

CONSTITUTION OF THE GENERAL FACULTY OF TEXAS A&M UNIVERSITY-KINGSVILLE

Article I. THE GENERAL FACULTY

The General Faculty, subject to the laws of the State of Texas and the general policies of the Board of Regents of the Texas A&M University System, shall have the responsibility for the overall educational policies of the University.

- Section 1. (a) The General Faculty shall consist of all full-time personnel of the academic rank of Lecturer and above and full-time professional library personnel with faculty status. In the case of questioned status under this provision, the decision of the Faculty Senate shall be final.
- (b) Full-time faculty members and professional library personnel not meeting the criteria for membership in the General Faculty given in Section 1, Article I, shall have the privilege of participation in faculty deliberations exclusive of the voting rights herein specified.
- Section 2. All General Faculty members at Texas A&M University-Kingsville shall be eligible to vote in
- (a) elections of their representatives to the Faculty Senate,
- (b) referendums, and
- (c) General Faculty meetings.
- Section 3. There shall be at least one General Faculty meeting per year that is arranged by the President of the University.
- Section 4. Additional General Faculty meetings may be called by
- (a) the President or the Provost of the University, or
- (b) the Faculty Senate, either on its own initiative or upon Faculty Senate approval of a written petition of fifteen members of the General Faculty.
- Section 5. The President of the University shall preside at General Faculty meetings, or, in his or her absence, the Provost, the President of the Faculty Senate, or the Senior Dean of a College, in that order. Seniority among the Deans of the Colleges shall be determined by date of appointment to the Texas

A&M University-Kingsville faculty. The Secretary of the Faculty Senate shall serve as Secretary of the General Faculty.

Section 6. The latest edition of *Robert's Rules of Order* shall govern the conduct of General Faculty meetings. However, failure to follow such procedure shall not be grounds for contesting any decision made at such meetings unless the breach of procedure was challenged at the time of occurrence.

Section 7. Voting in any General Faculty meeting shall be by show of hands or, if called for by a faculty member and favorably voted by the members present, a roll-call vote or secret written ballot.

Section 8. The President of the University is requested to report at a General Faculty meeting regarding his or her implementation of Faculty Senate recommendations.

Article II. THE FACULTY SENATE MEMBERSHIP AND MEETINGS

The Faculty Senate shall serve as an advisory body to the President of the University in matters concerning the University. The Faculty Senate is the faculty's elected representative body for university-wide participation in the governance of Texas A&M University-Kingsville. Under most circumstances, the President of the University should concur with the Faculty Senate's advice and recommendations on matters where the faculty has primary responsibility, subject to the laws of the State of Texas and the general policies of the Board of Regents of the Texas A&M University System.

Membership

Section 1. (a) The Faculty Senate will be constituted in the following manner. Each Department/Academic Unit will be represented by a minimum of one Senator. The number of Senators per Department/Academic Unit will be apportioned by the number of General Faculty in the Department/Academic Unit divided by the total number of General Faculty times the number of Departments/Academic Units rounded to the nearest whole number. Senators-at-large will be apportioned across each College based on the following formula, rounded to the nearest whole number: The number of General Faculty in each College divided by the total number of General Faculty times ten. No Department/Academic Unit may have more than one Senator-at-large.

(b) The apportionment of Senators shall be determined by the Faculty Senate Election Committee.

(c) The President, Provost, and College Deans shall be Ex-Officio members of the Faculty Senate with voice but no vote.

- (d) If an Ex-Officio member is unable to attend the Faculty Senate Meeting, a representative may attend in his or her stead.

Section 2. (a) All members of the General Faculty are eligible to serve as members of the Faculty Senate, excluding Ex-Officio members as mentioned in Article II, Section 1 (c).

- (b) Senators-at-large from each eligible College shall be elected by the General Faculty of that College.

- (c) Senators from each Department/Academic Unit shall be elected by the General Faculty of that Department/Unit.

Section 3. Senators will be elected by plurality by secret ballot. Procedures for electing Senators shall be: The Department Chair, Unit Dean or Director, or College Dean shall have their respective ballots prepared and distributed to all eligible voters. Ballots shall be signed in a manner that provides for the removal of signatures without damage to the ballot. The ballots shall be sent to the Faculty Senate Election Committee. In the presence of at least three witnesses, the Faculty Senate Election Committee shall check the ballots for eligibility of voters, remove signatures, and count the ballots. The time and place of the vote count shall be publicized so any General Faculty member can witness the count. If a tie occurs, the position shall be determined from among those tied candidates by lot.

The Election Committee shall record all votes. The tally of votes for each candidate shall be forwarded to the Faculty Senate office and remain on file. The voting record shall become the basis for eligibility to fill Senate vacancies.

Section 4. (a) Apportionment of Senators shall occur on an annual basis in early November using the Provost's report on the number of faculty.

- (b) Election of Department/Unit Senators shall take place during early February.

- (c) Election of Senators-at-large shall take place during early March.

- (d) Terms of out-going Senators shall expire at the conclusion of Old Business at the regular April meeting. Newly elected Senators shall take office at the initiation of New Business at this meeting.

Section 5. A vacancy among Senators shall be filled by special election in the affected College or Department/Unit. Senators filling unexpired terms

shall serve only the balance of the unexpired term.

- Section 6.
- (a) The Senators of the Faculty Senate shall serve for two years.
 - (b) The terms of Senators shall be staggered.
 - (c) No Senator shall serve for more than two consecutive terms.
 - (d) No Senator may serve more than four years of any six-year period.

Section 7. Officers of the Faculty Senate shall be:

- 1. President,
 - 2. President-Elect (who will serve as the following year's President),
 - 3. Secretary (who will serve as Secretary to the General Faculty),
and
 - 4. Parliamentarian.
- (a) All officers of the Faculty Senate shall be elected by the Faculty Senate by secret ballot from among its members.
- (b) Upon the Senate President's assuming office, the Senate seat the President held shall be declared vacant and shall be filled for the duration of the President's term by the procedures set forth in Article II, Section 5. The President shall be ineligible for re-election to the Senate until a year after leaving office as President. The President shall be ineligible to serve two consecutive terms as President.
- (c) The Senate President shall be granted 25 percent reassigned time per semester. In addition, the Senate President may choose to assign a weight of zero percent to both Categories II (Research and Scholarly Activity) and III (Professional Growth and Activities) of the Annual Evaluation of Faculty for those evaluation years that overlap the year of service as President of the Faculty Senate.

- Section 8.
- (a) The Faculty Senate shall hold a regular meeting each month of the academic year. The General Faculty shall be notified of the date, hour, place of the meeting, and agenda, including full text of resolutions, at least one calendar week in advance of each monthly meeting.
 - (b) Special meetings of the Faculty Senate may be called by the President of the University, by decision of the Faculty Senate at a previous meeting, by the President of the Faculty Senate, or by petition signed

by five members of the Faculty Senate and presented to the President of the Faculty Senate. The General Faculty shall be notified of special meetings at least one week prior to such meetings.

- (c) The rules contained in the latest edition of *Roberts Rules of Order* shall govern the Faculty Senate in all cases to which they are consistent with By-laws and any special rules of order the Faculty Senate may adopt.
- (d) An interpretation of the Constitution and its By-laws by a simple majority of Senators, present and voting, supersedes an interpretation by the Senate President and the Parliamentarian.

Section 9. A quorum shall consist of $\frac{3}{5}$ of the Senators, rounding fractions to the nearest whole number.

Section 10. (a) Each Senator shall have one vote.

- (b) There shall be a quorum call before each vote on any Resolution and on Amendments to the Constitution or By-laws.

Section 11. The Faculty Senate shall make any By-laws it deems necessary to facilitate transactions of its business as long as such By-laws are consistent with the provisions of the Constitution and approved at two successive meetings by a two-thirds ($\frac{2}{3}$) majority of Senators present and voting.

Section 12. The Faculty Senate shall consider any resolutions forwarded by the Resolution and By-laws Committee. To be adopted, the resolution must be read and approved at two successive meetings by majority vote of Senators present and voting.

Section 13. A Faculty Senate seat shall be declared vacant upon a Senator's three successive absences or seven total absences at regular meetings during a two-year term.

Section 14. (a) Minutes taken by the Faculty Senate must be sent to each member of the General Faculty within ten working days. Such action shall be considered as approved by the General Faculty unless letters from fifteen percent of the General Faculty stating reasons for the objection to a given action of the Faculty Senate are received by the Secretary of the Faculty Senate within ten working days of the publication of the minutes.

- (b) Any item of action by the Faculty Senate that receives the objection in writing by fifteen percent of the General Faculty shall be submitted to the Faculty Senate for a called General Faculty meeting.

- (c) A report of action by the Faculty Senate shall be forwarded by the President of the Faculty Senate to the President of the University on a regular and systematic basis.
- (d) Any action of the General Faculty or the Faculty Senate shall be approved or vetoed by the President of the University within sixty days of receipt of formal notification of the action by the Office of the President. If the action of the General Faculty or the Faculty Senate is such that the President of the University requires more than sixty days to approve or veto, the President of the University shall so inform the General Faculty through the President of the Faculty Senate. In case of a veto, the President of the University shall give his or her reasons for the veto. Any matter to which the President of the University has not responded within sixty days of receipt of formal notification shall be included on the agenda of the next Faculty Senate meeting.
- (e) For the last official meeting of the current Faculty Senate, the Secretary of the Faculty Senate shall compile and distribute to the Faculty Senate members a list of resolutions passed, committee reports adopted and/or accepted, and the status of each with regard to the University President's action on such matters as of that date.

- Section 15. The Faculty Senate shall give an annual report to the General Faculty and members of the Board of Regents by the first week of the fall semester of each year. The report shall cover the period of the previous Faculty Senate year, which begins and ends with the adjournments of consecutive April meetings, and its preparation shall be the responsibility of the previous year's Faculty Senate President. If he or she is unable or unwilling to do so, the previous year's Secretary, with the help of the previous year's Executive Committee, shall assume this responsibility.
- Section 16. The Faculty Senate shall serve as an advisory body to the President of the University in matters concerning the University.
- Section 17. The Faculty Senate may consider subjects of interest to the University and make recommendations to the President of the University.
- Section 18. (a) The Faculty Senate shall consider any matter of University interest that the President of the University places before it.
- (b) The Faculty Senate may request information from any member of the University Community and invite any such person for consultation and advice.

- (c) The Faculty Senate shall give consideration to any written recommendation submitted by fifteen voting members of the General Faculty. If these recommendations pertain to matters which are relevant to the Resolutions and By-laws Committee, then the written recommendations shall be forwarded to this committee for deliberation before any other further action is taken.

- Section 19. The responsibility of the Faculty Senate is to participate in establishing curricula, setting standards of instruction, determining requirements for degrees, and in general determining the educational policies of the University.
- Section 20. The responsibility of the Faculty Senate is to share in the consideration of principles governing faculty salaries, faculty salary raises, tenure, promotions, appointments, dismissals of faculty members, leaves, work loads, retirement, and all matters affecting the welfare of the faculty.
- Section 21. The responsibility of the Faculty Senate is to share in the consideration of principles governing such student affairs as orientation and guidance, financial aids and scholarship, extracurricular activities, standards of behavior, student housing, and student rights.
- Section 22. The responsibility of the Faculty Senate is to participate in the consideration of principles governing official University publications.
- Section 23. The Faculty Senate recognizes the special competencies of the several departments and Colleges of the University in matters pertaining to their respective disciplines; however, the Faculty Senate reserves the right to review any actions of these administrative units which affect the University as a whole and to make recommendations concerning them to the President of the University.

Article III. THE FACULTY SENATE COMMITTEES

The Faculty Senate shall have the authority to create Standing and Special Committees. All Committee reports to be considered by the Faculty Senate shall be distributed to Faculty Senate members no later than one calendar week prior to the Faculty Senate meeting at which the report is to be considered by the Faculty Senate.

- Section 1. (a) The Faculty Senate shall have an Executive Committee.
- (b) The Faculty Senate Executive Committee shall consist of the Senate President, President-Elect, Secretary of the Faculty Senate, and five additional Senators, one from each of the following Colleges: Agriculture and Human Sciences, Arts and Sciences, Business Administration, Education, and Engineering.

- (c) At its first meeting in April, the new Faculty Senate shall elect, by secret ballot, the President-Elect, Secretary of the Faculty Senate, and the five additional Senators.
- (d) A quorum call shall occur before the election of the Executive Committee.

Section 2. The Executive Committee shall:

- (a) act for the Faculty Senate during the summer months when the Faculty Senate does not normally convene,
- (b) notify all Senators at least one week in advance of Executive Committee meetings to allow them to attend if they so desire,
- (c) make the agenda for Faculty Senate meetings, and
- (d) report actions to the Faculty Senate at its next regular meeting.

Section 3. (a) The Faculty Senate shall elect a Committee on Committees.

(b) The Committee on Committees shall:

- (1) consist of a minimum of seven members with representation from each undergraduate College, University College, and the Library,
- (2) appoint members to all Senate Committees,
- (3) issue the notices of appointment that shall include definitions of the duties and authority of the respective committees, and
- (4) to ensure that any annual and/or special reports from such committees are submitted to the Faculty Senate.

Section 4. (a) The Faculty Senate shall elect an Election Committee.

(b) The Election Committee shall consist of five Senators elected by secret ballot. No more than one Senator shall be from any one Department/Academic Unit.

(c) The Election Committee shall:

- (1) establish a timetable and guidelines for Senate elections,
- (2) conduct the apportionment of Senators,

(3) keep lists of faculty eligible to be Senators and eligible to vote as General Faculty, and

(4) ensure that the ballots are prepared in advance of the elections.

Section 5. (a) The Faculty Senate shall elect a Resolutions and By-laws Committee.

(b) The Resolutions and By-laws Committee shall consist of seven Senators elected by secret ballot. No more than one Senator shall be from any one College or the Library.

(c) It shall be the duty of the Resolutions and By-laws Committee to ensure that resolutions, position papers, amendments, and similar proposals to the Faculty Senate, which seek to establish policy or action, are made appropriate to and ready for consideration by the Senate. The Committee shall not process proposals submitted from the floor of the Senate as new business.

(d) The Resolutions and By-laws Committee shall act on all proposals submitted to it. Its functions shall include:

(1) returning to the originators with appropriate explanations those proposals which lack clarity or are duplicative, non-substantive, poorly formulated, or inconsistent with the Faculty Senate Constitution or By-laws,

(2) referring to proper Committees or officials of the University those proposals appropriate for their action or for preliminary processing or study prior to submission to the Senate,

(3) clarifying, consolidating, and coordinating those proposals wherein potential confusion or duplication exists, and

(4) presenting to the Executive Committee, at least one week in advance of the next Senate meeting, those proposals which are appropriate to and ready for action by the Senate, in order to be included on the agenda, and

(5) reporting to the originator the disposition of any proposal that is not presented to the Senate for action.

(e) The Resolutions and By-laws Committee shall make a report at each meeting of the Senate.

- (f) The Resolutions and By-laws Committee shall establish guidelines for submission of proposed actions, resolutions, and amendments, and establish timetables for consideration of such proposals.
- (g) After 30 days of inaction by the Resolutions and By-laws Committee, proposals shall be forwarded to the Senate Executive Committee, including reasons for such inaction.

Article IV. CONSTITUTIONAL AMENDMENTS, RATIFICATION AND REVIEWS

Section 1. Amendments to this Constitution may be proposed by:

- (a) The Faculty Senate by a two-thirds (2/3) majority of those present and voting at two successive meetings.
- (b) Petition of fifteen members of the General Faculty to the Faculty Senate subject to a favorable vote of a two-thirds (2/3) majority of those present and voting at two successive meetings.
- (c) Petition by twenty percent of the General Faculty submitted to the Faculty Senate to place the initiative on a ballot for a vote by the General Faculty.
- (d) Given the large number of General Faculty who are absent in the summer, no amendment or petition for an amendment to this Constitution or the By-laws can be considered between the regular April meeting of the Faculty Senate and the regular September meeting.

Section 2. The ratification procedure for amendments to the Constitution shall be as follows. When Article IV, Section 1, paragraph (a), (b), or (c) has been met, the General Faculty shall be sent a copy of the amendment(s) by electronic means and a hard copy sent to each Department/Academic Unit. Within thirty days of receipt of the electronic copy, all Departments/Academic Units will call a meeting to vote upon the ratification of the amendment(s) by a special ballot prepared by the Faculty Senate. All ballots will be returned to the Chair of the Election Committee by the date specified. In the presence of a quorum of the Election Committee and at least three independent witnesses, the ballots shall be tallied. The time and place of the vote count shall be publicized at least twenty-four hours in advance so that any member of the General Faculty who wishes may witness this process. If a two-thirds (2/3) majority of the eligible General Faculty voting approves the amendment, it shall be ratified. Blank or unmarked ballots will not be counted in the total.

- Section 3. The ratification procedure for this Constitution shall be as follows. The General Faculty (as defined by this Constitution) shall be sent a copy of the entire document by electronic means and a hard copy sent to each Department/Academic Unit, once the Constitutional Task Force has completed its mission. In February, a special election will be called. All ballots will be returned to the Chair of the Constitutional Task Force by the date specified. In the presence of a quorum of the Constitutional Task Force and at least three independent witnesses, the ballots shall be tallied. The time and place of the vote count shall be publicized at least twenty-four hours in advance so that any member of the General Faculty who wishes may witness this process. If a simple majority of the eligible General Faculty voting approves the Constitution, it shall be ratified. Blank or unmarked ballots will not be counted in the total. Once this Constitution has been ratified, this provision (Article IV, Section 3) becomes unnecessary and will automatically be deleted.
- Section 4: Once this Constitution has been ratified, an election will be held to elect Senators to the Faculty Senate in the manner prescribed herein. During the first meeting of the Faculty Senate, Senators will draw randomly to see who will be serving one-year terms (50%) and who will be serving two-year terms (50%). In the case where one Department or Academic unit has two or more Senators, there must be a staggering of terms for the Senators elected by these constituents. This situation also applies to the case where two or more Senators-at-large are elected from a College. Once this Constitution has been ratified and the required actions taken, this provision (Article IV, Section 4) becomes unnecessary and will automatically be deleted.
- Section 5. Once the Senate election has been completed, a Faculty Senate meeting will be called by the President of the University. The General Faculty shall be notified of the date, hour, and place of the meeting and furnished an agenda one-calendar week in advance of this meeting by e-mail. The Faculty Ombudsman shall preside at this meeting until the Senate President is elected and sworn-in. At the first meeting of the new Senate, there shall be an election held to elect the President and President-Elect of the Faculty Senate and other Faculty Senate Officers as described herein. The term of office for these elected Officers shall commence upon the swearing-in procedure and terminate when the next Senate is seated and new Officers are elected in April 2007. Once this Constitution has been ratified and the required actions taken, this provision (Article IV, Section 5) becomes unnecessary and will automatically be deleted.