations will be taken, or it shall be tabled.

C. In the event it is not possible to conclude consideration of a committee report in the time allowed, that committee shall meet prior to the next Senate meeting to resolve whatever objections are raised by Senators. The report shall be placed on the agenda for the next meeting, unless removal is requested by the committee chair, and allowed an additional five (5) and twenty-five (25) minutes for presentation and discussion. If it is not possible to record a for or against vote, the report shall be tabled.

D. If a Faculty Senate committee fails to report in what a majority of the Senate (or Executive Committee as per Constitution of the Faculty Senate, IV.D.2.) deems a reasonable time, the Senate may consider reassigning the subject to another committee.

3. TIME LIMITS FOR INDIVIDUAL SENATOR'S SPEAKING

Individual Senators may not speak for more than five (5) consecutive minutes before yielding the floor. If a Senator uses his/her full five (5) minutes, then all other Senators shall have opportunity to speak before the Senator who used his/her maximum time is allowed to speak a second time. If a direct question(s) is/are asked of the Senator who used his/her maximum time, he/she may respond to such question(s) in a reasonable amount of time.

4. PREFERENCE FOR CHAIR RECOGNITION

The Chair of the Senate shall give speaking priority to Senators over visitors.

5. REPRESENTATION ON OUTSIDE ORGANIZATIONS

A. Faculty Advisory Council:
The two (2) representatives shall be the Chair of the Faculty Senate and the Immediate Past Chair. In the event that the Immediate Past Chair cannot serve, then the Senate shall designate the representative.

B. Council of Faculty Governance Organizations:
The two (2) representatives shall be the Chair of the Faculty Senate and an additional representative selected by the Chair, upon the advice of the Executive Committee.