

# Faculty Senate By-Laws

## Bylaws of the Faculty Senate of Montana State University

### Preamble

We, the faculty of the Montana State University-Bozeman, in order to enhance faculty governance and clearly define the duties, authority, and responsibilities of the faculty, do hereby adopt these Articles and Bylaws of Faculty Senate. These Articles and Bylaws provide for the establishment of a Faculty Senate and the creation of necessary faculty committees.

### Article I: Name

The name of this governance body shall be the Faculty Senate of Montana State University-Bozeman, hereinafter called Faculty Senate.

### Article II: Purpose

#### Section 1. Purpose.

As the chief governance body of the faculty of Montana State University, Faculty Senate exists to ensure shared governance with administration on matters of faculty employment and flourishing in scholarship, teaching, and Extension. Therefore, within the authority and constraints of the Montana University System powers as described in the Constitution of the State of Montana, Faculty Senate has the authority to frame policies, procedures and standards of the Faculty Handbook. The faculty holds the further prerogative of thorough and timely before-the-fact consultation with the administration in the development of policy, the administration of the University, and the selection of academic administrators. The charge of the Senate is to foster a climate of academic freedom; promote consistency in tenure, promotion in academic rank, workload, and salary; uphold academic standards; and uphold standards and procedures of accountability concerning faculty ethics and responsibilities. Faculty Senate provides a means for faculty and administration to interact and discuss University business including strategic planning, budgeting, curriculum, accreditation, and graduation requirements. It is the purpose of these articles to provide the means by which the faculty may exercise its prerogatives and promote the welfare of Montana State University-Bozeman in consultation and cooperation with the President.

#### Section 2. Policy Development.

Faculty Senate may develop policies and standards that promote, among other things:

- Effective and efficient use of University resources;
- General (including economic) well-being and morale of faculty;
- Curricular development;
- Professional faculty development;
- Quality educational and research resources such as libraries, facilities, laboratories, and equipment; and,

- Academic freedom in scholarship, outreach, and the creation of optimal learning environments

## **Article III. Basis of Membership**

There shall be voting and non-voting members of Faculty Senate elected from their respective constituencies.

### **Section 1. Membership.**

#### **A. Constituencies.**

Individual constituencies for the purpose of electing Faculty Senators and alternates (one each per constituency) are as follows:

- i. Each academic department at MSU that has tenured or tenurable faculty as well as a department head is a constituency.
- ii. Each college that has tenured or tenurable faculty, wherein faculty are not further subdivided into departments, is a constituency.
- iii. Non-Tenure Track faculty at Montana State University as a whole is a constituency.
- iv. Gallatin College Workforce faculty is a constituency.
- v. Gallatin College General and Developmental Education faculty is a constituency.
- vi. The Emeritus Faculty is a constituency.

#### **B. Voting Members.**

Faculty Senators are the voting membership of Faculty Senate. Each senator must:

- i. be a tenured or tenurable faculty member in the constituency they represent with an appointment of at least 0.50 FTE.
- ii. not hold administrative appointments at the level of department head or above.
- iii. not hold an administrative appointment of 0.2 FTE or higher.

The Non-Tenure Track Faculty Senator must hold a contract position of one-year or more at Montana State University or Gallatin College.

Faculty Senate alternates shall be voting members of the Faculty Senate for any meetings they attend when the Faculty Senator for their constituency is not in attendance.

#### **C. Nonvoting Members.**

- i. The Chair, Chair-Elect, and Past Chair shall be nonvoting members of Faculty Senate.
- ii. The Chair of the Faculty Affairs Committee, if other than the Past Chair of Faculty Senate, shall be an ex officio, nonvoting member of Faculty Senate.

iii. The Administrative Associate shall be an ex officio, nonvoting member of Faculty Senate.

## **Section 2. Eligibility for Election to Membership.**

Any member of the tenured or tenurable faculty is eligible for election as a senator or alternate representing their constituency. All Emeritus Faculty members are eligible for election to be the senator or alternate representing their constituency. Any NTT or Gallatin College faculty meeting the requirements in Sec. 1.B is eligible for election as a senator or alternate representing their respective constituency.

## **Section 3. Election.**

A. Each constituency shall elect one Faculty constituent should they wish to be represented in Faculty Senate.

B. Eligibility to vote in the election of Faculty Senators and Alternates.

Members of the tenured or tenurable faculty within their respective constituencies are eligible to vote in elections for a Faculty Senator and an alternate in their constituency, provided that the faculty member meets the requirements delineated in Sec. 1.B.

Members of NTT and Gallatin College faculty constituencies must hold a 0.5 or greater FTE to be eligible to vote in the elections for the NTT senator and alternate.

Only members of the Emeritus Faculty are eligible to vote in the elections for the senator and alternate representing the Emeritus Faculty.

Department heads and administrators are not eligible to vote in Faculty Senate elections.

C. Procedures for Electing Faculty Senators and Alternates.

All Faculty Senators and alternates shall be nominated and elected according to democratic procedures set by their constituencies. Alternates shall be elected by the same process used to elect Faculty Senators. No person may be elected concurrently by more than one constituency. The choice of representative must be made by faculty, not department heads or other university administrators.

D. Scheduling of Elections.

Elections for Faculty Senate members and their alternates will take place no later than the end of the first week of Fall Semester. (Voting may be held in the preceding Spring semester.) If a Faculty Senator or Alternate resigns or cannot fulfill required duties, an election within the constituency may be held immediately to select a new Senator or Alternate to fill the vacated position.

## **Section 4. Terms of Service.**

Elected Faculty Senators and alternates shall serve a term of three (3) years and are eligible for re-election. Terms for Faculty Senators and alternates shall begin on the first Faculty Senate meeting of fall term following the election.

## **Section 5. Alternates.**

Alternates represent a constituency when the elected member is unable to attend a meeting. Elected members unable to attend a Faculty Senate meeting shall ask that their elected alternates to attend. Members whose position is specified as ex officio may designate an alternate to act in their place.

#### **Section 6. Vacancies.**

If a seat is vacated during a term, an elected alternate may assume the seat, or an election may be held by the constituency to fill the remaining term of the senator and/or the alternate.

#### **Section 7. Absences.**

Any senator who is absent and does not send an alternate to five (5) Faculty Senate meetings during an academic year may be asked by the Faculty Senate Chair to resign. A replacement may be procured as specified in Sec. 3.D or Sec. 6.

### **Article IV. Officers**

#### **Section 1. Officers of the Faculty Senate.**

The officers of the Senate shall be the Chair and Chair-Elect. An Administrative Associate shall maintain an office for Faculty Senate.

#### **Section 2. Chair of Faculty Senate.**

##### **A. Duties and Responsibilities.**

The duties and responsibilities of the Chair are to:

- i. Preside over meetings of Faculty Senate and the Faculty Senate Executive Steering Committee.
- ii. Develop and approve agendas for the meetings of the Faculty Senate and the Faculty Senate Executive Steering Committee.
- iii. Seek to establish, offer the agenda for, and co-preside over regularly scheduled Leadership meetings with the President.
- iv. Attend all meetings of the Board of Regents as the official representative of Faculty Senate.
- v. Consult with the Administrative Associate on the annual Faculty Senate budget, including release time, travel, and other appropriate items.
- vi. Represent Faculty Senate and communicate information about its activities to Montana State University.
- vii. Represent MSU and Gallatin College Faculty to the Montana University System, MUS Faculty Association Representatives (MUSFAR), and the Montana Board of Regents.
- viii. Represent the Faculty Senate on university or MUS committees as assigned (see Art. VI Sec. 3).

## B. Term of Office.

The Chair shall serve for one (1) year. Each spring, Faculty Senate shall elect a Chair-Elect (see Art. IV Sec. 3) who shall assume the office of Chair-Elect at the beginning of the faculty contract year following their election and assume the office of Chair at the beginning of the following faculty contract year. A Chair or Past Chair of Faculty Senate may be nominated as Chair-Elect.

### **Section 3. Chair-Elect of Faculty Senate.**

#### A. Duties and Responsibilities.

The duties and responsibilities of the Chair-Elect are to:

- i. Assume the duties of the Chair in his/her absence.
- ii. Attend meetings of the Faculty Senate Executive Steering Committee as an ex officio member and preside over that body in the absence of the Chair.
- iii. Assist the Chair in presiding over Faculty Senate meetings.
- iv. Represent the Faculty Senate on university or MUS committees as assigned (see Art. VI Sec. 3).
- v. Serve as a member of university committees when so designated.
- vi. Attend Board of Regents meetings when possible.

#### B. Election.

The Chair-Elect of Faculty Senate shall be elected from among the Tenured Faculty by a majority of Faculty Senators in attendance at a Spring semester meeting near the end of the Chair's term. Notice of the election shall be given not later than the meeting preceding the meeting in which the election is held, and any nominations or self-nominations of candidates should be made by the end of the Senate meeting prior to the meeting in which the election is held.

The Chair-Elect shall assume the responsibilities of that position at the beginning of the faculty contract year the following Fall term.

At the end of their term as Chair-Elect, the Chair-Elect shall become the Chair of Faculty Senate. If the Chair-Elect is unable to serve in the capacity of Chair, a new election shall be held in accord with Art. IV Sec. 5. If neither a Chair nor Chair-Elect are able to serve as Chair, the Past Chair shall oversee an election to fill these positions.

#### C. Term of Office.

The Chair-Elect shall serve for one (1) year unless the Chair-Elect fills a vacancy in the position of Chair.

### **Section 4. Past Chair of Faculty Senate.**

#### A. Duties and Responsibilities.

The duties and responsibilities of the Past Chair are to:

- i. Attend meetings of the Faculty Senate Executive Steering Committee as an ex officio non-voting member.

- ii. Attend Faculty Senate meetings as an ex officio non-voting member.
- iii. Chair the Faculty Affairs Committee.
- iv. Serve as a member of university committees when so designated (see Art. VI Sec. 3).

**B. Term of Office.**

The Past Chair shall serve for one (1) year.

**Section 5. Vacancies.**

A vacancy in the office of Chair shall be filled by the Chair-Elect. A vacancy in the position of Chair-Elect shall be filled by an election as specified in Art. IV Sec. 3B. A vacancy in the office of Past Chair will be left vacant, and the Chair will appoint a Chair for Faculty Affairs.

**Section 6. Administrative Associate of Faculty Senate.**

The Administrative Associate is a Montana State University employee whose Senate duties are overseen by the Chair of Faculty Senate. The Administrative Associate is a non-voting member of Faculty Senate. The Chair of Faculty Senate contributes to the Administrative Associate's annual evaluation. The duties of the Administrative Associate are to:

- i. Prepare and distribute the agenda materials for Faculty Senate meetings.
- ii. Prepare and archive the minutes and records of Faculty Senate.
- iii. Distribute meeting slides to Senate membership the day following a Senate meeting.
- iv. Count voice votes in meetings, and count and certify ballots in any written votes.
- v. Record attendance at all meetings of the Faculty Senate.
- vi. Receive Senate correspondence, including monitoring Senate email accounts and listservs, and transmit it to appropriate parties.
- vii. Notify Faculty Senate constituencies when their elected seats become vacant at the end of a term. Notification is also necessary to new constituencies, should they be created. This notification must be made at least thirty (30) days prior to the end of term.
- viii. Collaborate with Senate leadership to coordinate and implement performance reviews of university administrators as currently appropriate.
- ix. Maintain the Faculty Senate webpage and attendant information.
- x. Undertake research and data gathering or analysis for the Faculty Senate Chair and Chair-Elect.

## **Article V. Meetings**

### **Section 1. Calendar.**

Faculty Senate will convene on the first full week of classes each academic year. Established meeting times for Faculty Senate during the academic year shall be scheduled by the Administrative Associate in consultation with the Faculty Senate Chair and Chair-Elect. All regular Faculty Senate meeting dates for an academic year will be posted on the Faculty Senate website by the beginning of Fall semester of that year.

### **Section 2. Open Meetings and Accommodations.**

#### **A. Open Meetings Policy.**

Senate meetings are subject to the MSU Open Meetings Policy ([http://www.montana.edu/policy/open\\_meetings/](http://www.montana.edu/policy/open_meetings/)). Minutes will indicate subjects of discussion but not speaker identities, excepting motions and seconds.

#### **B. Meeting Space.**

A meeting room to accommodate the entire Faculty Senate shall be reserved and publicized each semester. The meeting room should also be able to accommodate additional attendees in accordance with the Montana State University open meeting policy.

#### **C. Facilitating Online Participation.**

Because some Faculty Senators are, by nature of their job duties in other parts of the state, routinely unable to meet in-person, the Senate Chair and Administrative Associate shall seek to schedule a meeting room most technologically conducive to remote (online) participation by Senators.

Faculty whose regular appointment is on the Bozeman campus are strongly encouraged to attend meetings in-person.

#### **D. Presence and Participation of the Public.**

Members of the public, including other MSU personnel, are invited to speak during Public Comment periods, for up to two minutes per person. To speak, they should raise a hand and be recognized by a presiding officer (typically Chair or Chair-Elect).

With the exception of the Public Comment period on a meeting agenda, only Senators may speak to the assembly during Senate meetings. Senators wishing to speak should raise a hand and wait to be called upon by the meeting's presiding officers.

During other discussion, MSU personnel or members of the public may also be invited by a presiding officer to contribute information.

#### **E. Executive Session.**

Per MSU Open Meetings Policy Sec. 3, "A meeting which would otherwise be open to the public under this policy may be closed to the public if the presiding officer, after consultation with university legal counsel, determines that (1) the discussion relates to a matter of individual privacy, and (2) the demands of individual privacy clearly exceed the merits of public disclosure." In circumstances where deliberation of Senate business (e.g., honorary doctorates, administrator performance review) requires discussion of

matters related to individual privacy, Senate may, pursuant to the MSU Open Meetings Policy, add an executive session to a regularly scheduled Senate meeting for the purpose of maintaining the privacy of individuals discussed. Executive sessions will be closed to the public and attended by members of the Senate only. Members of the Senate shall not share matters discussed in Executive Session with non-members.

### **Section 3. Special Meetings.**

Special meetings of Faculty Senate, including during summer, may be called at the discretion of the Chair or at the written request of ten (10) Faculty Senators. The purpose of the meeting shall be stated in the call. Except in cases of an emergency, at least three days' notice shall be given.

### **Section 4. Notice of Meetings.**

Notices of meetings and agendas shall be electronically delivered to each Faculty Senator and alternates, all Deans, Vice Presidents, and the President no later than noon on the Friday prior to the Senate meeting. These same items shall also be posted on the Faculty Senate website. In exigent circumstances, the Senate Chair may add an item to a published agenda, with updated notice to the recipients list, until 24 hours prior to the meeting.

### **Section 5. Agenda.**

A. Agenda items shall be submitted to the Chair or Chair-Elect for consideration by voting and non-voting members of the Faculty Senate Executive Steering Committee. Senators may also propose agenda items to any member of the Steering Committee. Agendas for the Faculty Senate meetings shall be established and approved by the Faculty Senate Executive Steering Committee.

#### **B. Consent Agenda.**

Senate meetings may, at the discretion of the Chair, use a Consent Agenda to manage discussion of and voting on routine, non-controversial items such as course proposals and changes.

i. Composition of the consent agenda for a given meeting will be at the Chair's discretion and require approval by the Faculty Senate Executive Steering Committee.

ii. Senators are responsible to review Consent Agenda items with care prior to the Senate meeting.

iii. At the beginning of consideration of a Consent Agenda, any voting member of Senate may request removal of individual items from the Consent Agenda for full discussion and separate voting.

### **Section 6. Consideration of Policy and Procedures Recommendations.**

All actions or recommendations shall pass or fail in Faculty Senate by majority vote. Policy recommendations require a first and second reading.

#### **A. Scope of Faculty Senate Policy Authority.**

Per Art. II Sec. 1 of these Bylaws, the Faculty Senate shares approval power with relevant MSU administrative bodies for policy and procedure relating to the Faculty

Handbook and university curriculum, and the right of consultation with Administration in the development of policy, the administering of the University, and the selection of academic administrators. University policy, procedure, and curriculum proposals and recommendations will therefore be forwarded to the Senate for appropriate consideration (approval, or consultation that is both before-the-fact and timely). If the Senate's role in any such initiative is not already clearly determined by policy, it will be jointly determined per case by the Faculty Senate Chair and Joint Academic Governance Steering (JAGS) Committee, MSU Provost, or President.

#### B. First Reading.

Any proposed policy initiated in the Senate or forwarded to Senate for consideration by another MSU policy-making entity (e.g. JAGS, University Council) may be considered but not acted upon at the meeting at which it first appears on the agenda or at the first meeting at which it is brought up from the floor.

#### C. Second Reading.

The vote on a policy, endorsement, or recommendation shall be taken at any subsequent meeting of the Senate.

A two-thirds (66%) majority of those attending the first reading may vote to suspend the requirement of a second reading and vote on a policy, endorsement, or recommendation during first reading.

### **Section 7. Quorum.**

A simple majority of the elected members of Faculty Senate shall constitute a quorum.

### **Section 8. Voting.**

Voting is conducted in general accord with Robert's Rules of Order Revised for Deliberative Assemblies, though the Senate permits relatively informal procedures adapted to the needs of this house.

Discussion will be conducted and votes will be taken on only a single, clearly stated motion. The presiding officer (typically Chair or Chair-Elect) will manage floor discussion collegially and inclusively. Members who have spoken are asked to wait to speak again until others who wish to speak have had an opportunity, or until called on to respond to a previous speaker. When the presiding officer sees the sense of the house that discussion is sufficient, they will call the question. Voting members may also call the question at any point during discussion. In the absence of objection, the vote will proceed by voice unless a written ballot is called for.

#### A. Voice Votes.

The presiding officer will clearly restate the motion to be voted on and ask for votes in favor, votes to oppose, and abstentions. To facilitate counting votes, members will signify both by voice and by raising a hand. The Administrative Associate will count votes and, if necessary, request members to keep hands up long enough for a full count.

#### B. Online Member Voting.

Voting members of the Senate who are attending online may vote by entering "yay" or "nay" in the meeting software's chat function. The Senate Chair-Elect and the

Administrative Associate will monitor votes in the chat and tally them in the overall vote count.

#### C. Vote by Written (Secret) Ballot.

Any voting member of the Senate can call for a written ballot on any vote; the motion is non-debatable. Written ballots will be treated as secret. Online written votes must be emailed to the Administrative Associate to maintain secrecy of the ballot. Ballots will be counted by the Administrative Associate and the Senate Chair.

### **Section 9. Distribution of Minutes.**

Electronic copies of Faculty Senate minutes shall be distributed to all members and alternates of the Senate, the President, Provost, Vice Presidents, and Deans, and the president of the Associated Students of Montana State University (ASMSU) and the Chair of the MSU Staff Senate. The minutes shall also be posted on the Faculty Senate website.

## **Article VI. Committees**

### **Section 1. General Provisions.**

#### A. Committee Database.

A list of all Faculty Senate committees shall be posted on the Faculty Senate website.

#### B. Review of Committee Structure.

The Faculty Senate Executive Steering Committee shall periodically review the charge, structure and number of members on all Faculty Senate or University committees. Recommendations for changes shall be presented to the appropriate governing body.

#### C. Vacancies.

Vacancies on any committee shall be filled as soon as possible by open call for Senators (or other department faculty as appropriate to the committee) to self-nominate for the committee. Volunteers will be appointed by the Faculty Senate Chair. Contested seats will be filled by election by the Executive Steering Committee. Any member who is absent and does not send an alternate to five (5) committee meetings during an academic year may be asked by the chair of that committee to resign that position. Should this occur, a replacement shall be chosen by the Senate Chair to fill that vacancy.

#### D. Notification of Meetings.

Faculty Senate committee chairs are responsible for notifying all appropriate constituencies of the time and place of meetings and of agenda items.

#### F. Open Meetings.

All meetings of standing committees of the Faculty Senate shall conform to the Montana State University open meeting policy (see Art. V Sec. 2). An individual who is not a voting member of a committee may participate in the discussion of committee business at the discretion of the committee chair.

#### G. Records of Committee Meetings.

Any written records of standing committees shall be available for public viewing except in the case of personnel matters.

If a committee maintains minutes of its proceedings, that committee's chair should file copies with the Faculty Senate Administrative Associate. Committee reports to Faculty Senate shall be included in Faculty Senate minutes.

H. Voting.

All committee actions or recommendations shall pass or fail by majority vote at the Faculty Senate committee level.

I. Quorum.

A quorum shall consist of a majority of committee members.

J. Resignation of Standing Committee Members.

If a committee member is unable to assume committee responsibilities, that member shall notify the chair of the committee, and thereby be considered to have vacated their position (see "C above, this section).

## **Section 2. Standing Committees of Faculty Senate.**

A. Faculty Affairs.

Chaired by the Faculty Senate Past Chair. Comprised of one faculty member elected from each College.

B. Executive Steering Committee of Faculty Senate.

Chaired by Faculty Senate Chair. Comprised of the Chair, Chair-elect, and current Senators appointed by the Chair in consultation with the Chair Elect. The Past Chair serves ex officio. Any voting member of Senate is invited to request a seat on this committee; the Chair will take such requests under advisement and make appointments with regard to representative and inclusive membership across Colleges, gender, experience, and demonstrated engagement in Senate meetings and work. The committee shall include a minimum of 3 members and a maximum of 6 (exclusive of Chair, Chair-Elect, and Past Chair).

C. Curriculum and Programs Committee.

Comprised of a voting faculty representative from each college (two from CLS to represent Letters and Science) plus a Faculty Senate representative (Chair-Elect) and a voting student member. (Non-voting members include representatives from Academic Affairs, Student Success, University Studies, and the Registrar.)

## **Section 3. Faculty Senate Membership on University Committees.**

A. Chair Committees.

1. Chair, Executive Steering of Faculty Senate
2. University Council
3. Academic Council
4. Budget Council
5. Joint Academic Governance Steering (JAGS)

## 6. Campus Sustainability Advisory Committee

### B. Chair-Elect Committees.

1. Executive Steering of Faculty Senate
2. University Curriculum and Programs Committee (voting member)
3. University Graduate Council (ex officio / non-voting member)
4. Joint Academic Governance Steering (JAGS)
5. Faculty Affairs Committee (ex officio, training)

### C. Past Chair.

1. Chair, Faculty Affairs Committee
2. University Retention, Tenure and Promotion (Faculty Affairs rep)
3. Joint Academic Governance Steering (JAGS)
4. Executive Steering Committee of Faculty Senate (ex officio)

### D. Other Committees.

The Senate Chair and Chair-Elect either attend other university committees with a designated Senate position, or solicit self-nominations for a faculty representative, which the Chair designates. Present examples of such committees are Research Council, Space Management Committee (2 seats), Assessment and Outcomes Committee, Core Committee, and Parking Appeals Board (2 seats).

## **Section 4. Faculty Senate Participation on University-Wide Search Committees.**

### A. Participation in Searches for Permanent Administrative Positions.

The President shall request the Faculty Senate Chair to nominate faculty for membership on search committees to fill University administrative vacancies. The Chair will consult with the Chair-Elect, Senate Steering Committee, and/or the Senate membership as appropriate, and forward a resulting list of potential faculty committee members to the President.

### B. Participation in Filling Acting and Interim Administrative Positions.

Faculty Senate and/or Steering Committee shall participate in the screening and selection process for all acting and interim administrative positions. The President shall confer with the Faculty Senate Chair to establish the means and timelines for Faculty Senate and/or Steering Committee participation.

## **Article VII. Parliamentary Authority**

The rules contained in the current edition of Robert's Rules of Order Revised for Deliberative Assemblies shall govern the Faculty Senate, subject to the Faculty Senate Bylaws.

## **Article VIII. Amendments**

These bylaws may be amended at any regular meeting of the Senate by two-thirds vote, provided that an amendment has been submitted in writing at a previous regular meeting. Amendments shall be effective upon adoption.

Adopted: November 1996

Amended: April 2004

Amended: November 2014

Amended: August 2016

Amended: April 2021

Amended: April 2026