

## APPENDIX 3.02 MUSC FACULTY SENATE CONSTITUTION AND BYLAWS

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*As approved by the Board of Trustees May 2013*

This Constitution defines the composition of the Faculty Senate, its role in the academic affairs of the University, and the basic principles of self-governance of the faculty of the Medical University of South Carolina as authorized by the Bylaws of the Board of Trustees of the Medical University of South Carolina, Section 6, Article b, August 1976.

### Article I

#### Name

The name of this representative body shall be: The Medical University of South Carolina Faculty Senate, referred to in this document as Faculty Senate or as Senate.

### Article II

#### Purpose

The purpose of the Faculty Senate shall be to act as the sole representative body of the faculty, to receive, organize and, if deemed appropriate, execute business of the faculty that is submitted to it by members of the faculty, the administration, or the Faculty Senate itself, and to represent the views of the faculty to the administration. The Faculty Senate serves as the voice of the faculty. In accordance with its vision and as permitted by state law, the Faculty Senate serves as an advisor to the administration in ensuring the success of the University's mission in teaching, research, and service.

### Article III

#### Electoral Units, Representation, Nominations, Eligibility to Vote, Elections, and Terms of Office

Membership shall be limited to qualified faculty. Qualified faculty are defined as those persons holding full-time primary academic appointments at MUSC with ranks of Instructor or above, as identified in the current edition of the Faculty Handbook of the Medical University of South Carolina. (Paragraph Amended Feb 2007)

##### A. Electoral Units

For the purpose of elections, the Faculty Senate shall be divided into seven Electoral Units: College of Medicine Basic Sciences, College of Medicine Clinical Sciences, Dental Medicine, Health Professions, Library Science and Informatics, Nursing, and Pharmacy. The Department or College of primary appointment determines Electoral Unit affiliation.

## **B. Representation**

### Senators

Electoral Units having 50 or fewer qualified faculty shall be represented by four Senators. Electoral Units having between 51 and 100 qualified members shall be represented by six Senators. Electoral Units with more than 100 qualified faculty members shall have six Senators and elect one additional Senator for every 33 additional qualified faculty members in excess of 100.

### Alternate Senators

Each Electoral Unit shall have two Alternates. Electoral Units with more than 100 qualified faculty members shall choose one additional Alternate for each 66 faculty members over 100.

## **C. Nominations**

Candidates for membership on the Faculty Senate may be nominated by any qualified faculty member of their Electoral Unit, including themselves. Qualified faculty members are eligible for nomination only within the Electoral Unit with which they are affiliated.

## **D. Eligibility to Vote**

All qualified faculty members are eligible to vote for Senators and Alternates. Faculty members shall vote only in the Electoral Unit with which they are affiliated.

## **E. Elections**

The Governance Committee shall establish the rules and procedures for all regular elections according to sections of this Article governing Electoral Units, Representation, Nomination, Eligibility to Vote and Terms of Office.

Regular elections to the Faculty Senate shall be conducted during the months of August and September, with terms of office to begin at the Faculty Senate meeting in October.

Candidates receiving the greatest number of votes shall become the Senators for their Electoral Unit. Candidates with the next highest numbers of votes shall become Alternate Senators as determined by the formula in Article III.B. The Governance Committee shall retain the results of the election so that Alternate Senators with the highest numbers of votes may replace resigning Senators and the slots of Alternate Senators are refilled. In the case of a tie, candidates shall come to an agreement among themselves; otherwise Senators of the representative Electoral Unit shall vote for one of the candidates. The Governance Committee, upon notification of the Faculty Senate of a vacancy in the Faculty Senate between regular elections, shall notify the appropriate Electoral Unit Committee who shall appoint a replacement to complete the unexpired term. (Paragraph amended Feb 2007)

## **F. Terms of Office**

### **1. Senators**

Senators shall be elected to a two-year term and shall be eligible to serve a maximum of three consecutive terms. The terms of Senators from each unit shall be staggered: one-half shall be elected each year. Senators who cannot complete their terms shall submit a letter of resignation to the Secretary of the Faculty Senate at least one month before the date of resignation.

## **2. Alternate Senators**

Alternate Senators shall be elected to a one-year term. When a Senator resigns from his or her office, the Alternate with the greatest number of votes from the prior election automatically advances to the ex-Senator's position and completes the remainder of the ex-Senator's term of office. After succeeding the ex-Senator and serving the remainder of that term of office, the former Alternate may stand for election and ultimately serve for a period not exceeding a total of seven consecutive years. Alternate Senators who cannot complete their term of office shall submit a letter of resignation to the Secretary of the Faculty Senate at least one month before the date of resignation.

## **Article IV**

### **Officers of the Faculty Senate: Election and Duties**

The Officers of the Faculty Senate shall be the President, Vice President, and Secretary. Officers of the Senate are considered to be at-large Senators and do not stand for re-election to the Senate from their Electoral Unit in October even if their Senate term is scheduled to expire. If an Officer-Elect's term is not scheduled to expire when they become Officers at the October meeting, their Electoral Unit seat shall become vacant, and an Alternate Senator shall take over that representative role. The alternate position shall then be replaced according to standard procedures.

#### **A. Election of Officers**

Election of Officers for the upcoming year (October – September) will be held at the July meeting. In May the Governance Committee shall call for nomination of Officers from the members of the Faculty Senate (Senators and Alternate Senators) after the election results become available. Any member of the Faculty Senate may nominate either another member of the Faculty Senate or himself or herself. All Senators are eligible to be slated regardless of time remaining on their current term unless a maximum of three terms has been reached. The Governance Committee will then draw up a slate of qualified individuals who agree to serve as President, Vice President, and Secretary. The Governance Committee shall oversee the voting process and report the results to the full Faculty Senate.

#### **B. President of the Faculty Senate**

The President shall preside over the Faculty Senate; represent the Faculty Senate on appropriate University Committees; convene and preside at Executive Committee meetings; coordinate review of policy affecting the faculty; conduct the business of the Faculty Senate and fulfill other responsibilities incumbent on the leader of the Faculty Senate as deemed appropriate. At his or her discretion, the President may delegate these responsibilities.

#### **C. Vice-President of the Faculty Senate**

The Vice-President shall assume the role of the President in the latter's absence and perform other duties as requested by the President.

#### **D. Secretary of the Faculty Senate**

The Secretary shall take attendance, record and publish minutes of meetings; publicize scheduled meetings and agendas and items for vote; and update the Faculty Senate archives. Prior to a vote by the Faculty Senate, the Secretary shall establish the existence of a quorum and determine those empowered to vote. The Secretary shall discharge other duties assigned by the President.

### **Article V**

#### **Senators and Alternate Senators: Duties**

##### **A. Senators**

Faculty Senators shall represent the views and interests of the faculty of their respective Electoral Units and the faculty-at-large. Senators shall attend at least two-thirds of monthly meetings of the Faculty Senate and serve on at least one committee of the Faculty Senate. A Senator who knows in advance that he/she will be unable to attend a meeting of the Faculty Senate is responsible for arranging for one of the Electoral Unit's Alternate Senators to attend in his/her absence.

##### **B. Alternate Senators**

Alternate Senators are encouraged to attend all meetings of the Faculty Senate. Alternate Senators are eligible to vote when attending in place of a Senator who is unable to attend a meeting. Alternate Senators are eligible and encouraged to serve as members of Faculty Senate Committees.

### **Article VI**

#### **Removal from Faculty Senate**

Officers, Senators or Alternates may be removed from the Faculty Senate if they are unable to fulfill their duties as stipulated in the Bylaws.

### **Article VII**

#### **Committees**

Committees of the Faculty Senate have delegated authority to: consider, investigate and advise on those matters directly related to the operation and purposes of the Faculty Senate; and, to take action on behalf of the Faculty Senate commensurate with the committee's duties, or as specially authorized by the Faculty Senate. The members of the standing committees, *ad hoc* committees and subcommittees shall be members of the Faculty Senate or other qualified faculty. Committees shall be chaired by Senators or Alternate Senators.

### **A. Executive Committee**

The Executive Committee shall be composed of one Senator from each of the seven Electoral Units, the Officers of the Faculty Senate, and the immediate Past President of the Faculty Senate who shall serve as a non-voting, consultative member. The Executive Committee member from the respective Electoral Unit shall be selected by the Senators of that unit as stipulated in the Bylaws. The Officers-Elect (President-Elect, Vice President-Elect and Secretary-Elect) of the Faculty Senate shall be non-voting members of the Executive Committee from July through September. The Executive Committee may go into executive session when discussing sensitive issues as permitted by state law.

### **B. Standing Committees**

Standing committees of the Faculty Senate and their duties are described in the Bylaws of the Faculty Senate.

### **C. *Ad hoc* Committees**

*Ad hoc* committees of the Faculty Senate are constituted for focused tasks.

## **Article VIII**

### **Meetings**

#### **A. Faculty Senate**

Meetings shall be held monthly at a regular time and designated place. Faculty Senate meetings are open to the faculty. The time and place of meetings (regular and special) shall be advertised to the faculty. Members of the faculty may request to be heard at Faculty Senate meetings, but have no vote or other legislative privilege. The President may call an executive session that is open only to Senators and Alternate Senators

#### **B. Faculty**

Meetings of the Faculty shall be called and presided over by the President of the Faculty Senate. Notice of faculty meetings shall be given at least 30 days in advance. Meetings shall be held at least twice yearly.

## **Article IX**

### **Bylaws**

Procedural guidelines governing the work of the Faculty Senate are documented in the Bylaws of the Faculty Senate.

## **Article X**

### **Ratification of Constitution**

The Constitution of the Faculty Senate shall be ratified by a two-thirds vote of all Senators and a two-thirds vote of all qualified faculty present at a special meeting of the Faculty as called by the President of the Faculty Senate or two-thirds votes of all qualified faculty casting a vote in an electronically conducted vote. Upon ratification and henceforth, Articles of the Constitution shall not be changed. All changes to the Constitution shall be by Amendment, as described in Article XI. The Constitution shall be transmitted by the President of the Faculty Senate, through the appropriate administrative channels, to the Board of Trustees and shall take effect upon approval by the Board of Trustees. Prior to ratification of the Constitution or any Amendment, the Governance Committee will distribute pertinent documents to all qualified faculty members at least thirty days in advance of a regularly scheduled Faculty Meeting or electronically conducted vote (VIII.B), will invite written comment, and offer an opportunity for discussion.

## **Article XI**

### **Amendments to the Constitution and Revisions to the Bylaws**

#### **A. Constitution**

This Constitution may be amended as follows:

- A. Proposals for amendments to the Constitution may be made in writing to the President of the Faculty Senate. Any qualified faculty member may propose an amendment. The President of the Faculty Senate will have the item discussed at the Executive Committee. If a majority of the members of the Executive Committee agree, the item will be added to the agenda of the next regular meeting of the Faculty Senate.
- B. The President shall give notice of the proposed amendments to all Senators at least thirty days prior to the vote via the usual dissemination routes (e.g., email).
- C. Faculty Senate approval of amendments will be by a vote of two-thirds of the Faculty Senators.
- D. The President shall give notice of the proposed amendment to the Faculty at least thirty days prior to the vote via the usual dissemination routes (e.g., email).
- E. The proposed amendments shall be presented at a meeting of the Faculty. They shall be adopted by a two-thirds vote of all qualified faculty present at this meeting. Alternatively, the amendment will be presented via email to the Faculty, and an electronically conducted vote will be taken. Two-thirds vote of all qualified faculty casting a vote is required for adoption.

F. All amendments shall be transmitted by the President of the Faculty Senate, through the appropriate administrative channels, to the Board of Trustees and shall take effect upon approval by the Board of Trustees.

## **B. Bylaws**

The Bylaws may be revised as follows:

A. Proposals for revisions to the Bylaws may be made in writing to the President of the Faculty Senate. Any qualified faculty member may propose a revision. The President of the Faculty Senate will have the item discussed at the Executive Committee. If a majority of the members of the Executive Committee agree, the item will be added to the agenda of the next regular meeting of the Faculty Senate.

B. The President shall give notice of the proposed revision to all Senators at least thirty days prior to the vote via the usual dissemination routes (e.g., email).

C. Faculty Senate approval of revisions will be by a vote of two-thirds of the Faculty Senators present at the meeting.

D. The President shall give notice of the proposed revisions to the Faculty at least thirty days prior to the vote via the usual dissemination routes (e.g., email).

E. The proposed revisions shall be presented at a regular meeting of the Faculty. They shall be adopted by majority vote of all qualified faculty present at this meeting. Alternatively, the amendment will be presented via email to the Faculty, and an electronically conducted vote will be taken. Two-thirds vote of all qualified faculty casting a vote is required for adoption.

## **Article XII**

### **Review of the Constitution**

A. There shall be a mandatory review of the Constitution five years after its adoption and at least every five years thereafter to occur on the decade and years ending in '5', for example 2009-2010, then 2014-2015.

B. This review shall be carried out by the Governance Committee at the direction of the Executive Committee. The review shall include recommendations of the Executive Committee and standing committee chairs.

# BYLAWS OF THE FACULTY SENATE

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## Article I. Quorum

- A. A quorum of the Faculty Senate necessary for the conduct of business shall be a simple majority of the voting members of the Faculty Senate except for changes to the Constitution and Bylaws as describe in Article XI of the Constitution.
- B. A quorum of the Executive Committee necessary for the conduct of business on behalf of the Faculty Senate shall be a simple majority of the voting members of the Executive Committee.
- C. Proxy votes shall not be allowed.

## Article II. Conduct of Business

- A. The President shall appoint a Parliamentarian. The Parliamentarian shall be a qualified faculty member but need not be a Senator. The Parliamentarian shall act as advisor to the President on matters of rules of procedure.
- B. Business shall be conducted using the current edition of Robert's Rules of Order Newly Revised, except where otherwise specified in the Constitution and Bylaws.
- C. Business of the Faculty Senate is normally conducted at regular meetings, special meetings, and in standing or *ad hoc* committees.
- D. At the discretion of the President and with prior consent of the Faculty Senate, business of the Faculty Senate may also be conducted by distribution of information and ballots through mail, email or other transfer of information, provided that all other requirements of the Constitution of the Faculty Senate are met.
- E. Action items requiring a vote by the Faculty Senate shall be distributed by the Secretary of the Faculty Senate at least 10 days before the meeting.
- F. Action items requiring a vote by the faculty shall be distributed for comment at least 30 days prior to a regularly scheduled meeting or vote.

## Article III. Standing Committees, *ad hoc* Committees, and Duties of Committee Members

### A. Membership on Committees

Most work of the Faculty Senate is conducted by standing and *ad hoc* committees.

- 1. Membership of the Executive Committee is by election or by virtue of office and governed by Article VII.A. of the Constitution.
- 2. Each Senator shall serve on a minimum of one standing committee.
- 3. The Executive Committee appoints each committee chair from among Faculty Senators or from members of the Executive Committee.
- 4. Senators shall serve on standing committees for one-year terms and may serve multiple terms.
- 5. Members on *ad hoc* committees may serve until the assigned task is completed.

## B. Duties of the Committee Chair

The Chair of each committee shall:

Apportion committee work efficiently and fairly among the committee members and, in consultation with the other committee members, decide whether the appointment of subcommittees is appropriate;

Seek advice from the faculty, from administrative and professional staff, and from students, if it is deemed beneficial to the committee's deliberations;

Keep minutes or other records of proceedings that are adequate for efficient continuation of work throughout and beyond the committee's period of service;

Submit an annual report to the Faculty Senate at the end of each academic year.

## C. Executive Committee and Standing Committees

1. The Executive Committee shall:

- a. Appoint Senators, Alternate Senators and qualified faculty to all committees of the Faculty Senate, except for the Executive Committee itself;
- b. Appoint each committee chair from among Faculty Senators; members of the Executive Committee are eligible to serve as chair;
- c. Ensure that committee assignments are distributed fairly among Electoral Units and academic ranks;
- d. Initiate the formation and dismissal of *ad hoc* committees, as needed;
- e. Accept annual reports from each standing and *ad hoc* committee of the Faculty Senate;
- f. Submit to the faculty a written annual report at the end of each academic year;
- g. Appoint Senators, Alternate Senators or qualified faculty to represent the Faculty Senate on University-wide committees;
- h. Facilitate communication among the Administration of the University, the Faculty Senate, and the faculty by meeting with the President or the President's designee and the College Deans or their designees as necessary and by reporting to the faculty, as deemed appropriate;
- i. Act on behalf of the Faculty Senate in emergency situations. In circumstances requiring immediate action, the committee may advise the Administration of the University on behalf of the Faculty Senate. It shall report its recommendations to the Faculty Senate at the next Senate meeting.

2. The Governance Committee shall:

- a. Govern the proceedings of the Senate;
- b. Conduct Faculty Senate elections, certify eligibility of faculty for election, and maintain appropriate records of elections [See Amendment 1 and Amendment 2];
- c. Review the Faculty Senate's governing documents and recommend changes to these documents as deemed appropriate;
- d. Interpret the provisions of the Constitution and Bylaws;
- e. Codify changes or amendments to the Constitution and Bylaws, as deemed necessary;
- f. Call for nominations, establish slates, and conduct elections of officers of the Faculty Senate, as described in Article IV.A.;

- g. Monitor and, as necessary, manage changes to the practices and procedures of the Faculty Senate, by revision to Bylaws as appropriate.

3. The Institutional Advancement Committee shall:

- a. Monitor major trends in the life of the institution;
- b. Track progress of action items discussed in the Senate throughout the administrative channels of the University;
- c. Participate in strategic planning for the University;
- d. Report back to the Faculty Senate where deemed appropriate;
- e. Request that the Faculty Senate take a position or act on issues of general interest.  
Examples of actions: Collect information and report on major building activities, and on creation, development, or discontinuation of major units or departments.

4. The Faculty and Institutional Relationships Committee shall:

- a. Consider issues pertaining to negotiations and procedures that, in a generic sense, apply to individual faculty. Examples of actions: Formulation of contracts, tenure/post-tenure review, promotions and rank, equity, sabbaticals, conflicts of interest, means of grievance.
- b. Accept and evaluate requests to change the Faculty Handbook.

5. The Communication Committee shall:

- a. Collaborate with other standing committees to inform faculty of issues;
- b. Inform the faculty about the work of the Senate through organized activities. Examples of actions: the organization of targeted workshops or retreats addressing themes such as faculty mentoring, tenure, interpretation of contracts, and sabbaticals.
- c. Maintain the Faculty Senate web site and ensure that Senate activities are published in University publications.

6. The Electoral Unit Committees shall:

- a. Consist of all elected Senators and Alternates from the particular Electoral Unit.
- b. Elect one representative to serve as a member of the Executive Committee for a one-year term. This election occurs immediately after the results of the Senate election are known. This name is submitted to the Governance Committee;
- c. Facilitate communication among the Faculty Senate and the dean and faculty of the Electoral Unit;
- d. Receive requests for Senate action from faculty of their respective units and decides whether the Faculty Senate should be involved in such action. If not, the Committee directly responds to the request.

#### **D. *Ad hoc* Committees**

- a. *Ad hoc* committees are composed of Senators, Alternates and qualified faculty for a focused task.
- b. Upon completion of the task, the chair presents a report to the Faculty Senate.

#### **Article IV. Procedure for Removal from Senate**

- A. Any Officer, Senator or Alternate may resign his or her duties at any time by sending a letter to the Executive Committee; see Articles III.F.1 and III.F.2 of the Constitution.
- B. If the Senators of an Electoral Unit determine that one of their Senators or Alternates is ineffective, they shall contact that Senator. If no resolution is reached, the parties may take the case to the Executive Committee for deliberation and decision. These proceedings shall be confidential.
- C. A Senator or Alternate can be removed for cause from office by a two-thirds majority vote of the Electoral Unit Committee and the Executive Committee.

#### **Article VI. Revisions to Bylaws**

The Bylaws shall be reviewed at least once every two years and revisions to the Bylaws are governed by Article XI.B of the Constitution.