### Proposed Policy Number and Title:
104 Faculty Bylaws (DELETION)

### Existing Policy Number and Title:
104 Faculty Bylaws

### Approval Process*

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**NOTE:** Bundled with Policy 104

**Anticipated Expiration Date:**

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**Draft Number and Date:** August 28, 2015, Stage 2, Deletion

**President’s Council Sponsor:** Mark Bracken

**Policy Steward:** David Connelly

### POLICY APPROVAL PROCESS DATES

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Printed On:

September 2, 2015
1.0 PURPOSE

2.0 REFERENCES

2.1 Robert’s Rules of Order

2.2 Webster’s Method of Apportionment

3.0 DEFINITIONS

4.0 POLICY

4.1 Functions of Senate Executive Committee Members

4.1.1 The Faculty Senate Officers (President, President-Elect, and Executive Secretary) shall begin their respective terms of office on May 1. The President serves a term of two years and the others serve one-year terms. It is understood that the President-Elect becomes the President and then the Past President. The Executive Secretary-Elect becomes the Executive Secretary.

4.1.2 In addition to the responsibilities listed in the Senate Constitution, the Senate President serves as a member of the President's Council, member of the Academic Affairs Council, Presidents Executive Leadership Council, and attends meetings of the Board of Trustees. The President will function as the Chair of the Faculty Senate. The Senate President serves as a member of other committees or executive bodies as assigned or invited by appropriate authority. The Senate President is also the budget director for Senate funds.

4.1.3 At any given time there will be a President-Elect or a Past President, but not both. The President-Elect serves concurrently with the President during the second year of his or her term and the Past President serves concurrently with the President during the first year of his or her term. The President-Elect/Past President will function as the Vice Chair of the Senate and serve...
as a member of other committees or executive bodies as assigned or invited by appropriate authority. In the event the Senate President-Elect cannot complete his or her term, a new President-Elect shall be selected. The President-Elect or Past President will succeed immediately to President of the Senate and chair in Senate proceedings if the Office of the President is vacated prior to the expiration of the term of service.

4.1.4 The Executive Secretary is responsible for minutes of all Executive Committee Meetings and General Senate Meetings and makes a copy of the latter available to all Senate members. The Executive Secretary shall make approved minutes of the Faculty Senate available to all faculty. In addition, the Executive Secretary acts as Senate Treasurer and secretary to the Executive Committee.

4.1.5 The Executive Secretary-Elect will assist with the duties of the Executive Secretary and will succeed the Executive Secretary the following year or immediately if the office of Executive Secretary is vacated prior to the expiration of the term of service.

4.1.6 The President of the University is a member of the Executive Committee of the Senate and is a non-voting member of the Senate.

4.1.7 The Academic Vice President of the University is a member of the Executive Committee of the Senate and is a non-voting member of the Senate.

4.2 Order of Business of Faculty Senate

4.2.1 Except as otherwise provided by the Faculty Senate Chair, the order of business of the Faculty Senate shall be:

1) Agenda
2) Call to Order
3) Minutes
4) Roll Call or Silent Roll
5) Report of Executive Committee on Agenda
6) Debate Calendar
7) Action Items
8) Information Calendar or Information Items
9) Adjournment

4.3 Meetings

4.3.1 When there are no action items scheduled for the agenda of a regular meeting of the Senate, the Executive Committee of the Senate is authorized to cancel that meeting and to carry forward all other items of the agenda to the next regular meeting of the Senate.

4.3.2 The Executive Committee may meet using a conference call if members are given sufficient advance notice and at least a majority of the board participates in the conference call.

4.3.3 Special meetings of the Senate shall be held at the call of the President of the Faculty Senate or designee, or any twenty percent of the members of the Senate who submit a written request for a special meeting to the Executive Committee of the Senate. Rules governing the conduct of regular Senate meetings shall be in force at such special meetings.

4.3.4 Senate meetings shall be open to all faculty.

4.4 Agenda, Minutes, and Records of Faculty Senate

4.4.1 The records and minutes of the Senate shall be the responsibility of the Executive Secretary of the Senate. Minutes will be taken as outlined in the current edition of Robert's Rules of Order. Approved minutes shall be made available to faculty.

4.5 Initiative and Review

4.5.1 Any senator, faculty member, student leader, or administrator of the University may request placement of an appropriate item on the Senate agenda by presenting the item to a member of the Senate Executive Committee.

4.5.2 A group representing ten percent of the faculty members shall secure consideration by the Senate of any appropriate matter, including proposed amendments to the Senate Constitution or Bylaws by presenting the item to any Senator along with the appropriate number of signatures. The sponsoring senator shall forward the item and signatures to the President of the Senate within ten days of receipt who shall follow the Senate policy approval process. (See section 4.5.3.)

4.5.3 Senate Policy Approval Process

1) Step 1: When a policy or policy revision is sponsored in accordance with the university policy approval process, the steward shall present the proposal to the Faculty Senate President. When a policy or policy revision originates in the Faculty Senate or when the policy is an internal Senate
policy, Constitution change, or Bylaw change, the senator with the proposal shall function as steward and present it to the Faculty Senate President.

2) Step 2: The Faculty Senate President shall present the proposal to the Executive Committee at the next scheduled regular meeting, or if the matter is urgent, shall call a special meeting of the Executive Committee.

   a) The Executive Committee shall assign the proposal to the chair or chairs of relevant Senate standing committees. Standing committees shall review the proposal concurrently or sequentially as determined by the Executive Committee. Chairs of the standing committees shall consult with committee members in reviewing the proposal. A written report of committee findings and recommendations shall be provided to the Faculty Senate President prior to a time established by the Executive Committee for receipt of the committee report.

   b) The Executive Committee shall review the standing committee report(s) and determine whether to return the proposal to the steward with feedback for amendment or modification or whether to take the proposal to the Faculty Senate. The return of a proposal to its steward does not constitute Senate approval. The Executive Committee may only act on behalf of the Faculty Senate on urgent matters that cannot wait for the next meeting of the Faculty Senate. Any subsequent revision received by the Faculty Senate President from the Steward shall begin the review process at Step 1.

3) Step 3: The Executive Committee shall place the proposal on the agenda as an information item for the next scheduled Faculty Senate meeting. Senators shall take the proposal to their respective departments.

4) Step 4: The Executive Committee shall place the proposal on the agenda as an action item for the next scheduled Faculty Senate meeting. The Senate shall vote whether to approve, approve with amendments, or not approve the proposal by a majority vote of those present.

5) Step 5: The Faculty Senate President shall report the result to the steward and in the case of an approved internal Senate policy, Constitution change, or Bylaw change, shall implement the proposal or take the proposal to the full faculty for ratification when required.

4.5.4 All actions of the Senate shall be subject to review by faculty members and may be appealed by the following procedure:

1) Written requests for appeal of actions taken by the Senate may be made by any group representing ten percent of the faculty members. This appeal shall be made within ten days of the distribution date of the description of the action taken by the Senate.
2) The action shall be reviewed at the next regular meeting of the Senate or at a special meeting called for that purpose after all Senate members have been given two weeks' notice of the meeting.

3) The Senate will then act either to sustain or to rescind the action in question.

4) If the Senate votes to uphold the challenged action and the appealing parties still are not satisfied, they have thirty calendar days to complete procedures for a referendum on the matter by obtaining support by signatures from fifteen percent of the eligible faculty and by submitting those signatures to the Senate Executive Committee.

5) The Executive Committee will then appoint an ad hoc committee, consisting of two Senate members and two petition members, to prepare a referendum ballot on the matter and to submit the same to the eligible faculty for a vote.

6) This Committee shall also receive and count the ballots, then report the results to the Senate Executive Committee.

7) The referendum vote will resolve the matter and be binding on all parties concerned who will in turn announce the results to the Senate and to the Faculty.

4.5.5 The following are the procedures according to which the Faculty Senate President shall take action on policies presented to the President’s Council for approval during the summer months, which shall be defined as May 1 to August 15:

1) During the summer months, the Faculty Senate President shall notify the Faculty Senate of all proposed policies during Stage 2 in the university policy approval process as soon as they are available for review.

2) The Faculty Senate President shall be empowered to act on behalf of the Faculty Senate regarding any policy presented in President’s Council unless at least six members of the Faculty Senate formally request that action on the policy be postponed until Fall, in which case the Faculty Senate President shall request that the proposed policy not proceed to Stage 3 of the university policy approval process until it can be considered by the full Senate in the Fall semester. Faculty senators’ requests to postpone action on a policy must be made in writing (hard or electronic copy) and with sufficient time for the Senate President to request the above-mentioned postponement in the policy process.

3) In the event that the President’s Council considers a policy despite the Faculty Senate President’s request that it be postponed until Fall, then the Faculty Senate President shall be empowered to act on the behalf of the Faculty Senate in President’s Council.
4) The term “act” here is intended to capture all of the possible ways in which the Faculty Senate President may be an advocate for the interests of the Faculty Senate. This includes but is not limited to voting, persuading, disputing, questioning, lobbying, arguing, protesting, etc.

4.5.6 Election of Senate Officers

1) Nomination and election of the President-Elect will be held during the Fall semester of even years. Candidates for President-Elect must be full-time and tenured.

2) Nomination of Executive Secretary-Elect will be held the Fall semester of each year.

3) Nomination of candidates for office shall be submitted by petition of a group representing ten percent of the faculty members eligible to vote. This petition must be submitted to the President of the Senate at least ten working days prior to the announced date for ballot distribution.

4) The Personnel and Elections Chair will prepare a slate of names and provide the list of candidates to the faculty members eligible to vote prior to the election. The election will be held among the faculty members eligible to vote.

5) The Personnel and Elections Chair shall call for the official statements from the candidates. Statements shall consist of no more than a one-page vitae and a one-page position statement. Candidates may elect not to provide a statement. The Personnel and Elections Chair shall distribute all statements at the same time and in the same manner to all eligible voters no later than five days before balloting.

6) In the event that no candidate receives a majority of the votes cast, a run-off election shall result between the top two candidates. The one receiving the highest number of votes in the run-off election will stand elected.

7) Elections may be conducted electronically. (See section 4.5.11.)

4.5.7 Election of Faculty Senators

1) The number of senators shall not exceed fifty.

2) Each school of the University shall be awarded a number of faculty senators based on the number of faculty members in that school who are eligible to vote in Faculty Senate elections.

3) Each faculty member shall be counted only once. In the case of faculty members with a split contract, they should be counted as members of their home department. The home department is defined as the department where the faculty member is presently seeking or has been granted tenure.
4) Webster's Method of Apportionment shall be applied as follows:

   a) Obtain from the Office of Academic Vice President the total number of faculty members eligible to vote as defined by the Senate Constitution.

   b) Divide the total number of faculty members eligible to vote by fifty (number of Senate seats), determining the faculty-to-senator ratio.

   c) Divide the number of faculty members eligible to vote from each school by the faculty-to-senator ratio and round to the nearest whole number.

   d) If two schools are both entitled to exactly 0.5 additional senators, such that rounding would result in fifty one senators, the Chair of the Elections Committee shall assign the one available senate seat to one of the two eligible schools by coin toss.

5) The Faculty Senate shall be reapportioned every year based on the number of faculty members eligible to vote in each school on August 1.

6) It shall be the responsibility of the faculty members eligible to vote from each school to have elected the appropriate number of senators based on the August 1 apportionment ready to serve by the first Senate meeting of the academic year. Schools and departments shall report the names of newly elected senators to the Executive Secretary or the Personnel and Elections Chair on or before the day instruction begins in Fall semester.

7) In the unusual event that a school’s representation falls to zero, that school will be awarded one senator and then the remaining senators will be apportioned to the other schools using Webster's Method. Allocation shall be based on the number of faculty members eligible to vote for the schools being apportioned the remaining senators.

8) Senators shall be elected for a three-year term and they may be elected for additional terms.

9) If senators move from one academic school to another, they shall not retain their Senate seats, though they shall be eligible to be elected to the Senate from the new school. If an academic school loses a seat or seats due to reapportionment, the faculty members eligible to vote from that school shall determine how to apportion the school's Senators among its faculty members. Some senators may not serve their full three-year terms in this case.

4.5.8 Impeachment of Senate Officers

4) The Senate possesses sole power of impeachment. Any Faculty Senate Executive Committee officer may be impeached by a simple majority of Senate members convened, provided a quorum is present. Grounds may include malfeasance, neglect of official duties, or the failure to lead.

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2) Upon petition by a group representing ten percent of the faculty alleging grounds for impeachment, the Senate must take action to consider impeachment.

3) The Senate also possesses sole power to try impeachments. The Senate President shall preside and ensure that the right of the accused to call witnesses in his or her behalf be upheld. In the event that the Senate President is the accused, the President-Elect/Past President shall preside. No Faculty Senate Executive Committee officer shall stand convicted if two-thirds of the Senators gathered fail to support conviction, and then only if a quorum is present. If a two-thirds majority votes for conviction, the officer in question shall stand convicted and shall be removed from office. The office then shall be declared vacant and replacement shall be according to section 4.5.6.

**4.5.9 Election of Standing Committee Chairs**

1) The Personnel and Elections Chair shall prepare and conduct elections for standing committee chairs. Chairs must be presently serving senators.

2) For each standing committee chair vacancy, nominations shall be accepted from the Senate floor.

3) Once nominations have closed, at least a week shall expire before the election for a standing committee chair is conducted. If only one candidate has been nominated, the Senate may immediately vote to elect the candidate by acclamation.

4) Elections within the Senate, including those for standing committees and chairs, shall be conducted by secret ballot. Ballots shall be prepared by or under the supervision of the Personnel and Elections Chair.

5) In the event that no candidate receives a majority of the votes cast, a run-off election shall result between the top two candidates. The one receiving the highest number of votes in the run-off balloting will stand elected.

6) Senators elected as standing committee chairs shall assume their responsibilities at the last meeting of the academic year unless they are filling a midterm vacancy. If filling a midterm vacancy, their responsibilities shall begin immediately.

7) The maximum term for Standing Committee Chairs will be three years, or until they leave the senate, whichever comes first. Chairs may be re-elected for additional terms.

**4.5.10 Election of Standing Committee Members**
1) Elections for school representatives on Senate Standing Committees shall be conducted by the Personnel and Elections Committee Representative for the school. If the school does not have a representative to the Senate Elections Committee, the election shall be conducted by the senators of that school. Nominations shall be solicited from the faculty of the school. After the close of nominations, candidates shall be voted upon by secret ballot cast by the school faculty who are eligible to vote. In the event that there is only one candidate for a position, that candidate shall be ratified by a majority of the ballots cast. If a candidate is not ratified, the process shall be repeated until a candidate has been ratified.

4.5.11 Senate Elections and Referenda may be conducted by electronic ballot.

1) Both elections and referenda shall be conducted by electronic ballot to full-time faculty members eligible to vote.

2) At the request of the Faculty Senate Executive Committee or the entire Faculty Senate, the Chair of the Faculty Senate Personnel and Elections Committee shall prepare and conduct referenda by Internet/electronic ballot. Such balloting may be done in conjunction with elections or as a separate event.

3) To prepare a referendum, the Chair of the Faculty Senate Personnel and Elections Committee shall obtain approval of wording of the referendum from the Senate Executive Committee and shall distribute the referendum, along with any approved explanatory information and voting instructions, to faculty members eligible to vote by e-mail.

4) The ballot system for both elections and referenda shall be password-protected and at least two members of the Senate Executive Committee shall have independent access to the results. Only the Senate Personnel and Elections Chair shall have password authority to reset the ballot. At least ten days will be provided for voting. Individuals who are unable or unwilling to vote by Internet may request an absentee ballot or e-mail ballot from the Chair of the Faculty Senate Personnel and Elections Committee.

4.5.12 Composition and Function of Committees of Faculty Senate

1) Much of the routine work of the Faculty Senate will be accomplished by standing committees, thereby utilizing policy-making and policy-adjudicating bodies already in existence prior to the adoption of these Bylaws. The standards for Senate committee service are these:

a) A committee member not attending three consecutive Senate committee meetings and not having a designee attend in his/her stead shall have his or her position termed "vacant," whereupon the Chair shall petition the Personnel and Elections Chair to initiate procedures for replacement.
b) Chairs and members of Senate committees are elected to serve a three-year term, which may be succeeded.

c) The chairs of all standing Faculty Senate Committees shall be Senators, and no Senator's term as chair of a committee shall exceed his/her term as a Senator. Accordingly, chairs of Senate committees will be replaced unless they are re-elected to the Senate.

d) Committees are free to consult with other university personnel to fulfill their responsibilities, but only committee members shall vote on items of business.

e) A committee quorum to conduct business shall consist of a majority of the committee members.

4.6 Standing Committees of the Faculty Senate

4.6.1 The standing committees of the Faculty Senate are:

1) Executive Committee

a) Composition: President of the Faculty Senate, President-Elect or Past President of the Faculty Senate, Executive Secretary of the Faculty Senate, Executive Secretary-Elect of the Faculty Senate, President of the University, and Senior Vice President of Academic Affairs, and all chairs of Senate standing committees.

b) Duties: Prepare Senate agenda, report to the Senate at each regular meeting, act for and in behalf of the Senate on urgent matters that cannot wait for action by that body in regular session (reporting on any such activities at the next regular meeting), initiate studies and legislation for Senate action on matters not assigned to other Senate committees, call general faculty meetings in cases of urgency or for matters of important general interest, and take other action or assume other duties as may be assigned or referred to the Executive Committee upon resolution of the Senate or upon request of the administration.

2) Tenure Committee (for the 1996 policy, C-5.5)

a) Composition: Once elected, tenured faculty member from each school, the Director of Faculty Development, and a chair elected by and from the Faculty Senate who is tenured. As vacancies occur, Senate Elections Committee personnel shall conduct elections to fill the vacancy from their schools with a three-year term not to extend beyond the life of the committee.

b) Duties:

i) To review periodically existing policy and procedures and recommend changes, for adoption by the Senate, to the University President and the Board of Trustees.

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ii) In the seventh year, to review tenure of candidates' files referred to it by the Vice President of Academic Affairs, to add its recommendations together with reasons and findings to each candidate's file, and to forward the file to the Vice President of Academic Affairs.

iii) To undertake all duties assigned to it under the 1996 tenure policy until such time as its service is no longer required.

iv) To dissolve the Tenure Committee once all faculty who are currently tenure-tracked under university policy C-5.5 have a) opted to transfer their tenure-track status to UVU Policy 637 Tenure and Appeals (Mandatory for Hires after August 15, 2003), b) been terminated or tenured, or c) left the employ of the University.

3) Tenure Board of Review (TBR) (for the new UVU Policy 637 Tenure and Appeals (Mandatory for Hires after August 15, 2003).

a) Composition:

i) Two tenured faculty members elected from each school by all faculty in the school and a tenured faculty senator elected by the Faculty Senate, who will serve as chair.

ii) The TBR may at its discretion seek advice and counsel from any consultants they wish. The consultants will have no voting privileges.

b) Duties:

i) To review initial and later modified tenure policies developed by department RTP committees and check those policies for compliance with UVU Policy 637 Tenure and Appeals (Mandatory for Hires after August 15, 2003), forwarding its findings; recommendations to the Vice President of Academic Affairs (VPAA);

ii) To ensure equity in tenure policies and adherence to requirements of the State Board of Regents; to advise on matters of tenure policy; and;

iii) To serve as an appeals board for faculty who are denied continuation on tenure-track or tenure as a result of the midterm or final tenure review.

c) Initial timeline to facilitate creation of TBR:

i) To effect a smooth transition from tenure policy, C-5.5 (1996) to, the following timeline shall be implemented:

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ii) The Senate Elections Committee personnel should facilitate election of the members of the TBR from their respective schools no later than February 13, 2004.

iii) All RTP policies submitted to the VPAA must be submitted for review by the Tenure Board of Review by March 1, 2004.

iv) The TBR must then review department RTP policies and forward its findings and recommendations to the VPAA no later than 30 days after the TBR is fully composed but in no case later than April 1, 2004.

v) All tenure track faculty must then choose whether to remain on the 1996 tenure policy (C-5.5) or to move to UVU Policy 637 Tenure and Appeals (Mandatory for Hires after August 15, 2003) no later than April 30, 2004.

4) Curriculum Committee

a) Composition: The chair of the Curriculum Committee of each school and a chair elected by and from the Faculty Senate.

b) Duties: Facilitate development of new curriculum, approve curriculum changes proposed by schools, and coordinate resolution of curriculum issues that affect multiple schools.

5) Faculty Merit Committee

a) Composition: A chair and two other members elected by and from the Faculty Senate.

b) Duties: Consolidate merit bonus data and recommend appropriate merit bonus percentages to the administration.

6) Budget and Benefits Committee

a) Composition: One member elected by and from each school, the Director of Budgets, the Associate Academic Vice President, and a chair elected by and from the Faculty Senate.

b) Duties: Review proposed benefit packages and make recommendations thereon, serve as a liaison between the faculty and administration on budgetary matters.

7) Faculty Development Committee

a) Composition: One member elected by and from each school, the director of Faculty Development, and a chair elected by and from the Faculty Senate.
b) Duties: Encourage faculty scholarship via the dissemination of financial assistance for travel and faculty enrichment, facilitate the process of student evaluation of instructors, and provide information to faculty on methods useful in improving classroom teaching and student/instructor relations.

8) Academic Standards Committee

a) Composition: One member elected by and from each school, a member from Academic Advising, and a chair elected by and from the Faculty Senate.

b) Duties: Consider student petitions for exception to college policy, promote and encourage academic excellence, review reported cases of questionable rigor or classroom procedure and channel them to the appropriate school.

9) Intercollegiate Athletics Committee

a) Composition: Faculty Athletics Representative (appointed by the President of the institution), the NCAA Compliance Officer, a student athlete representative, one member elected by and from each school, and a chair elected by and from the Faculty Senate.

b) Duties: Draft the job description and selection procedure for the Faculty Athletic Representative; develop policy/procedure for faculty/student interactions regarding absences due to competitions, faculty/student athlete dispute resolutions, and compliance procedures where faculty action is suggested or required by the NCAA.

10) Ranking and Promotion Committee (see UVU Policy 632 Assignment and Advancement in Academic Rank)

a) Composition: One member elected by and from each school and a chair elected by and from the Faculty Senate.

b) Duties:

i) To review any proposed changes to UVU Policy 632 Assignment and Advancement in Academic Rank;

ii) To review ranking and promotion policies and procedures of individual department RTP committees;

iii) To review individual department RTP policies for compliance with university ranking and promotion standards;

iv) To ensure rank and promotion equity among the various departments;

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v) To make timely recommendations regarding ranking and promotion policy to the Faculty Senate and other interested groups; and,

vi) To serve as an appeals board for denials of rank advancement or promotion.

11) Policy Committee

a) Composition: One member elected by and from each school and a chair elected by and from the Faculty Senate.

b) Duties: Review university policies (and related matters), and make recommendations thereon.

12) Personnel and Elections Committee

a) Composition: One member elected by and from each school and a chair elected by and from the Faculty Senate.

b) Duties: Maintain a current list of faculty senators and their terms. Monitor the activities of Senate ad-hoc committees and Senate participation in other campus activities. Seek nominations for and conduct elections as needed for Faculty Senate President-Elect, Executive Secretary-Elect, and chairs of standing committees. Monitor presence of Faculty Senate members in Senate meetings.

13) Political Action Committee

a) Composition: One member elected by and from each school and a chair elected by and from the Faculty Senate.

b) Duties: Maintain contact with legislators and convey faculty concerns on issues of significance to the University.

15) Faculty Excellence Coordinator

a) Composition: The coordinator is elected by and from the Faculty Senate.

b) Duties: Review faculty excellence guidelines developed by the schools in regard to conformance in general principle, and facilitate recognition of outstanding faculty accomplishments.

16) Amendment of Bylaws
a) For a proposed change to become an amendment to the Bylaws, it must be approved in a Senate meeting by a two-thirds majority vote of the Senators present.

b) The term “act” here is intended to capture all of the possible ways in which the Faculty Senate President may be an advocate for the interests of the Faculty Senate. This includes but is not limited to voting, persuading, disputing, questioning, lobbying, arguing, protesting, etc.

5.0 PROCEDURES

5.1 Senate business may be conducted by a quorum consisting of at least half of the Senate membership and the Senate President (or President’s representative).

5.2 Rules of procedure and debate shall be conducted according to the current edition of Robert's Rules of Order newly revised unless those rules are temporarily suspended by a two-thirds majority vote of the Senate members present.

5.3 Action items must first have been presented to the Senate as information items in a preceding session of the Senate.

5.4 An information item may be immediately moved to an action item by a two-thirds majority vote of the Senate members present.

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