

FACULTY BYLAWS OF THE UNIVERSITY AT ALBANY STATE UNIVERSITY OF NEW YORK

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Faculty Bylaws of the University at Albany, State University of New York

Revised by unanimous vote of the Faculty on December 8, 2003

PREAMBLE:

The responsibility of the Faculty for the conduct of the University's instructional, research, and service programs, and its right to create bylaws to establish mechanisms to discharge those responsibilities, are derived from the "State University of New York Policies of the Board of Trustees." With these *Bylaws*, the Faculty creates the necessary organizations and procedures.

In order to fulfill its missions effectively, the Faculty has recognized the need for meaningful and continual cooperation and dialogue among the various University constituents. In its *Bylaws* it thus establishes the inclusion of professional as well as teaching staff into the faculty, and the inclusion of participation from administration and students into a University Senate. It is important that the governance bodies at the University at Albany assist in fostering mutual trust and respect among these constituencies. The governance bodies must facilitate cooperative efforts that enhance the stature of the University, the reputations of its academic and research programs, and the quality of the educational experience of its students. Formal and systematic lines of communication are needed to ensure full discussion of matters that affect this stature, reputation, and quality. Such communication among the three constituencies is a primary function of governance.

In order for the Faculty to discharge its responsibilities, it must participate in effective consultation with the University President and administrators, and among governance bodies, including those of students and faculty. For governance to be effective, regular consultation must also occur between governance bodies and their constituencies. The Faculty recognize the role of consultation, as broadly addressed by the Chancellor's Statement on Governance that reads, "...the governance arrangements within the university [must] be increasingly clarified and improved methods of consultation [must] be developed to reflect the need for effective governance based on widespread participation" [Faculty Handbook, Section III, p. 1]. The Faculty further characterizes consultation as the process by which advice, suggestions, recommendations, or other timely input is utilized in making decisions or establishing policy and by which relevant parties are informed of decisions and policies. The aim of consultation is to facilitate frank and open dialogue and utilize the knowledge and experience of the faculty, administration, staff and students in decision-making. Effective consultation will increase the University community's understanding of the bases for policies and decisions and will thereby facilitate informed cooperation within the University.

The main route for faculty to participate in University decision making is by electing or participating as representatives to governance bodies, just as the only route for the administration to seek formal consultation with the faculty is through elected governance bodies. In addition, individual faculty may offer input following the disciplinary path in which faculty within a department, school, or college advise their chair or dean who then advise the Provost and President. Faculty also may be called upon for advice by the administration individually or as members of task forces, special committees and commissions. It would be advisable that such task forces and

committees be constituted in consultation with the elected governance bodies and that their composition and activities be made known to the University community. However, the formal responsibilities of the Faculty do not devolve to individuals but reside in the body as a whole. In these *Bylaws*, the Faculty delegates some of its rights and responsibilities specifically to the University Senate, which represents the whole University Faculty, and to the elected councils of the individual schools and colleges, which represent their whole Faculties.

The governance philosophies, organizations, and procedures defined herein take their origins in these principles.

Article I: The Faculty: Definition, Responsibilities, and Organization

Article I. Section 1 - The Faculty

Definitions: Unless otherwise specified, the terms listed below shall be used in these *Bylaws* with the following meanings:

- 1.1 Board of Trustees. The Board of Trustees of the State University of New York.
- 1.2 Chancellor. The Chancellor of the State University of New York.
- 1.3 University. University at Albany, State University of New York.
- 1.4 University Council. The Council of the University as provided for by Section 356 of the New York State Education Law.
- 1.5 President. The chief administrative officer of the University.
- 1.6 Teaching Faculty. Members of the Academic Staff , as specified in *The Policies of the Board of Trustees*, “comprised of those persons having academic rank or qualified academic rank”.
- 1.7 Professional Faculty. Employees as specified in *The Policies of the Board of Trustees*, as professional staff, "occupying positions designated by the Chancellor as being in the unclassified service," who do not hold academic or qualified academic rank.
- 1.8 Academic Rank. Rank held by those members of the Academic Staff having the titles of Professor, Associate Professor, Assistant Professor, and Instructor and those having the title of Librarian, Associate Librarian, Senior Assistant Librarian, and Assistant Librarian.
- 1.9 Qualified Academic Rank. Rank held by those members of the Academic Staff having the title of Lecturer, or titles of academic rank preceded by the designation "visiting" or other similar designation, in accord with *The Policies of the Board of Trustees*.
- 1.10 The Faculty. The Faculty of the University consists of the Chancellor of the State University of New York; the President of the University; Teaching Faculty; emeriti; and Professional Faculty.
- 1.11 Voting Faculty. Voting faculty consists of:
 - 1.11.1 The Chancellor
 - 1.11.2 The President
 - 1.11.3 All full-time members of the Teaching Faculty, except: emeriti; instructors enrolled in degree programs of the University; and individuals holding appointments for less than one academic year

1.11.4 All full-time Professional Faculty except individuals holding appointments for less than one academic year.

1.12 Governance Bodies. The University Senate defined in Article II of these *Bylaws*, the councils and committees it creates, and the councils elected by the faculties of schools or colleges that it authorizes in Article III.

Article I. Section 2 — Rights and Responsibilities of the Faculty

2.1 The Faculty shall be responsible for the development of the educational program of the University and for the conduct of the University's instructional, research, and service programs, subject to the provisions of the New York State Education Law and *The Policies of the Board of Trustees*.

2.2 Specification of Faculty Responsibilities:

2.2.1. The Faculty may initiate and shall disapprove or approve and recommend for implementation:

- (a) All changes in, additions to, or deletions from the Curriculum
- (b) Policies or standards regarding evaluation of students' academic work
- (c) Policies or standards regarding admission to the University and to its degree-granting or certificate programs
- (d) Policies and standards for graduation of students and awarding of academic degrees and certificates, including honorary degrees
- (e) Policies and standards for the conduct and evaluation of research and teaching
- (f) Policies and standards for appointment, promotion, and tenure (continuing appointment) of teaching faculty.

2.2.2. The Faculty shall be informed and given opportunity to discuss at the earliest possible stages in their formulation, and shall review and provide formal consultation on, prior to adoption, all proposals regarding:

- (a) Creation, renaming, major re-organization, or dissolution of academic units and programs
- (b) Goals and formal plans directing the future of the University
- (c) Policies or standards governing speech and assembly on the campuses of the University
- (d) Plans for development of new campus facilities, or major modifications or closure of existing facilities

2.2.3. The Faculty shall provide ongoing consultation on institution-wide budget or business initiatives that affect the teaching, research, or service programs of the University. Detailed annual reports shall be provided on actual budget expenditures.

2.2.4. The Faculty shall establish procedures for investigating, hearing, and reporting to appropriate persons or bodies with respect to charges or complaints:

- (a) Brought by members of the Faculty against other members of the Faculty or against administrative officers of the University, or

(b) Brought against members of the Faculty by students or other members of the University community, or

(c) Brought by members of the University community regarding restrictions on Freedom of Expression and Assembly, including academic freedom.

Such procedures shall be consistent with the laws of New York State and the United States, and the Policies of the Board of Trustees, the Policies of the University at Albany, and contractual arrangements in effect for the parties involved.

2.3 To discharge these responsibilities, the Faculty shall create a University Senate and shall delegate its power to that Senate, reserving to itself the powers specified in Article I, Section 5, Article IV and Article V of these *Bylaws*.

2.4 The Faculty executes its responsibilities directly, as authorized by Section 2.2.1, by formal consultation as required by Section 2.2.2, and by advising. Faculty participation in such decision-making is to be done via the appropriate governance body as defined by the Senate, or by its Executive Committee, except as provided in Article I, Section 5. These modes of participation are:

2.4.1 Formal Consultation. The Faculty shall engage in formal consultation with the President and the administration, as outlined and limited by the Policies of the Board of Trustees, and further characterized by the Chancellor's Statement on Governance [Faculty Handbook, Section III, p. 1]. Formal consultation is required for matters covered by Article 1, Section 2.2.2. Either the President or the Faculty shall be able to request formal consultation on other matters.

Except where precluded by contractual or other legal restrictions, minimally, formal consultation with the faculty on these proposals shall entail consultation between administration and University governance bodies. Formal consultation shall require communication, preferably in writing, specifying the area or issue for which recommendations are being solicited and accompanied by sufficient information as necessary for an informed recommendation. Formal consultation should occur as soon as issues needing resolution are identified. The faculty shall be given adequate time to respond. A written response to final Faculty recommendations shall be provided, indicating what decisions were made and the basis for such decisions; this should be particularly detailed in instances where faculty recommendations are not followed.

2.4.2 Advice. A group of Faculty may offer an informal expression of opinion or may review and offer recommendations on proposed policy or actions. The advice may be initiated by a governance body or requested by an administrator. The administrator shall communicate the decision and the rationale for it back to the advisory group.

2.5 Faculty Participation in Advisory Groups Outside of Governance Bodies.

Administrators may choose to advance their leadership vision for the University by constituting special committees and task forces, selecting individual faculty members because of their experience or expertise. Ideally, such advisory groups shall be constituted in consultation with the Governance Council of the University Senate and lines of communication with relevant governance bodies shall be enunciated. In any case, such groups do not represent the Faculty as a whole and advice from such groups does not replace approval by or formal consultation with the Faculty. Such groups may freely provide advice;

however, for such groups to be considered part of the formal consultative process, a majority of the faculty members must either be appointed by, or their recommended appointment approved by, the Senate Governance Council, as specified in Article 2, Section 5.5, and specific faculty members must be designated to regularly report to the Senate. The Chair and Vice Chair of the Senate shall be consulted in the composition of all major University level search committees and committees to select honorary degree recipients.

2.6 Consultation with Constituent Groups. All Faculty Governance bodies have a responsibility to communicate regularly with their constituency as noted in Article II, Section 1.6, and Article III, and to be responsive when a request for consultation comes from Student Groups.

Article I. Section 3 — Chair and Presiding Officer

As specified by the Policies of the Board of Trustees, the President of the University at Albany is the Chair of the Faculty. The Chair may preside at Faculty meetings or delegate that role to the Chair of the University Senate.

Article I. Section 4—Voting Faculty

Voting Faculty shall be entitled to one vote in general faculty meetings, in University-wide balloting, in faculty referenda, and in elections to the University Senate.

Article I. Section 5 — Faculty Meetings

5.1 Regular Meetings

5.1.1 The Faculty shall meet regularly once each semester during the academic year.

5.1.2 The time and agenda of regular meetings shall be set by the President in consultation with the Senate Chair. The President shall provide a report at least once per academic year at a regular meeting. The Senate Chair shall provide a written summary of Senate activities since the last faculty meeting.

5.2 Special Meetings. Additional meetings may be scheduled as follows:

5.2.1 The President or the Chancellor shall be empowered to call special meetings at his or her discretion.

5.2.2 The President shall also call special meetings if requested to do so by the Senate or the Senate Executive Committee acting on its behalf, or if petitioned to do so by at least 10 percent of the Voting Faculty, or as specified in Articles IV and V of these *Bylaws*.

5.2.3 The President shall notify the Faculty in advance of the time and place of such specially called meetings and, in so far as possible, of the agenda.

5.3 Conduct of Meetings

5.3.1 Twenty percent of the Voting Faculty shall constitute the quorum for both regular and special meetings, except as specified in Articles IV and V of these *Bylaws*.

5.3.2 Unless otherwise specified, all meetings shall be conducted according to *Robert's Rules of Order*. The Presiding Officer may appoint a parliamentarian to advise on conduct of the meeting.

Article II: The Senate of the University at Albany, State University of New York

Article II. Section 1 — Powers and Responsibilities of the Senate

1.1 The Senate shall have the powers vested in the Faculty by *The Policies of the Board of Trustees* of the State University, including those specified in Article I Section 2, but excepting the powers reserved to the Faculty in Article I, Section 5, Article IV and Article V of these *Bylaws*. The Senate shall be the principal policy-forming body of the University.

1.2 The Senate, recognizing that the power of the Faculty, and hence, its own, are limited by State Law, by the Policies of the Board of Trustees, by the policies of the University at Albany Council, and by the prerogatives vested in the President of the University at Albany, assumes that the Faculty properly expects to be consulted regarding any proposed change in these policies and regulations, and hence, the Senate expects to be so consulted.

1.3 The Senate shall have the power to place items of business on the agenda of a meeting of the Faculty.

1.4 The Senate shall create such councils and committees as it considers necessary or useful in fulfilling its functions. It may delegate to such councils and committees, or to the Schools and Colleges, such powers as it considers appropriate.

1.5 The Senate may call for a faculty referendum on any issue.

1.6 The Senate shall report its activities to the Faculty regularly and shall submit an annual report to the Faculty and the University Council. Elected Senators shall regularly consult with their constituencies.

1.7 The Senate shall be consulted on major University administrative reorganizations and appointments.

Article II. Section 2 — Composition of the Senate

2.1 The *ex-officio* non-voting members of the Senate shall be the President, the Senior Vice President for Academic Affairs and Provost, the Vice Provost and Dean of Undergraduate Education, the Vice Provost and Dean of Graduate Education, the Vice President for Research, the Vice President for Student Success, the Vice President for Finance and Administration, and the dean elected by the deans of the schools and colleges. The *ex officio* voting members of the Senate shall be the Senate officers, the University Senators to the Faculty Senate of the State University of New York, , the president of the Graduate Student Association, the president of the Student Association, and the chair of the Student Association Senate. [amended 04/08/15]

2.2 There shall be eight Senators elected at large from the eligible Voting Faculty, of whom four shall be from among the Professional Faculty. In addition there shall be two Senators elected at-large from among the part-time faculty.

2.3 There shall be 44 Senators elected by the schools and colleges from the eligible Voting Faculty.

2.3.1 For purposes of Senate representation, the librarians of the University Library shall constitute a school.

2.3.2 The 44 Senators shall be allocated to the schools and colleges in proportion to the numbers of voting faculty members in each school or college; however, each school or college shall have at least one Senator and the School of Public Health shall have two Senators. A school or college shall not be deprived of a Senator because of shifting faculty ratios until the term of the Senator would normally have expired. Thus, the number of school or college Senators may be above 44 in some years.

2.3.3 Each school or college with more than two Senators may designate up to half of its Senators as representing the school or college at large.

2.3.4 For schools or colleges with more than two Senators, the remainder of its Senators shall be distributed to represent departments, academic units, or collections of units within the school or college so that each unit has a specified Senator.

2.4 At its discretion, the Senate Executive Committee may nominate up to two Senators from the eligible voting faculty for approval by the Senate for one-year terms. In addition, if a Senate council is unable to elect a chair from among its Senators, it may nominate its chair-elect to be appointed for a one-year term as a Senator by the approval of the Senate.

2.5 The elected faculty members shall serve two-year terms, with one-half of each category being elected each year. The Council on Governance of the Senate shall oversee elections.

2.6. Fifteen student Senators, including the president of the Graduate Student Association, the president of the Student Association, and the Student Association Senate Chair, shall be elected for one-year terms. The ratio of undergraduate to graduate Senators shall be in proportion to the ratio of enrolled undergraduate to graduate students, as determined by the Council on Governance of the University Senate. The undergraduate student Senators shall be nominated and elected annually through the election mechanism of the Student Association. The graduate student Senators shall be elected annually through the Graduate Student Organization. No student elected to the Senate shall be permitted to occupy the position of Senator while on academic or terminal probation.

2.7 Section 2.6 may be amended by a simple resolution at any meeting of the Senate, except that the number of student Senators may not exceed 15, and except that any changes shall not take effect until the beginning of the Senate year following the Faculty action.

2.8 No elected Senator may serve for more than three consecutive terms. All elections for regular Senate terms shall be completed no later than four full class weeks before the end of classes during the spring semester. Election procedures shall be under the oversight of the Senate Council on Governance, as specified in section 5.

Article II. Section 3 — Officers of the Senate

3.1 The officers of the Senate shall be the Chair, Vice Chair, Immediate Past Chair and the Secretary. The Senate may designate additional officers. The term of the secretary shall be two years and of the other elected offices shall be one year. The Senate shall detail specifics of additional duties of the officers.

3.2 The Vice Chair and the Secretary shall be elected by the previous Senate. The election shall be presided over by the Council on Governance of the Senate, as specified in section 5. Any member of the Voting Faculty except the current Senate Chair and Vice Chair is eligible for election for Secretary. No Secretary shall serve for more than 3 consecutive terms. Any

member of the Voting Faculty except the current Senate Chair, Vice Chair, and immediate Past Chair is eligible for election for incoming Vice Chair. Senate officers become voting *ex officio* Senators and therefore any Senators elected as officers shall vacate remaining elected Senate terms at the time of assuming office.

3.3 The Vice Chair shall succeed automatically to the office of Chair in the year following service as Vice Chair. In the event that the office of Chair is vacated the Vice Chair shall become Chair and vacate the Vice Chair office. Vacancies in the offices of Secretary and Vice Chair shall be filled by special election.

3.4 Duties of the Officers

3.4.1 The Chair shall preside at all Senate Meetings and shall chair the Executive Committee.

3.4.2 The Vice Chair shall be the faculty representative to the University Council and may be designated *ex officio* member of Senate Councils.

3.4.3 The Secretary shall prepare and distribute the agenda at least one week before Senate meetings, in consultation with the Senate executive committee. The agenda must contain all items submitted by any Council or any Senator at least 10 days before the meeting. The Secretary shall maintain a public record of attendance of all Senators and shall give notice, at least ten days before the next Senate meeting, to any Senator whose seat could be declared vacant after an additional absence, as specified in section 8. The Secretary shall oversee preparation and distribution of the minutes and of a summary of recent and upcoming business.

3.4.4 The immediate Past Chair of the Senate shall provide advice and consultation to the executive committee, and may be designated as the *ex officio* chair of a Senate council.

Article II. Section 4 — Executive Committee of the Senate

4.1 Composition:

The President of the University, *ex officio* non-voting;

The Senior Vice President for Academic Affairs and Provost of the University, *ex officio* non-voting;

The Chair of the Senate (who shall serve as Chair of the Executive Committee), *ex officio* voting;

The immediate Past Chair of the Senate, *ex officio* voting;

The Vice Chair of the Senate, *ex officio* voting;

The Secretary of the Senate, *ex officio* voting;

The Chairs of the Senate Councils, *ex officio* voting;

The representatives to the SUNY Senate, *ex officio* voting;

The President of the Graduate Student Association, *ex officio* voting, or a graduate student Senator designated to serve for the year

The President of the Student Association, *ex officio* voting, or the Chair of the Student Association Senate or another undergraduate student Senator designated to serve for the

year. [amended 04/08/15]

Other *ex officio* members as designated by the Senate.

4.2 The Executive Committee shall be responsible for the general operation of the Senate by making recommendations for improving the operation and maintaining the orderly process of the Senate.

4.3 The Executive Committee shall act for the Senate on urgent matters at such times as it is clearly impractical or impossible to convene the Senate. Any actions taken by the Executive Committee under these "urgency powers" must be reported to the next Senate meeting for review and, where appropriate, action.

4.4 The Executive Committee shall address issues facing the University when it interprets those issues to fall under the Rights and Responsibilities of the Faculty as defined in Article 1, Section 2. In addressing these issues, the Executive committee shall:

4.4.1 Initiate actions to be considered by appropriate Senate Councils or Committees;

4.4.2 Review and discuss issues forwarded from Councils or emerging issues facing the University;

4.4.3 Review and discuss proposed bills and other Senate actions and guide ongoing activities, but not prevent bills from being placed on the Senate agenda;

4.4.4 Coordinate proposals that require action by multiple councils, such as consideration of new programs.

4.4.5 The Executive Committee may serve on a regular basis in an advisory capacity to the President.

4.5 The Executive Committee may create its own subcommittees.

Article II. Section 5 — Senate Council on Governance

5.1 The Senate shall create a Council on Governance and specify its composition and chair.

5.2 The council shall seek to improve governance and enhance consultation among administration, governance bodies and their constituencies. The council shall work in conjunction with schools, colleges, the administration, the SUNY-wide Faculty Senate, Student Association, and the Graduate Student Organization, and its functions shall include institutional support and education, assessment of the effectiveness of consultation and governance, and liaison and elections.

5.3 Among its duties, the Governance Council shall:

5.3.1 Conduct all University-wide faculty balloting including elections of Senators-at-large, UAS board representatives, and SUNY-wide Senators. For elections, a preliminary slate of candidates must be published by the Governance Council and additional nominations shall be solicited from the faculty at least 4 weeks before the elections (8 weeks prior to the end of the semester). The name of any eligible Faculty member who has been nominated by a petition of at least 25 faculty members, received at least 2 weeks before the election, must be added. The final slate shall be published at least 1 week before the election, shall include at least two candidates for each vacancy, and shall indicate voting deadlines.

5.3.2 Oversee election procedures for Senators representing schools and colleges and annually apportion Senators among these and student groups

5.3.3 Conduct regular and special elections for Senate officers, and solicit nominations for officers from the faculty

5.3.4 Propose membership for Senate councils

5.3.5 Oversee replacement of vacant Senate positions, as described in Article II, section 8.

5.4 The Governance Council may

5.4.1 Initiate for consideration of the Senate, or review, proposed amendments to the *Faculty Bylaws* as specified in Article 4, but may not prevent amendments from being brought to the Faculty.

5.4.2 Initiate for consideration of the Senate or review proposed referendums from the Faculty as specified in Article 5, but may not prevent referenda from being brought to the Faculty.

5.5 The Governance Council shall serve as a Committee on Committees. It shall be responsible for designating or approving the Faculty representatives on all committees and task forces of the University outside of governance bodies where formal Faculty representation is requested (as in Article I, Section 2.5) or designating alternative governance bodies where such choices may be appropriate.

Article II. Section 6 — Senate Councils and Committees

6.1 In order to enable the Senate to carry out its functions, the Senate shall establish additional councils or special committees to deal with such areas of its responsibilities as it deems appropriate.

6.2 The Senate may delegate to its councils and committees such powers as it considers appropriate. The councils shall be responsible to the Senate and report regularly.

6.3 Each council shall include at least two members of the Senate, one or more students, and two or more Voting Faculty who are not Senators. Council chairs unless designated *ex officio*, shall be elected by the councils, and must be faculty Senators. Membership of the councils shall be proposed by the Council on Governance and approved by the Senate and may include as voting members of the council individuals who are members of the non-voting Faculty or support staff. All faculty council members shall serve staggered two-year terms, and student members one-year terms. No council member shall serve more than 3 consecutive terms except as *ex-officio*.

Article II. Section 7 — Calendar and Meetings of the Senate

7.1 The Senate year shall be from September 1 to August 31. The involved constituency may substitute an incoming elected Senator for an outgoing Senator for the summer period in cases in which the outgoing Senator is leaving the University (for example if a student Senator is graduating in May).

7.2 Regular meetings of the Senate shall be held monthly during the regular academic year. Special meetings may be called by the Chair of the Senate, the Executive Committee of the Senate, or by petition of any five Senators.

7.3 Meetings of the Senate may be held in the summer. Actions taken in summer meetings of the Senate must be reported to the Senate at its first fall meeting.

7.4 The Chair of the Senate shall preside at the meetings of the Senate. In his or her absence, the presiding officer shall be the Vice Chair or, if unavailable, an alternate designated by the Chair or Vice Chair.

7.5 All members of the University may attend meetings of the Senate. The Senate, its Executive Committee, or the Presiding Officer may invite any member of the University community to participate in the discussion at a meeting.

7.6 The quorum of the Senate shall be 50 percent of its membership plus one. In all other matters of procedure, *Robert's Rules of Order* shall be followed, except where the Senate has established a rule of its own.

7.7 The agenda shall be prepared by the Secretary of the Senate, in consultation with the Executive Committee, provided that:

7.7.1 any Senator shall have the right to place items on the agenda by submitting such items to the Chair of the Executive Committee at least ten days before the scheduled meeting;

7.7.2 the agenda for each meeting shall permit the introduction of new business at the meeting itself when approved by a two-thirds vote of the Senators present and voting.

Article II. Section 8 — Election and Replacement of Senators

8.1 Election of Senators shall be presided over by the Governance Council of the Senate and completed no later than four full class weeks before the end of classes during the spring semester.

8.2 Replacement of Senators during their term in office:

8.2.1 Faculty Senators on Leave: During the period when a faculty Senator is on leave and is absent from the University, the Senator's seat shall be filled by an alternate. This alternate shall be selected as for a vacant seat and shall serve only until the end of the leave period.

8.2.2 Absentee Senators: The governance council shall review and may declare the seat of a Senator vacant in any of the following cases:

1. The Senator is elected a Senate Officer.
2. The Senator declines to accept election, or subsequently resigns.
3. The Senator misses four Senate meetings in one academic year.
4. The Senator leaves the University.

8.3 When a vacancy is declared, the seat shall be filled in the following order of priority:

- a. Designation of the available person with the next highest number of votes in the last previous election from the constituency involved.
- b. If no such person is available, election or appointment by an appropriate body in the constituency involved.

Article III: The Schools and Colleges

Article III. Section 1

Subject to the regulations of the Senate, the faculty of each school or college shall determine its internal policies.

Article III. Section 2

The faculties of the schools and colleges shall organize themselves so as to exercise their appropriate powers and assure faculty participation in making decisions at the school and college level, such as providing mechanisms for elections of representative Senators, for hearing cases for promotion and continuing appointment, for addressing programmatic and curricular issues, and for providing input on budgetary issues.

Article III. Section 3

The faculties of the schools and colleges, or of their appropriate sub-divisions, shall be consulted when administrative appointments are made at the school, college, division, and department levels.

Article IV: Amendments

Article IV. Section 1

Amendments to the *Bylaws* shall be made by the Voting Faculty.

Article IV. Section 2

Amendments may be proposed by the President, or by the Senate, or by a petition signed by at least 10 percent of the Voting Faculty.

Article IV. Section 3

Proposed amendments shall be submitted in writing to the Senate Council on Governance. The Council on Governance shall review such proposals and shall forward them to the members of the Voting Faculty. After a lapse of two weeks, but within six weeks after the proposal has been circulated, the President or the Presiding Officer shall convene a meeting of the Voting Faculty to vote on the proposed amendment or conduct a mail ballot.

3.1 For this meeting a quorum shall be defined as 30 percent of the Voting Faculty.

3.2 Passage of an amendment shall require a two-thirds majority of the Voting Faculty present.

3.3 If a mail ballot is chosen, or if there is no quorum for action at such meeting, the Governance Council shall conduct a mail ballot. Passage of the amendment requires at least 30 percent of the Faculty vote in the mail ballot and that the amendment receive a two-thirds majority of the votes cast.

Article V: Referendums

Article V. Section 1

Measures may be submitted to the Voting Faculty by the Senate for referendum. Measures brought to the Faculty for referendum shall be submitted in writing through the Council on Governance to the members of the Voting Faculty. After a lapse of two weeks but within six

weeks after the measure has been circulated, the President or his or her designee shall convene a meeting of the Voting Faculty to vote on the measure.

Article V. Section 2

2.1 For this meeting a quorum shall be defined as 40 percent of the Voting Faculty.

2.2 Passage of a measure brought to the Voting Faculty for referendum shall require a majority of the Voting Faculty present.

Article VI: Establishment of the Senate

Article VI. Section 1

These *Bylaws* shall take effect on September 1, 2004. The Executive Committee shall oversee elections for the 2004/2005 Senate and officers and these elections shall take place according to these *Bylaws* in the spring of 2004, making adjustments in newly elected Senators' terms so that half of all elected Senate seats shall become vacant in 2006, and half in 2007. No elected Senator shall serve for more than 7 consecutive years, including years prior to 2004. No council member shall serve for more than 8 consecutive years including years prior to 2004.

Article VII: Acknowledgement

Portions of Article I, Section 2.2.2 were adapted from the faculty bylaws of the University of Buffalo.