

THE CONSTITUTION

The Senate

The main governing body involving the faculty of the University is the Faculty Senate. Approved by the Senate May 27, 1955 and February 10, 1956. Amended January 24, 1958; January 23, 1959; January 11, 1963; January 10, 1964; May 13, 1965; April 28, 1967; October 16, 1969; April 14, 1970; February 25, 1972; December 16, 1977; May 9, 1990; December 13, 1991; April 29, 1992, November 1, 2005 and February 3, 2012.

I. Membership

The Senate shall consist of all the voting members of the schools of the University, namely, Arts and Sciences, Business, Design and Visual Arts, Engineering and Applied Science, Law, Medicine, and Social Work. In addition, the Dean of University Libraries shall also be a member. The Senate may elect to membership for a period of one year any member of the faculty or any administrative officer if special conditions make his or her membership desirable. Elected members are eligible for re-election.

II. Organization

1. The chancellor of the University or, at his or her request, the chair of the Senate Council shall be the presiding officer of the Senate.
2. A secretary shall be elected by the Senate for a three-year period from among its members eligible to serve on the Senate Council.
3. The Senate shall have two regular meetings during each academic year on such dates as the presiding officer may set. Special meetings may also be called by the chancellor, or by the Senate Council on its own initiative or on the signed petition to the Senate Council of any twenty-five members of the Senate.
4. The Senate may create any special or standing committees that it may deem necessary for the conduct of its business.
5. By-laws for the conduct of business shall be adopted by the Senate.

III. Senate Council

1. There shall be a Senate Council of the Senate composed of fifteen members whose terms shall commence on the first day of June following their election and who shall be eligible for re-election. Deans, along with associate and assistant deans, and vice chancellors of all ranks, shall not be eligible for election to the Senate Council.
 - a. Each of the following schools or colleges shall be entitled to elect one member who shall be chosen by a vote of the members of each school or college who are also

members of the Senate: the John M. Olin School of Business, the Sam Fox School of Design and Visual Arts, the School of Engineering and Applied Science, the School of Law, and the George Warren Brown School of Social Work. The School of Medicine and the Faculty of Arts and Sciences shall each be entitled to elect two members.

- i. The Senate shall provide in its By-laws for an orderly transition from the previous system of Senate representation of the Schools to the system described above.
 - b. All council members, whether elected by schools or colleges or at-large, shall be elected for terms of three years.
 - c. Five members-at-large shall be elected by the Senate membership as a whole. Two of these members-at-large shall be members of the School of Medicine; two shall be members of the Faculty of Arts and Sciences; one shall be a member of one of the other schools.
 - d. The secretary of the Senate shall be a member of the Senate Council and shall serve as its secretary.
 - e. At its first meeting each year, the Senate Council shall constitute a subcommittee, known as the Senate Council Executive Committee, consisting of the Senate Council chair, the Secretary of the Senate, and two other Council members selected by the Council.
2. The Senate Council shall be responsible to the Senate and shall inform the Senate of its activities.
- a. At its discretion the Council shall be empowered to communicate to all members of the Senate its decision on any matter about which the Council may have been consulted or on which it may have taken action. On the signed petition of twenty-five members of the Senate, a meeting of the whole Senate shall be called by the Council to hear reports from the Council on such matters as the Senate may require.
 - b. The first of the two regular meetings of the Senate in each school year shall have as its primary business the consideration of a report by the Senate Council on the agenda of the Council for the remainder of the year. The second meeting shall have as its primary business a review by the Senate Council of its activities during the year.

IV. Powers

1. The Senate expressly reserves to itself alone the following powers:
 - a. To elect the members-at-large of the Senate Council.
 - b. To review the actions of the Senate Council.

- c. To amend the By-laws of the Senate, and, subject to the approval of the chancellor and the Board of Trustees of the University Corporation, the Constitution and the Policy on Academic Freedom, Responsibility, and Tenure.
2. The Senate Council shall consider the reappointment of each of the following officers of academic administration. If the Council disapproves the reappointment of any such officer, it shall transmit its recommendation not to reappoint to the appointing officer together with a written statement of the grounds of its disapproval.
 - a. The executive vice chancellor and vice chancellors.
 - b. The dean of University Libraries.
 - c. The executive vice chancellor for Medical Affairs.
 - d. The dean or director of any other school or college that does not require consultation with the faculty for the appointment or reappointment of its dean or director. (Whenever and wherever required procedures shall be instituted for requiring such consultation with the faculty of a school or college, the consultation with the Senate Council shall no longer be required.) For the initial appointment of these officers, the chancellor shall consult with the Senate Council or the Senate Council Executive Committee. For the appointment of a new chancellor, the Senate Council shall be consulted by the chancellor and the Board of Trustees in the selection of a search committee.
3. The Senate Council shall also exercise the following functions:
 - a. At its discretion, it shall reappraise present University policies relating to matters of University-wide concern and to academic personnel and make such recommendations as it deems advisable to the executive vice chancellor or one of the vice chancellors, who shall inform the Senate Council of the actions taken with respect to such recommendations.
 - b. All changes in existing policies or the promulgation of new policies relating to matters of University-wide concern and to academic personnel shall be regularly presented to it by the executive vice chancellor, one of the vice chancellors, or any other representative appointed by the chancellor for its consideration, and if the Council so desires, for its recommendations. If the Council disapproves a policy proposed by the executive vice chancellor, one of the vice chancellors, or any other representative appointed by the chancellor, a written statement of the grounds of its disapproval will be transmitted to the chancellor and shall be considered by him or her or the Board, if necessary, before the policy is promulgated.
 - c. At its discretion, it may consider and report its position to the executive vice chancellor, one of the vice chancellors, or any other representative appointed by the

chancellor upon any other matters affecting the welfare of the University as a whole (including controversies that may arise between schools or colleges) presented to it by the chancellor, the executive vice chancellor, or one of the vice chancellors, the dean or director of a school or college, the council of a school or college, or any individual member of the Senate Council.

- d. It shall consider proposals made by any member of the Senate for amendments to the Constitution, the By-laws of the Senate, or the Policy on Academic Freedom, Responsibility, and Tenure, and shall report its views on those proposals to the Senate.
- e. It shall set the agenda for every Senate meeting (regularly or specially scheduled). The agenda shall include any item proposed by signed petition of twenty-five members of the Senate, or by the chancellor.
- f. Such recommendations of the Senate Council as require the approval of the Corporation shall be transmitted to the chancellor for presentation to the Corporation.

V. Amendments

Amendments to the Constitution and to the Policy on Academic Freedom, Responsibility, and Tenure passed by the Senate shall become effective upon approval by the chancellor and the Board of Trustees of the University Corporation.

By-laws of the Faculty Senate

Article One

Membership of the Senate

The Senate shall consist of all the voting members of the schools of the University, namely, Arts and Sciences, Business, Design and Visual Arts, Engineering and Applied Science, Law, Medicine, and Social Work. In addition, the Dean of University Libraries shall also be a member. The Senate may elect to membership for a period of one year any member of the faculty or any administrative officer if special conditions make his or her membership desirable. Elected members are eligible for re-election.

Article Two

Organization and Officers of the Senate

1. The chancellor of the University or, at his or her request, the chair of the Senate Council shall be the presiding officer of the Senate and shall have the usual powers and duties of a presiding officer.

2. a. At the last regular meeting of the Senate of the year in which the term of the secretary expires, the Senate Council, or any member of the Senate, may propose candidates for the office of secretary; and the person receiving the vote of a majority of the members of the Senate present and voting shall be deemed elected. In the event that no one candidate shall receive such a majority vote, the two candidates who received the highest plurality vote shall immediately stand a run-off election.

b. In the event the position of secretary becomes vacant, the Senate Council shall appoint an interim secretary to serve until the next meeting of the Senate, at which a new secretary shall be elected following the procedure in subsection 2a of this Article.
3. The Senate shall have two meetings during each academic year, the call for which shall designate each as a regular meeting, on such dates as the presiding officer may set.
4. Special meetings of the Senate may be called by the chancellor or by the Senate Council. The Senate Council may call a special meeting on its own initiative, and shall call a special meeting on the signed petition of twenty-five members of the Senate presented to the Senate Council.

Article Three

Organization and Election of the Senate Council

1. The members of the Senate Council as provided in Section III of the Constitution of the Senate shall be elected in the manner hereafter provided.
2. The election of members-at-large shall be conducted as follows:
 - a. In January, February, or March, the faculties of the University shall nominate candidates for the members-at-large of the Senate Council as follows:
 - i. When a member of the Faculty of Arts and Sciences is to be elected, that Faculty shall nominate two of its members.
 - ii. When a member of the School of Medicine is to be elected, the faculty of that school shall nominate two of its members.
 - iii. When a member of one of the other schools is to be elected, one candidate shall be nominated from and by each of the faculties of the School of Engineering and Applied Science; the Sam Fox School of Design and Visual Arts; the John M. Olin School of Business; the School of Law; the George Warren Brown School of Social Work.
 - b. The various faculties shall determine the process of nomination for the nominee or nominees from their faculties, but the willingness of the prospective nominee to serve if elected shall be determined before the nomination is made. The presiding officer of

each faculty shall forward a vita of each nominee to acquaint voters with his or her qualifications.

- c. During the first half of April, ballots containing the names of the nominees for each at-large position, arranged alphabetically and accompanied by the vita of each (received in accordance with the preceding subsection), shall be prepared and distributed by an appropriate University administrative official, designated by the chair of the Senate Council, to all members of the Senate. In the case of a representative to be elected from the Faculty of Arts and Sciences as described in section 2a(i) above, or from the School of Medicine as described in section 2a(ii) above, ballots shall instruct voters to choose one candidate. In the case of the representative to be elected from the five schools as described in section 2a(iii) above, ballots shall be accompanied by the following instructions to voters:
 - i. The winner will be determined through an instant run-off procedure.
 - ii. You may rank as many of the candidates as you wish, indicating at most one candidate as first choice, at most one candidate as second choice, and so on in order, skipping no ranks; but you may leave some candidates unranked.
 - iii. If you assign identical or non-consecutive rankings to any candidates, such candidates, and all whom you rank below them, will be treated as unranked on your ballot. An unranked candidate receives no vote from you at any stage of the instant run-off counting process.
- d. On the seventh day following the mailing of the ballots, an appropriate University administrative official designated by the chair of the Senate Council and assisted by two tellers designated by the chair of the Senate Council, shall tabulate the results.
 - i. For representatives to be elected from the Faculty of Arts and Sciences as described in section 2a(i) above, or from the School of Medicine as described in section 2a(ii) above, the candidate receiving the highest number of votes cast shall be declared the winner. In case of a tie, the winner is to be determined by random choice.
 - ii. For the representative to be elected from the five schools as described in section 2a(iii) above, the person receiving a majority of all first-choice votes cast shall be declared the winner.
 - (a) If no person receives such a majority, an instant run-off shall be held between the two candidates receiving the highest numbers of first-choice votes, as follows: The remaining candidates are eliminated, and each ballot indicating one of the eliminated candidates as first choice shall now be counted instead as a first choice for whichever of the two remaining candidates is listed as the higher choice on that ballot. Any ballot not listing either of the

two remaining candidates as being a higher choice than the other shall be disregarded. If a ballot leaves a candidate unranked under the criteria described in section 2c(iii) above, that candidate receives no vote from that ballot. The candidate in the run-off stage whose total of such re-counted first-choice votes plus original first-choice votes is higher shall be declared the winner. If a tie occurs at this stage, the runoff is resolved by random choice.

- (b) If, because of a tie in the first-choice vote totals, more than two candidates qualify for the instant run-off, then the second-choice votes cast for all candidates involved in the tie shall be used to resolve it. Counting all second-choice votes for the tied candidates that are valid according to the instructions in section 2c(ii) and 2c(iii) above, the candidates receiving the smallest numbers of valid second-choice votes shall be successively eliminated until only two candidates remain for the run-off. Any ties remaining after the counting of second-choice votes shall, by an identical procedure, be resolved by the valid third-choice votes cast for the candidates involved, and so on, until the number of instant run-off candidates is reduced to two, or until all choices on all ballots are exhausted. Any ties remaining after this process shall be resolved by removing tied candidates through random choice, one at a time. Once the set of candidates for the instant run-off is reduced to two, the procedure in section 2d(ii)(a) above determines the winner.

3. The members of the Senate Council representing the various schools and colleges of the University, as described in Article III section 1a of the Senate Constitution, shall be elected in the manner prescribed by the faculties of the respective schools and colleges.
4. The Senate Council shall meet between June 1 and July 31 each year and thereafter as it shall determine. The first meeting of the Senate Council during this period shall be called by the secretary of the Senate, who shall preside at that meeting until a chair has been elected by the Senate Council, using such methods as it shall determine, for a one-year term.
5. The chair of the Senate Council shall have power to appoint subcommittees of the Senate Council.
6. In the case of a vacancy among members-at-large of the Senate Council, an appropriate University administrative official designated by the chair of the Senate Council shall, not later than two weeks after the occurrence of such a vacancy, proceed in accordance with the provisions of Section 2 of this article, to secure nominations for, and the election of, a member or members to fill **the unexpired term** in the same manner as for the regular election of members to the Senate Council. If the position of chair becomes vacant prior to completion of the annual term, the members of the Senate Council shall elect a

replacement to serve out the remainder of that term.

7. In case a position as representative from a school or college becomes vacant, it shall be filled for the remainder of the unexpired term by action of the faculty of the school or college concerned.
8. The terms of office of the five member-at-large seats shall for three years.
9. After serving as Chair of the Senate Council, the Chair becomes the Past Chair for one year. If the Past Chair's original term on the Senate Council has ended, the Past Chair shall serve as an ex officio, and hence non-voting, member of the Senate Council.

Article Four

Committees of the Senate

1. Committees of the Senate and the several chairs thereof shall be appointed by the chancellor with the advice of the Senate Council.
2. All Committees of the Senate shall submit their reports to the Senate Council before submitting them to the Senate.

Article Five

Procedure

1. The provisions of *Robert's Rules of Order* shall govern the proceedings and agenda of the Senate, except as herein otherwise provided, or unless suspended by consent of the Senate.
2. The presiding officer shall cause the secretary to notify, through the University delivery channels, each regular and elected member of the Senate of the two regular annual meetings and any special meetings called by the chancellor, or by the Senate Council on its own initiative or on the signed petition of twenty-five members of the Senate. The notice shall include the meeting agenda, and shall be sent at least ten calendar days before the meeting. In extraordinary circumstances, as determined by a two-thirds vote of the Senate Council, the secretary may give notice with a shorter time period or a different method of notification, or both.
3. No quorum is required for duly noticed meetings, except that where the notice provided is not through the ordinary University delivery channels or where notice is provided less than ten calendar days before the meeting, ten percent of the membership of the Senate shall constitute a quorum.

4. Whenever the Senate's agenda includes an item requiring a vote,
 - a. All votes on proposed amendments to the Constitution; to the by-laws of the Senate; or to the Policy on Academic Freedom, Responsibility, and Tenure shall proceed by ballot as described in subsections d-f of this section. On other matters, the Senate Council shall decide whether the intended vote should be held at the meeting or via the ballot procedure. When the Senate Council has decided to conduct the vote at the meeting, if during the Senate's deliberation the item is amended in a manner that renders it substantially different from its description in the notice of the meeting, the chair of the Senate Council may instead declare that item subject to the ballot procedure described in subsections d-f of this section.
 - b. The agenda item shall be duly noticed to the members of the Senate, by an agenda distributed in accordance with Section 2 of this Article. The agenda shall specify whether the intended vote will be held via the provisions of subsection d of this section, or at the meeting itself. Any non-procedural vote that occurs without such prior notice shall be advisory only unless confirmed by a subsequent vote after a duly noticed meeting.
 - c. The Senate Council shall report its views on the item at the duly noticed meeting, and other members of the Senate shall be afforded opportunity to present their views on the item.
 - d. For votes that occur via ballot following the meeting, rather than at the Senate meeting, the Secretary shall distribute ballots for the item through the University delivery channels. The Secretary shall ensure that each ballot indicates (in a manner to be determined by the Secretary) the school of the voting member's primary appointment, and is accompanied by the minutes of that part of the meeting in which the relevant items were debated. Proponents and opponents of the item on the ballot may provide the Secretary with brief statements of the issues, which the Secretary shall include along with the minutes. All members of the Senate may then vote by submission of a ballot. Such voting will proceed for seven days following distribution of the ballots.
 - e. On the seventh day following the distribution of the ballots, an appropriate University administrative official, designated by the chair of the Senate Council and assisted by two tellers also designated by the chair, shall tabulate the results.
 - f. An item subjected to a vote via the ballot procedure described in subsection d passes only if receives both: (1) a majority among all the ballots cast; and (2) a majority among the ballots cast from each of at least two schools *and* at least six affirmative votes cast from each of these two schools. Each member's vote is considered to be cast from the school of the member's primary appointment.

5. For any vote proceeding by ballot, whether relating to an agenda item or an election, ballots may be either paper or electronic at the discretion of the Senate Council.

6. The Chair of the Faculty Senate Council may call the Council into Executive Session at any time. The Council may also be called into Executive Session by a vote of two of the following three members of the Executive Committee of the Faculty Senate Council: the Secretary of the Faculty Senate and the two Executive Committee designees. The Executive Session is meant to include all voting members of the Faculty Senate Council. However, a voting member may recuse him or herself if the subjects to be discussed make his or her presence inappropriate. In addition, either the Chair of the FSC or two other members of the Executive Committee of the FSC may elect to exclude one or more voting members from the Executive Session if the subjects to be discussed make their inclusion inappropriate. Minutes from the Executive Session will be kept confidential. The actions taken during Executive Session will be included in the regular Faculty Senate Council meeting minutes.