

**BYLAWS
OF THE
FACULTY SENATE**

Approved April 20, 2010

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PREAMBLE

These *By-Laws* are the articulation and elaboration of provisions established in the Constitution of the Faculty Senate as adopted by the Board of Trustees in January 1993, together with adopted amendments to the Constitution in March, 2005.

I. OFFICERS OF THE FACULTY SENATE

A. TITLES AND RESPONSIBILITIES:

The Officers of the Faculty Senate are Chairperson, Vice-Chairperson, and a Secretary.

1. Chairperson:

The Chairperson shall preside at each meeting of the Faculty Senate. The Chairperson shall serve as a member of the Council and also as Chairperson and Spokesperson of the Steering Committee. In the absence of the Chair of the Steering Committee, the Vice-Chairperson shall serve as its Chair. The Chairperson also shall serve, *ex-officio*, on the Committee on the Rules and shall have the privilege of attending all meetings of the standing committees of the Faculty Senate.

The Chairperson shall submit a proposed annual budget for the operation of the Office of the Senate to the Steering Committee on a date set by the Steering Committee. The Chairperson shall be responsible for the conduct of the budget, including authorization of payment for items necessary for the activities of the Office of the Senate. The Office of the Senate shall be under the general supervision of the Chairperson (see p. 9, Art. VIII, Sect. B).

The duties of the Chairperson shall include those which usually appertain to the Office of the Chairperson and such other duties as are provided by the *By-Laws* and the *Constitution* as well as any amendments to these documents.

2. Vice-Chairperson:

The Vice-Chairperson shall serve as a member of the Council and of the Steering Committee. In the absence of the Chair of the Faculty Senate, the Vice-Chairperson shall serve. The Vice-Chairperson shall regularly convene meetings with the Chairs of the

Standing and other Committees of the Senate to review the progress of these Committees and the preparation of their annual and special reports to the Senate. The Vice-Chairperson shall serve, ex-officio, on the Committee on the Rules and shall attend all meetings of the Standing Committees of the Senate as directed by the Chairperson.

3. Secretary:

The Secretary of the Faculty Senate shall also serve as the Secretary of the Council and of the Steering Committee and shall have the following responsibilities: (a) have custody of the records and papers of the Senate, the Council, and the Steering Committee, except as otherwise provided for; (b) be responsible for their safekeeping and their transferal to his/her successor; (c) keep a record of all proceedings of the Senate and shall keep on file all committee reports; (d) keep the official membership roll of the Senate, the Council, the Steering Committee, and all standing committees; (e) Upon reasonable request the Secretary shall make available the minutes and records of the Senate and its constituent bodies to members of the Senate; (f) shall determine the circumstances under which papers and records of the Senate shall be made accessible to other persons.

The Secretary shall notify Senate officers, Council members, and committee members of their election or appointment and shall furnish committees with available official documents required for performance of their duties.

The Secretary shall notify the members of the Senate, the Council, and the Steering Committee of all meetings of their respective units and shall forward supporting material with the call of each meeting. He/she shall publish annually a calendar of the regular meetings of the Senate and its constituent bodies, including the stated meetings of the standing committees. The Secretary shall exercise oversight with respect to the day-to-day administrative functions of the Senate office.

Prior to each meeting of the Senate, Council, and Steering Committee, and in consultation with the Senate officers, the Secretary shall prepare a proposed agenda. The Secretary shall be responsible for the general correspondence of the Senate, the Council, and the Steering Committee. Correspondence which is a function proper to other offices or to committees shall be the responsibility of those offices or committees.

The Vice-Chairperson and Secretary shall assist the Chairperson of the Faculty Senate in the preparation of the proposed annual budget of the Senate and shall keep the true

records and accounts of all transactions of the Office of the Faculty Senate. The Secretary, with the concurrence of the Chairperson of the Senate, shall have the authority to request payment for items necessary for the conduct of the activities of the Senate Office. In concert with the Chairperson of the Senate, the Vice-Chairperson and Secretary shall assist the Chairperson in carrying out this responsibility.

The Secretary shall serve, ex-officio, on the Committee on the Rules and shall have the privilege of attending all meetings of the standing committees of the Senate.

The duties of the Secretary shall include those which usually appertain to the Office of the Secretary and such others as are provided by the *By-Laws* and the *Constitution* and any amendments to these documents.

4. Parliamentarian:

The Parliamentarian shall be the final authority as to questions regarding the conduct of meetings of the bodies of the Faculty Senate, in addition to such other duties as set forth in the *Constitution* (see Art. 20, Sec. B and C).

B. ELIGIBILITY AND TERMS OF OFFICE:

Each officer of the Senate shall be a full-time, tenured faculty member who is not a department chairperson or other administrative officer (Constitution III. A) After a Senate member has served two consecutive terms in an office, that member may establish eligibility for further election to that office only after the lapse of one term. An unexpired term of more than one year is considered a full term. The term of office of a Senate officer shall be two years (Constitution, Article III. Sect. A.)

C. VACANCIES

1. Declaration of a Vacancy

In extraordinary cases, such as incapacitation of the officer or failure of the officer to perform the duties of the office, a vacancy shall be declared by a majority vote of the Senate membership. If an officer resigns in writing, there is no need to declare a vacancy.

2. Filling a Vacancy

a. Chairperson:

Whenever a vacancy shall occurs in the Office of the Chairperson, the Vice-Chairperson shall serve the unexpired term.

b. Vice-Chairperson:

Whenever a vacancy shall occur in the Office of the Vice-Chairperson, the Committee on Committees shall select at least two candidates who have agreed to serve if elected. The Secretary shall circulate the names of candidates selected by the Committee on Committees to the members of the Senate at least fifteen (15) days before the election to fill the vacancy for the unexpired term shall take place. Election procedures shall be those outlined in the Bylaws except that a special meeting shall be called when necessary to conduct the election in a timely manner. In the interim between the occurrence of a vacancy in the Office of the Vice-Chairperson and the election to fill the vacancy, the Chairperson of the Senate, after consulting with the Committee on Committees, shall appoint a temporary Vice-Chairperson.

c. Secretary:

Whenever a vacancy shall occur in the Office of the Secretary, the Committee on Committees shall select at least two candidates who have agreed to serve if elected. The Chairperson of the Faculty Senate shall make certain that the names of candidates selected by the Committee on Committees are circulated to the members of the Senate at least fifteen (15) days before the election to fill the vacancy for the unexpired term shall take place. Election procedures shall be those outlined in the Bylaws, except that a special meeting will be called when necessary to conduct the election in a timely manner. In the interim between the occurrence of a vacancy in the Office of the Secretary and the election to fill the vacancy, the Chairperson of the Senate, after consulting with the Committee on Committees, shall appoint a temporary Secretary.

II. STANDING AND SPECIAL/AD-HOC COMMITTEES OF THE FACULTY SENATE

A. MEMBERSHIP OF STANDING COMMITTEES

Except where otherwise specified, each standing committee shall consist of not more than twelve (12) members elected by the Senate. The Committee on Committees shall consist of a single faculty representative from the following schools/colleges/units: Allied Health, Architecture, Business, Center for Academic Reinforcement, College of Arts and Sciences, Communications, Dentistry, Divinity, Education, Engineering, Fine Arts, Graduate School, Law, Medicine, Nursing, Pharmacy, and Social Work. A majority of each committee shall constitute a quorum. No more than one committee member shall be from a particular academic unit.

B. GENERAL OPERATION OF THE STANDING COMMITTEES

In order to promote the intent and purpose of the Faculty Senate, as stated in Art. I of the Constitution, the standing committees of the Senate shall review matters of University policy which are related to and consistent with the Constitution and Bylaws and any subsequent amendments to these documents. The Standing Committees shall utilize Art. XI, Sec. C in order to secure the necessary information to conduct their duties. They shall meet and hold hearings for those purposes, share such information as they gather with the Faculty Senate, and make recommendations for legislation to the Council of the Faculty Senate. Any member of the Senate may present a matter to a standing committee for its consideration.

Initially the member of each standing committee whose name appears earliest in the alphabet, in consultation with the Secretary of the Senate, shall convene the committee for the purpose of electing committee officers.

Each committee shall notify the Secretary of the Faculty Senate of the calendar of its meetings. As necessary for the conduct of their work, the standing committees may invite members of the Senate as well as other members of the University community or outside specialists to participate in their discussions and debates.

C. Duties and Responsibilities of Standing Committees

1. Committee on Governance, Constitution and By-Law Revision

This Committee shall be consulted and render an opinion back to the appropriate

bodies of the Senate regarding all interpretative issues and matters of intent that arise regarding policy, constitution and bylaws. The Steering Committee can refer all proposed amendments to the Constitution and Bylaws to this Committee for its interpretative opinion prior to transmittal to the Council. This Committee shall review policies and practices and, as appropriate recommend changes in the *Constitution*, and the *By-Laws* of the Faculty Senate, the *Faculty Handbook* as well as other University policy documents affecting faculty governance.

2. Committee on Committees

The Committee on Committees shall nominate candidates for the elective positions of the Senate. These include the officers, members of the standing committees of the Senate, and members-at-large of the Council. The Committee shall nominate faculty candidates to non-Senate committees as recommended by the chairperson of the Faculty Senate.

This committee shall nominate candidates from among the full-time faculty for positions of faculty trustees. Faculty members shall be selected in alternate terms from among the full-time members of the undergraduate and graduate/professional units. When a faculty trustee vacancy occurs, the Senate, at an appropriate meeting, shall select a nominee to fill the vacancy. The name of the faculty nominee shall be forwarded by the Secretary of the Senate to the Secretary of the Board of Trustees for transmittal to the Board of Trustees for formal election to the Board. Upon election by the Board of Trustees, the faculty member shall serve as a member of the Board for a term of three years or for a period otherwise determined by the Board of Trustees.

3. Joint Committee on Academic and Health Affairs

The Academic and Health Affairs Committee shall review and make recommendations regarding University academic programs as they affect:

- a. admission standards, procedures and policies in the various schools and colleges;
- b. degree programs with regard to their standards, procedures and policies;

- c. academic program evaluation, reorganization and elimination;
- d. and faculty development.

4. Committee on Appointments, Promotions and Tenure

The Appointments, Promotions and Tenure Committee shall:

- a) review and make recommendations regarding the policies and procedures of school and college's APT matters. This committee shall ensure that the University's APT policies and procedures are consonant with current AAUP guidelines.
- b) have jurisdiction over the criteria governing appointment to the ranks of Research, Distinguished and University Professor, as well as the initiation of formal recommendations for appointment to these ranks. Recommended changes in criteria shall be forwarded to the Council for approval.

Formal recommendations, along with all supporting documents, shall be forwarded to the President for his recommendation and transmittal to the Board of Trustees.

5. Committee on Budget and Planning

The Committee on Budget and Planning shall:

- a) seek to participate in the preparation of the annual and long range budgetary plans of the University, particularly as they relate to academic programs, as well as the review and evaluation of decisions on budgetary priorities and allocations.
- b) consider, study and make recommendations to the Senate with respect to investment, revenue and expenditure policies.
- c) seek to actively participate in the determination of policies and procedures regarding such matters as faculty and administrative salaries, benefits, retirement and severance packages. This Committee will collaborate in these efforts with the Faculty Welfare Committee in policies and procedures affecting the faculty alone (see para. 8 below).

6. Faculty Welfare Committee

This Committee shall participate in the determination of policies and procedures regarding such matters as faculty salaries, benefits, retirement and severance packages. This Committee shall collaborate in these efforts with the Committee on Budget and Planning in policies and procedures affecting the faculty alone (see para. 5 above).

7. Committee on Library Systems, Research and Resources

The Committee on Library Systems, Research and Resources shall review policies pertaining to all units of the Howard University library system and related collections, such as instructional aids, archives, data banks, and information storage systems. It shall keep informed of all activities and proposed changes within these library units, and it shall make appropriate recommendations which, in its judgment, will improve the effectiveness of the system. The Committee shall review the procedures for the acquisition of resources and research support by the University from the private and public sectors, and formulate and recommend general policies with the advice of the Office of Research Development, and the appropriate Graduate School Committee(s).

8. Committee on Community Relations, Student and Alumni Affairs

The Committee on Community Relations, Student and Alumni Affairs shall:

- a. serve as a working liaison with undergraduate and graduate student organizations (HUSA and GSA), the Office of the Vice-President for Student Affairs, university staff employee organizations, and Howard alumni organizations.
- b. be concerned with such issues as:
 1. student life and welfare.
 2. community relations with the immediate community surrounding Howard University.
 3. working conditions of all University employees, Faculty and staff.
 4. eliciting alumni support, financial and non-financial, on issues

directly related to the faculty and providing alumni with periodic updates on faculty developments in teaching and research.

9. Faculty Grievance Commission (not a standing committee)

This Commission shall have jurisdiction over:

- a. matters referred to it by the University administration (under the provisions of the Faculty Handbook).
- b. University policy and procedures regarding the handling of faculty grievances: A grievance is a complaint where action has been taken involving a faculty member's personnel status, the terms and conditions of employment, and which at the same time includes any or a combination of the following:
 1. a violation of academic freedom;
 2. arbitrary and capricious action;
 3. discrimination with regard to gender, race, ethnic origin, age, religion, handicap, or sexual preference;
 4. violation of established rules and procedures.

This Commission shall consist of seven full-time, tenured faculty members, elected at large by the Faculty Senate a Hearing List of thirty tenured faculty members representing all schools and colleges shall be elected at large by the Senate. On the Hearing List, "two representatives from each school/college/unit shall be seated before additional representatives will be seated by popular vote." No administrative officer or department chair may be elected to the Faculty Grievance Commission or Hearing List.

Members of the Hearing List will be selected to serve on a Hearing Panel if formal procedures are invoked. Members of the Commission serve two-year terms. Members of the Hearing Panel serve three-year terms. The appointments are staggered so that only about one-third of the Hearing Panel terms expire each year. (see Faculty Handbook, Sec. 2.8.3, for additional details on the operation of the Faculty Grievance Commission).

D. Duties and Responsibilities of the Special and Ad-Hoc Committees

Unlike Standing Committees, Special and Ad-Hoc Committees, shall have specific mandates as determined by the Chair and/or the Steering Committee. The formal definition of these types of Committees found in *Robert's Rules of Order*. The terms of office for the members of these Committees are separate and apart from those of the Standing Committees.

E. Procedure for the Submission of Standing Committee Recommendations to the Council of the Faculty Senate

A Standing Committee, Special Committee or an Ad-Hoc Committee may submit recommendations to the Steering Committee for action by the Council of the Faculty Senate.

F. Successive Terms on the Standing Committees

Successive terms on a given standing committee are limited to two. An unexpired term of one year is considered a full term.

G. Vacancies on the Standing Committees

A vacancy has occurred on a standing committee when a member has resigned or is incapacitated or fails to participate in and attend meetings of the standing committees. The vacancy shall be declared by a vote of the majority of the standing committee members. If declared, a vacancy shall be reported to the Chairperson of the Senate.

When the Chairperson is informed of a vacancy on a standing committee, the vacancy shall be filled for the unexpired term-by the Chairperson of the Faculty Senate after consultation with the Committee on Committees.

III. RULES AND PROCEDURES FOR AMENDING THE CONSTITUTION AND BY-LAWS OF THE FACULTY SENATE

A. PROCEDURE FOR PROPOSING AMENDMENTS TO THE BY-LAWS

1. Initiation of an Amendment to the *By-Laws* at a Regular or Special Meeting

Initiation of an Amendment to the *By-Laws* may be initiated at any regular meeting or any special meeting of the Faculty Senate by a two-thirds vote with a quorum present at the time of the vote, provided that either:

(a) the proposed amendment has been submitted in writing to the Secretary of the Senate at least thirty (30) days in advance of the regular or special meeting
or

(b) the proposed amendment has been introduced at the previous meeting of the Faculty Senate, and has been recorded in the minutes of that meeting.

Please Note: The proposed amendment shall include the original language (with strikethroughs for changes), the amended language in boldface, and the justification.

The Secretary of the Senate must submit the detailed proposed amendment to the Governance, Constitution, and *By-Laws* Committee for its interpretative opinion prior to transmittal to the Faculty Senate. The Secretary of the Senate must also inform the members of the Senate of any proposed change in the *By-Laws* together with the Governance Committee's opinion at least fifteen (15) days prior to the meeting at which the change is to be considered.

When a proposed amendment is recommended by the Senate, it is transmitted by the Secretary of the Senate to the Steering Committee for the body's opinion and transmittal to the Council. The Steering Committee may refer all proposed amendments to the Constitution and *By-Laws* to the Governance, Constitution and *By-Laws* Committee for its interpretative opinion prior to transmittal to the Council. The Secretary shall notify the Senate of the Council's action on the proposed amendment. If the proposed amendment (or its revision) is recommended by two-thirds vote of the Council with a quorum present, within two weeks after circulation of the notice, the Secretary shall forward the Council's action to the President for transmittal to the Board of Trustees.

2. Initiation of an Amendment by the Council

Amendment of the *By-Laws* may be initiated at any regular or special meeting of the Council. The proposed amendment shall then be forwarded to the Steering Committee for its opinion. The Steering Committee must refer all proposed amendments to the *Constitution* and *By-Laws* to the Governance, Constitution and *By-Laws* Committee for its interpretative opinion prior to transmittal to the Council. The Secretary of the

Council shall notify Council members of the opinion of the Steering Committee at least fifteen (15) days prior to the meeting of the Council at which the proposed amendment is to be considered. Concurrently, the Secretary shall notify the Senate of the date on which the Council will consider the proposed amendment. Senate members who wish to have their views on the proposed amendment known shall communicate to the Secretary in writing. The Secretary shall report all such information to the Council. If the proposed amendment is recommended by two-thirds of the votes cast by the council with a quorum present, the amendment is passed.

IV. ELECTION PROCEDURES OF THE FACULTY SENATE

A. RESPONSIBILITIES OF THE COMMITTEE ON COMMITTEES AND SENATE SECRETARY

1. The Committee on Committees shall be responsible for the conduct of the election, including the administration of the absentee ballot with the assistance of the Secretary of the Senate.
2. At least sixty (60) days in advance of the election, the Secretary shall circulate to the members of the Senate a list of the positions to be filled by election. Any member of the Senate may suggest the names of candidates for these positions, such names to be transmitted to the Secretary, who in turn shall forward them to the Committee on Committees.
3. The Committee on Committees shall strive to identify and select at least two eligible candidates who have agreed to serve, if elected, for the positions of Chair, Vice-Chair, Secretary, and Faculty Trustee Nominee. The Committee on Committees shall strive to identify and select at least one eligible candidate, who has agreed to serve if elected for each open position, for at-large Council members, for the standing committees, for the Faculty Grievance Commission and for the Faculty Grievance Commission Hearing Panel.
4. The Committee on Committees shall formulate the election procedures 45 days before the election and submit the procedures to the Council. The Council shall approve, by majority vote cast with a quorum present, the election procedures. The Council-approved election procedures, including the directions for requesting an absentee ballot, shall be distributed by the Secretary to the faculty at least thirty (30) days before the election.
5. Before the meeting where the election will occur, absentee ballots will be mailed upon written (including fax and email) request to those who are unable to attend the meeting. Ballots must be returned by mail by the day before the election to the Committee on Committees post office box or authorized accounting firm approved by the Faculty Senate Council.

6. The Secretary shall circulate the list of eligible candidates, including space for write-in candidates, compiled by the Committee on Committees to the members of the Senate at least fifteen (15) days prior to the election.
7. A quorum, based on signatures on the Faculty roster of eligible voters, is required to call the meeting to order. Balloting cannot be suspended by the call for a quorum. At least one hundred ballots with votes must be cast for an election to be valid. The business portion of the meeting may be recessed and balloting may continue for an extended period that day. (This does not apply to amendments to the Constitution or Bylaws.)
8. Voting shall be by secret ballot.
9. The candidate or candidates receiving the largest number of votes for the respective offices under consideration shall be declared elected except in the case of a tie. In the case of a tie, a run-off election shall be conducted with the top two candidates.
10. Any and all complaints or challenges concerning any aspect of the conduct of any Faculty Senate election shall be directed to the Council of the Faculty Senate for consideration, and if necessary, deliberation and resolution. Additionally, in the spirit of shared governance, when complaints or challenges involve election of the Faculty Trustee nominee, it is expected that the Board of Trustees will work collaboratively with the Council of the Faculty Senate toward timely resolution.

B. ELECTION OF COUNCIL REPRESENTATIVES AND ALTERNATES IN THE RESPECTIVE SCHOOLS AND COLLEGES

1. Whenever the positions of Council representative and alternates are to be filled, the Secretary shall notify the appropriate academic units;
2. Nominations and elections shall be in accordance with established procedures of the respective academic units;
3. Elections shall occur every two years prior to the end of the Spring Semester or whenever a vacancy occurs.
4. The names of the respective representatives and alternates must be forwarded to the office of the Faculty Senate immediately upon their election.
5. A representative or alternate whose eligibility has expired continues to serve on the Council until a new representative and/or alternate is elected by the academic unit.

C. Election of Steering Committee from the Members of the Council

1. Council representatives and alternates elected by the various academic units and the members-at-large elected by the Senate. These are the only individuals eligible for election to the Steering Committee;
2. Early in the Fall semester, at a scheduled Council meeting with a quorum present, the annual election of the steering committee shall be conducted.
3. Nominations of ~~any~~ candidates are made from the floor members of the Council;
4. Voting shall be by secret ballot;
5. Each voting member of the Council may vote for twelve (12) nominees, not more than two of whom shall be from any one academic unit;
6. The twelve (12) nominees receiving the largest number of votes shall be declared elected, except in the case of a tie, which shall require a run-off election;

D. SUCCESSIVE TERMS OF MEMBERS ELECTED TO THE COUNCIL

1. Council Representatives are limited to two successive terms. An unexpired term of more than one year is considered a full term
2. There shall be no limitation on the number of successive terms an individual may serve as an alternate.
3. Members-at-Large serve a three year term, and are limited to two successive terms.

E. VACANCIES AMONG MEMBERS OF THE COUNCIL

1. Death, incapacitation or failure to attend Council meetings for one full semester (i.e., dereliction of duty) constitute justification for the Steering Committee to declare a vacancy to exist on the Council, which declaration requires the concurrence of the Council.
2. Whenever a vacancy occurs among the Council representatives or alternates elected by an academic unit, the appropriate unit shall be notified to promptly hold an election to fill the vacancy.

3. Whenever a vacancy occurs among the Council members-at-large, that vacancy shall be filled during the regular elections at the Spring Full Senate meeting. As an option a special election may occur during the Fall Full Senate meeting. Election procedures shall be those outlined in the *By-Laws*, for conducting Faculty Senate elections.

F. VACANCIES ON THE STEERING COMMITTEE AMONG THE MEMBERS ELECTED FROM THE COUNCIL

1. Death, incapacitation or failure to attend Steering Committee meetings for one full semester (i.e., dereliction of duty) constitute justification for the Council to declare a vacancy to exist on the Steering Committee.

2. In the event of a declared vacancy, the Council shall hold an election at its next meeting to fill said vacancy.

G. SUBMISSION OF PROPOSED LEGISLATION AND OTHER ACTION ITEMS TO THE STEERING COMMITTEE FOR ITS TRANSMITTAL TO THE COUNCIL

It is the responsibility of the Steering Committee to set the agenda for the Council. All proposed legislation and other action items must first be reviewed by the Steering Committee prior to transmittal to the Council for action. All matters for consideration shall be forwarded to the Office of the Faculty Senate for transmittal to the Steering Committee by the Secretary of the Senate.

Matters for consideration by the Steering Committee may be initiated by any of the following:

- The Chairperson of the Faculty Senate
- A member of the Council
- Any member of the Faculty Senate
- A standing or special committee
- An academic unit
- An Ex-Officio member of the Senate

V. OFFICIAL PUBLICATION OF THE FACULTY SENATE

The Faculty Senate shall have an official publication, *The Senate Communicator*, which shall serve as a vehicle for the dissemination of information regarding the activities of the Faculty Senate and its constituent bodies. *The Senate Communicator* shall serve also as a medium of expression of individual opinions and exchange of viewpoints among Faculty Senate members regarding matters of importance to the Faculty Senate. The Secretary of the Faculty Senate shall be responsible for the official notices that are to be disseminated through *The Senate Communicator*.

There shall be an Editorial Board appointed by the Chairperson of the Faculty Senate, with the advice and consent of the Steering Committee. The Editorial Board shall be responsible for the editorial policy of *The Senate Communicator* and also for the general supervision of the publishing process. The Editorial Board reserves the right to edit material to conform to the format of the publication. The term of an Editorial Board member shall correspond to the term of office of the incumbent Chairperson.