



## By-Laws of the Faculty Senate

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### 1. ARTICLE I: RULES OF ORDER

#### 1.1. Conduct of Meetings

1.1.1 All business of the Faculty Senate shall be conducted in accordance with *Robert's Rules of Order*, revised edition.

1.1.2 The first Faculty Senate meeting of the academic year shall be the Faculty retreat.

1.1.3. Motions will be submitted to the Faculty Senate President via the form located on the Faculty Senate website. Motions will be placed on the agenda of the next meeting of the Senate as information/first reading items and then as action items at the subsequent Senate meeting.

#### 1.2. Parliamentarian

A parliamentarian shall be appointed by the Executive Committee and confirmed by the Senate no later than the second meeting each year. The parliamentarian shall advise the Senate on all matters of parliamentary procedure.

*Revised, November 2003*

*Revised Aug. 29, 2016 to reflect process for submitting motions.*

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### 2. ARTICLE II: Committees

The Senate shall establish standing committees to study and make reports on matters of concern to the University faculty. Standing committees created by the Senate become committees of the Senate, receive their authority from the Senate, and shall report their findings and make their recommendations to the Senate.

**2.1. Standing Committees.** Except for the Executive Committee, the size of standing committees shall be determined by the Senate. The membership of each standing committee should reasonably reflect the composition of the Senate.

The chair of each committee, except for the Executive Committee, the Handbook Committee, and the Committee on Committees, shall be elected from the members of that committee at their first meeting.

The Standing Committees of the Senate are as follows:

1. Executive Committee

2. Faculty Concerns and Grievances
3. Faculty Elections and Governance
4. Committee on Committees
5. Faculty Handbook

2.1.1. Standing Committee Membership Criteria: The following criteria will be considered when assigning members to the Senate standing committees:

1. One Executive Committee member will be assigned to each committee.
2. Each college/school will be represented on the Concerns and Grievances Committee
3. Senators will be elected to standing committees annually at the retreat.

## 2.2. Executive Committee.

2.2.1. The Executive Committee duties shall be as follows:

1. To consider and to act on urgent matters of immediate general interest to the University which cannot wait for action by the Senate in regular session. Such actions of the Executive Committee shall be reported to the Senate at next meeting and shall be subject to ratification by a majority vote of the Senate.
2. To appoint members to the Senate standing committees no later than the second Senate meeting of the fall semester. To propose such ad hoc committees of the Senate as may be needed and to recommend to the Senate the membership of those committees.
3. To examine the work of the various Senate committees to prevent duplication of effort, to ensure the carrying out of the committee assignments, and to coordinate the work of all committees.
4. To refer matters to the proper committees of the Senate.
5. To attend monthly meetings with members of the senior administration.
6. To meet at least five (5) workdays in advance of regular Senate meeting for preparing an agenda and making assignments to those who are to report to the Senate at the next meeting. A copy of the agenda will be sent to each member of the Senate at least three (3) workdays before the Senate convenes.
7. To act on requests for leave of absence from the Senate.

2.2.2. The Executive Committee includes the following members (with duties listed as appropriate):

1. The Officers (duties are listed in By-law 5.)
2. Three at-large members elected as noted in the Constitution.
3. Past President
  - a. The immediate past president of the Faculty Senate serves as a member of the Faculty Senate Executive Committee for up to two years after completing his/her term as president.
  - b. Release Time for the Past President. The immediate Past President shall receive three hours of academic release time from his/her traditional load in each fall semester. Or, as an alternative, he/she may elect to receive extra compensation equivalent to the cost of an adjunct, in each fall and spring semester in which he/she serves (approved by Senior Staff on May 25, 2011). (As of fall 2008

adoption of this policy, this figure was set at no less than \$2,100 per semester.)The Past President serves as a voting member of the Academic Council.

4. Chair of Faculty Concerns and Grievances
5. Faculty member of the Board of Trustees
6. If the President appoints a designee to serve as the representative of ETSU's faculty to any external body(ies) of faculty, the designee will be an ex-officio member of the executive committee.

### **2.3. Committee on Faculty Concerns and Grievances**

2.3.1. The Committee on Faculty Concerns and Grievances may initiate recommendations and shall continuously review and evaluate University policies including but not restricted to such things as:

1. Academic freedom and responsibility;
2. Faculty salaries and other benefits;
3. Criteria for determining annual salary increments;
4. All faculty personnel policies including appointments, promotion, tenure, dismissal, resignation and leaves of absence. The Committee shall also act as an appeals body to hear grievances filed by individual faculty members. The committee is charged with developing procedures for this purpose, subject to approval by the Senate. (See Faculty Senate Grievance Procedure in the Faculty Handbook.)

2.3.2. The Committee shall also act as a consulting body to hear grievances filed by individual faculty members, at such point in time as a grievance may reach the desk of the President of the University, and as required by the Faculty Handbook. See Faculty Handbook section on Grievances for details of such procedures.

### **2.4. Committee on Faculty Senate Elections and Governance**

2.4.1 The Committee on Faculty Senate Elections is charged with these responsibilities:

1. Formulating a standardized procedure for elections to the Senate and for all University elections involving faculty participation;
2. Supervising the conduct of said elections;
3. Conducting the annual election of Faculty Senate officers and of the elected members of the Executive Committee;
4. Ruling on the eligibility of nominees and voters;
5. Supervising the process for initiating and ratifying amendments of the Constitution and By-Laws

### **2.5. Committee on Committees**

2.5.1. The Committee on Committees shall receive from all standing University committees an annual report of the activities and recommendations of the

committee by June 1. The Committee on Committees shall be concerned with, but not restricted to, such things as:

1. Staffing of all University standing committees except those elected by the general faculty. Upon request by the president of the University, names of faculty will be submitted to the president, from which committee appointments will be made.
2. Evaluation of all standing University committees.
3. Recommendations for change in the University committee structure. An annual report of the activities and recommendations of the Committee on Committees shall be made to the president of the Faculty Senate, who shall submit the report to the president of the University.

2.5.2. The immediate past president of the Faculty Senate shall serve as committee chair.

## **2.6. Committee on the Faculty Handbook**

2.6.1. Committee Leadership and Composition: The Committee on Faculty Handbook shall be chaired by the faculty senate immediate past president (or Faculty Senate's designee) who is a voting member only in the case of ties. The committee will include the following additional voting members: two Senators representing health affairs, two Senators representing academic affairs, one administrator appointed by the Vice President of Health Affairs, one administrator appointed by the Vice President of Academic Affairs. The Academic Affairs Office Manager (or designee) will be an ad hoc non-voting member charged with the publication management of the faculty handbook.

2.6.2. Duties of the Committee: The committee shall be responsible for oversight and disposition of any and all approved revisions to the faculty handbook. Approved changes will be forwarded directly to the academic affairs office manager (or designee) for implementation. The committee will also notify the faculty senate of any changes to the handbook.

*Revised March 13, 2017: See Substantive Changes document for specifics – Standing Committee membership, Executive Committee duties/membership; Committee on Committees – made language consistent with immediate past president role*

*Revised July 23, 2014 to reflect stipend for Past President approved by Senior Staff on May 25, 2011.*

*Revised April 2012: On recommendation of the Standing Committee working group and approval of the Senate membership*

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## **3. ARTICLE III: AD HOC COMMITTEES**

The Senate shall, from time to time, establish temporary committees to study and make reports on matters of special concern to the University faculty and/or community. Ad hoc committees created by the Senate become committees of the Senate, receive their authority from the Senate, and shall report their findings and make their recommendations to the Senate.

3.1. Duration. Ad hoc committees shall be constituted for periods of no longer than one calendar year.

An Ad Hoc committee may be reconstituted in subsequent years by 2/3 majority vote of the

- Committee membership,
- Executive Committee, and
- Full Senate.

An Ad hoc committee shall no longer be eligible for reconstitution after three (3) consecutive years of existence. If the duties of the committee warrant further continuance, the committee should be reconstituted as an official standing committee of the Senate.

*Revised, November 2003*

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## 4. ARTICLE IV: MEMBERSHIP

### 4.1. Elections

#### 4.1.1 Guidelines for Election to the Faculty Senate.

1. In March of each year, each Dean/Director and all Senators will be notified of forthcoming vacancies by the Elections Committee. Faculty shall be informed of vacancies by their senators in advance of the election.
2. Present senators from each college/school/unit will serve as election officials.
3. Elections to the Faculty Senate shall be conducted annually prior to the first meeting of the Senate in the fall semester.
4. Voting shall be by secret ballot.
5. A voter shall be entitled to cast one vote for each Senate seat to be filled.
6. In the event that no nominee receives a majority of votes, a run-off election shall be held between the two nominees receiving the greatest number of votes in the initial election. Procedures for the run-off election shall be the same as for the initial election.
7. When a vacancy occurs from a senator's resigning in mid-term, the president will inform the remaining senators from the relevant college. Senators from that college will choose a replacement to begin serving as soon as possible. The requirements for the replacement will be the same as for senators elected in regular elections. The senators of the college will choose whether the replacement will serve until the end of the academic year or through the remainder of the three-year term. If the replacement steps down at the end of the academic year, the place will be filled by regular election for the remainder of the term.

*Revised, December 2017 – 4.1.1 -7 (repaired missing language on replacement of senators who resign mid-term).*

## 4.2. Participation

1. Faculty Senators are expected to attend all bi-weekly meetings of the Senate.
2. Those Senators serving on the Executive Committee are also expected to attend the bi-weekly meetings of the Executive Committee on those weeks that the full senate does not meet.
3. Senators who miss a meeting shall notify the Secretary of the reason for failure to attend.
4. After a Senator misses two meetings in a single semester, the Secretary will send an electronic notification to the Senator. The same will apply to members of the Executive Committee who miss two of the bi-weekly meetings of the Executive Committee (irrespective of attendance at the meetings of the full Senate).
5. After a third absence, the secretary will send a notification to the Senator and the Senator's attendance will be reviewed by the Executive Committee, the results of which will be communicated to the Senator.
6. Review by the Executive Committee will take into account the reasons for absenteeism and may result in the following:
  - a. The absences being excused and no action taken or
  - b. A letter notifying the Senator's Dean of failure to meet obligations and/or
  - c. A request from the executive committee for resignation or formal leave of absence (see 4.3) by the absent Senator and/or
  - d. The Executive Committee declaring the absent Senator's seat vacant and initiating the process for filling a vacant seat (4.1.7).

*Updated Nov. 2018 – to remove excused vs unexcused absences and to provide for Executive Committee review of absences*

## 4.3. Leaves of Absence

When necessary, a senator may request an official leave of absence from his/her Senate duties. Request for a leave of absence must be submitted according to the following procedure:

1. A letter requesting a leave of absence which outlines the reasons for the request and the anticipated length of the leave of absence shall be sent to the president of the Faculty Senate for transmission to the Executive Committee;
2. The Executive Committee shall, by majority vote, either accept or deny the request for leave of absence;
3. In the event that the request for leave of absence is accepted, the President of the Faculty Senate shall instruct the remaining senators of the affected school, college or academic unit to select a temporary replacement Senator by a majority vote among themselves or as specified in the constitution of the affected school, college, or academic unit.
4. The temporary replacement senator shall occupy the seat of the requesting senator until the requesting senator notifies the president of the Faculty Senate in writing that he/she wishes to resume the duties of senator.
5. The maximum length of a leave of absence shall be an academic year.

## 4.4. University Standing Committee Membership

A Faculty Senate member appointed to a University (i.e., non-Faculty Senate] standing committee serves a three-year term on that committee, irrespective of whether he/she continues as a member of the Faculty Senate during this three-year term.

#### **4.5. Faculty Senate Selection of Faculty Trustee**

This shall be the process by which the Faculty representative to the ETSU Board of Trustees (the Board) will be determined:

1. In those year that the faculty trustee position on the Board is open according to HB2578, the floor will open for potential nominations at the last scheduled Faculty Senate meeting of the fall semester and close on January 31.
  - a. All potential nominees shall submit a statement of qualifications to the President of the Senate during the nomination period.
  - b. The President of Faculty Senate shall forward all applications to the Faculty Senate Executive Committee which will review the eligibility of each candidate by no later than the scheduled meeting of the Senate at which the ballot is created.
  - c. The date of the faculty trustee election may be modified by the Faculty Senate to allow for selection of a Board representative prior to the first annual meeting of the Board.
2. To be eligible for consideration, the potential nominee must have been a full-time faculty member for at least six (6) years and demonstrate satisfactory involvement in university-wide shared governance.
3. A ballot of no more than three (3) and no fewer than two (2) nominees will be created in a Faculty Senate meeting by the end of February.
4. A position on the ballot is secured by being among the top three in a vote by a quorum of the faculty senate.
  - a. There will be up to three (3) rounds of voting.
  - b. Each Senator may vote only once in each round.
  - c. The top vote-getter in each round earns a position on the ballot. In the event of a tie in any round a coin-toss will break the tie.
  - d. Once a person is placed on the ballot, he/she may not be considered in subsequent nominee ballot voting.
  - e. The Faculty Senate shall vote again until at least two (2) and no more than three (3) nominees are on the ballot.
5. The final ballot will be presented to the Faculty of ETSU for a vote in March.
6. The faculty trustee will be determined by a plurality (person who gets the most votes) in a vote of the faculty. In the event of a tie, a run-off will be held. The person receiving the second most votes will be considered the alternate.
7. If the newly-elected faculty trustee is not currently a member of the Senate, he/she automatically becomes an at-large member of the Senate and must remain a member in good standing for the duration of his/her term. Upon election to the ETSU Board of Trustees, the faculty trustee will become an ex-officio member of the Faculty Senate Executive Committee and will be expected to fulfill the following duties of an Executive Committee member:
  - a. Attend all scheduled meetings of the Faculty Senate Executive Committee
  - b. Attend all scheduled meetings of the Faculty Senate

- c. Attend all monthly meetings of the Executive Committee and university administration
- 8. In the event that the faculty trustee is unable to serve, the alternate will fill the remainder of the term.
  - a. If both the elected faculty trustee and the alternate are unable to serve, the Past President will step in to serve as the faculty trustee until a new faculty trustee can be elected to fill the remainder of the term.
  - b. Any out of cycle election will follow the process outlined above but in a timeframe to be determined by the Faculty Senate.
- 9. The faculty member elected to the ETSU Board of Trustees shall have the term of service limited to two consecutive terms of two years each if they are nominated and elected. Thereafter, the faculty member would become eligible to seek another term only after having remained off the Board for one term.

*Revised, November 2018 – to update the timing of the election based on the BOT cycle; to change simple majority to plurality; to provide for an alternate in the event the elected faculty member is unable to serve; to implement a term limit consistent with the limits defined in the FOCUS ACT.*

*Revised, March 13, 2017 – see substantive changes document; participation updated  
Revised, April 2016*

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## 5. ARTICLE V: OFFICERS

### 5.1. President

5.1.1. The Faculty Senate President shall preside over all meetings of the Senate and the Executive Committee.

5.1.2. The Faculty Senate President is the official representative to:

1. Interim University Council (currently named)
2. Academic Council
3. SACS Leadership Team (as of spring 2017)
4. Budget Advisory Committee (as of spring 2017)
5. Commencement Platform Committee (authorized fall 2009)
6. Any ad hoc committees the University President or Vice President(s) may convene which require faculty representation

If the current President cannot participate, the Vice President shall substitute for the president. If the Vice President cannot participate, any other officer or member of the organization may be appointed by the President.

5.1.3. Tennessee University Faculty Senates (TUFS). The Faculty Senate President shall be the official voting representative to all matters involving Tennessee University Faculty Senates. If the current President cannot participate, the Vice President shall substitute for the President. If the Vice President cannot participate, any other officer or member of the organization may be appointed by the President.



5.1.4. Representative to formal external faculty body(ies). If the current President cannot participate, the Vice President shall substitute for the president. If the Vice President cannot participate, any other officer or member of the organization may be appointed by the President.

5.1.5. Release Time for Faculty Senate President. The Faculty Senate President shall receive three hours of academic release time from his/her traditional load in the fall and spring semesters. Or, as an alternative, he/she may elect to receive extra compensation equivalent to the cost of an adjunct in each of those two academic semesters in which he/she serves as president. (As of fall 2008 adoption of this policy, this figure was set at no less than \$2,100 per semester.) In addition, the President will receive a stipend of no less than \$2,400 for summer semester.

## 5.2 Vice President

5.2.1 The Faculty Senate Vice President will preside at meetings of the Senate and the Executive Committee in the absence of the President.

5.2.2 The Faculty Senate Vice President is a member of:

1. Interim University Council (currently named)
2. Academic Council, voting
3. Any ad hoc committees to which the Faculty Senate President may appoint him/her.

5.2.3. The Faculty Senate Vice President will be responsible for the collection and review of the reports of the University standing committees each year.

5.2.4. Release Time for Faculty Senate Vice President. The Faculty Senate Vice President shall receive three hours of academic release time from his/her traditional load in each spring semester. Or, as an alternative, he/she may elect to receive extra compensation equivalent to the cost of an adjunct in each fall and spring semester (approved in Senior staff, May 25, 2011) in which he/she serves as vice president. (As of fall 2008 adoption of this policy, this figure was set at no less than \$2,100 per semester.)

## 5.3 Secretary

5.3.1 The Secretary shall:

1. Keep and maintain the minutes of any regular or special meetings (including the Executive Committee meeting) of the Senate
2. Keep the official attendance records of all meetings.
3. Prepare and maintain the official membership list of the Senate.
4. Maintain a permanent and public collection of all of the records of the Senate.

5.3.2 Release Time for Faculty Senate Secretary. The Faculty Senate Secretary shall receive three hours of academic release time from his/her traditional load in the fall

and spring semesters. Or, as an alternative, he/she may elect to receive extra compensation equivalent to the cost of an adjunct in each of those two academic semesters in which he/she serves as secretary. (As of fall 2008 adoption of this policy, this figure was set at no less than \$2,100 per semester.)

#### 5.4 Treasurer

5.4.1 The Treasurer shall:

1. Compile and maintain all records of any financial transactions involving the Senate, including expense authorizations and reimbursements and the Faculty Senate Courtesy Fund.
2. Make periodic reports and distribute these regularly to the members of the Senate.

#### 5.5 Chief Operating Officer

5.5.1 The Chief Operating Officer shall:

1. Substitute for the Secretary and/or the Treasurer when either cannot perform his/her duties,
2. Organize, maintain, and supervise the Faculty Senate office,
3. Obtain faculty census data at the beginning of each spring semester
4. Organize and coordinate the annual Faculty Senate Retreat,
5. Coordinate the relationship between the Faculty Senate and the ETSU Retirees' Association.

*Revised March 13, 2017 – see substantive changes document – duties of President, VP, COO*

*Revised April 7, 2014 following Senate approval to make By-laws and Constitution consistent with respect to the officers and Executive Committee members.*

*Revised July 23, 2014 to reflect the stipend for VP approved in May 2011*

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## 6. ARTICLE VI: AMENDMENT PROCEDURE

6.1. **Initiation.** The By-Laws may be altered by a procedure begun in either of the following ways: by a petition signed by one-fifth (1/5) of the full-time faculty members; or through a proposal supported by one-third (1/3) of the Faculty Senate members.

6.2. **Ratification.** Any amendments shall be ratified by a majority of faculty senators voting in an official Senate meeting to be held no sooner than one week after the initiatory procedure has been completed.

*Revised, November 2003*