

# ByLaws

*Revised April 2009*

*Revised August 2008*

*Amended April 2008*

The Faculty Senate of the University of Notre Dame is an assembly elected to represent the faculty as a whole in the formulation of policy affecting the entire life of the University. It shall be the responsibility of the Senate to represent faculty opinion on matters affecting the academic process of the University, the welfare of the faculty, and student life. It shall be the responsibility of the Senate to receive and study proposals that may be initiated by other groups within the University community and that require faculty consideration. It shall be the responsibility of the Senate to initiate proposals in the interest of the University's development and to evoke and utilize the knowledge and experience of the faculty in whatever way necessary in the formulation of such proposals. According to the provisions of the Academic Articles of the Faculty Handbook, the recommendations of the Faculty Senate shall be submitted to the Academic Council, the Advisory Council on Academic and Student Life, the Graduate Council, the Campus Life Council, or to a University officer or committee whose responsibility is relevant to the concerns of particular recommendations.

The Faculty Senate is conceived as an assembly through which the faculty can exercise a collective and independent voice in the governance of the University. In forming its recommendations, the Senate pledges itself to the principle of reaching conclusions based on research and free and open discussion. In the submission of its recommendations to a University officer or to the Academic Council or other group, the Senate invites further study and discussion with that person or group whenever disagreement occurs. So informed with the spirit of independent and cooperative effort, the Faculty Senate hereby commits itself to the service of the faculty, and thereby to the service of the University.

## **ARTICLE I OFFICERS OF THE SENATE**

The officers shall be a chair, a vice chair, two co-secretaries and a treasurer, all of whom shall be members of the Senate and all of whom shall be elected at the last regularly scheduled Senate session of the academic year immediately preceding the academic year during which they serve as officers. In preparation for that meeting, the incumbent chair of the Senate shall appoint a nominating committee. That committee shall be composed of five senators, and it shall, as far as possible, be representative of the several colleges and schools that constitute the University and of the Senate's other constituencies. The chair of this committee shall be a senator whose term continues into the following year. Prior to the session at which the officers are to be elected, the nominating committee shall prepare a slate of candidates and circulate it among the senators in a timely manner. The nominating committee shall nominate only senators who would, if elected, be willing to serve in the office in question. At the session at which the officers are to be elected, nominations from the floor shall be permissible, subject to the same conditions that govern the nominating committee's nominees. The names of senators properly nominated from the floor shall be added to the ballot once those nominations have been seconded. A majority of the votes cast shall be required for election to each office. In the event that no nominee for an office receives a majority on the first ballot, the two nominees with the highest number of votes will compete against each other in a run-off election. That election shall take place during the same Senate session at which the balloting just described has occurred.

The vice chair succeeds the chair should the chair be unable to carry out his or her duties for an extended period of time. Should any other office become vacant during the term, it should be filled by election by the full Senate at its next regularly scheduled meeting.

## **ARTICLE II SENATE COMMITTEES**

### **Section 1. Executive Committee**

The executive committee shall be composed of the chair, the vice chair, the co-secretaries, the treasurer, and the chairs of the four standing committees of the Senate. In addition, the chair of the Senate may invite other members of the Senate to meet with the executive committee when it is deemed necessary. The executive committee, under the chair, is charged with the responsibility of administering the business and activities of the Senate. In particular, the executive committee is responsible for preparing the agenda for each regular Senate session and for directing the Senate's administrative assistant to notify the membership in advance of each session of the contents of that agenda. In determining the contents of the agenda for a Senate session, the executive committee will be governed by the following principles:

1. The executive committee shall place on the agenda every recommendation that has been approved of by a standing committee.
2. The executive committee shall consider every recommendation that has been approved of by an ad hoc committee. After considering that recommendation, the executive committee shall place it on the agenda, return it to the ad hoc committee for additional work, or take no action on it.
3. The executive committee shall consider every recommendation that has been submitted to it by any member of the Senate. After considering that recommendation, the executive committee shall place it on the agenda, refer it to one of the standing committees or to an ad hoc committee for its consideration, or take no action on it.
4. The executive committee is free to act on its own initiative both with respect to placing matters on the agenda and with respect to assigning them to standing committees or to an ad hoc committee for its consideration.

### **Section 2. Standing Committees**

- a. The Senate shall have four standing committees: a committee on the administration of the University, a committee on academic affairs, a committee on student affairs, and a committee on benefits. (The mandate of those four committees is described in subsection (b) of this section.) The chair of the Senate shall annually appoint each member of the Senate to one of the standing committees excepting that officers of the Senate need not serve on any standing committee unless they so request. Each standing committee shall have a chair who shall be elected annually by the entire Senate. If possible, the chairs of the standing committees shall be elected by majority vote at the same Senate session at which the officers are elected. If it is not possible to elect the chairs, or some of them, at that session, they shall be elected at the first regular meeting of the upcoming academic year. Nominations of senators willing to serve as chairs of standing committees shall be accepted from the floor at the meeting at which the election of that chair is to take place. Should a vacancy occur as to the chair of any standing committee, the chair of the Senate shall nominate a senator to serve as chair of that committee until the next annual election. The nominee becomes the chair of the relevant committee upon the approval of the nomination by a majority of the senators who vote on the nomination.

The chair of each standing committee is responsible, in consultation with the members of that committee, for establishing the agenda for the committee, and for presiding at its meetings.

- b. The mandate of each standing committee shall be as follows:
  - i. The committee on the administration of the University shall be empowered to receive or initiate, study, and formulate any proposal dealing with administrative matters which are pertinent to the faculty's participation in the governance of the University, or with the relation between faculty and administrative officers of the University. The Committee is also concerned with the ways and means of keeping the Senate in effective communication with the Board of Trustees, the President of the University, the Vice Presidents, the Provost and all University committees described in Article IV-3 of the Academic Articles of the Faculty Handbook.
  - ii. The committee on academic affairs shall be empowered to receive or initiate, study, and formulate any proposal dealing with the status and welfare of the faculty or with any matter affecting the teaching, research, and publication responsibilities of the faculty.
  - iii. The committee on student affairs shall be empowered to receive or initiate, study, and formulate any proposal dealing with student concerns, life and affairs as these are relevant to the educational process.
  - iv. The committee on benefits shall be empowered to receive, initiate, study and formulate any proposals dealing with benefits accruing to and/or affecting the teaching, research, life and affairs of the faculty. The Committee shall also be concerned with the ways and means of keeping the Senate in effective communication with the Department of Human Resources and the Office of Business Affairs of the University.
- c. Ordinarily, each standing committee shall meet during the course of the regular sessions of the Senate. As far as possible, each chair of a standing committee shall notify each member of that committee of the agenda for a particular committee session well in advance of that session. Senators who are not members of a particular standing committee are free to attend sessions of that committee and to have speaking (but not voting) privileges there. In extraordinary circumstances, standing committees may meet outside of the course of a regular session of the Senate. In those circumstances, the chair of the committee in question shall take care to make sure that each member of the committee has advance notice of the time and place of that committee session and of the agenda for it.

### **Section 3. Ad Hoc Committees**

With the concurrence of a majority of the senators who vote on the issue, both the chair of the Senate and the chairs of the standing committees shall have the power to create ad hoc committees.

These committees shall come into existence in order to help the Senate deal with circumstances and issues that do not fit its regular committee structure. They shall go out of existence once their specific mission has been accomplished or once the urgency that gave rise to them has subsided. With the agreement of the affected senators, the chair of the Senate or the chair of a particular standing committee shall appoint to an ad hoc committee those senators who can do the most to assist it to achieve its objectives. The members of the ad hoc committee will then choose one of their number to serve as chair, and the chair of that ad hoc committee will then set its agenda, schedule its meetings, preside over them, and transmit the committee's recommendations to the relevant standing committee or to the executive committee.

## **ARTICLE III MEMBERSHIP IN THE SENATE**

## **Section 1. Distribution**

Each department in the College of Arts and Letters, the College of Science, the College of Engineering, and the Mendoza College of Business shall have one Senate seat. The School of Architecture and the Law School each shall have one Senate seat. The College of Science shall have two additional seats, and the College of Arts and Letters, the Mendoza College of Business and the College of Engineering each shall have one additional seat. In addition, the programs of military science shall have one Senate seat, with that senator representing all of those programs. The emeritus faculty shall have two Senate seats; the special professional faculty shall have three Senate seats; the library faculty shall have two Senate seats; and the research faculty shall have one Senate seat.

## **Section 2. Elections**

The senators who represent departments, schools, or colleges shall be elected by and from the teaching and research faculty of their respective units. Every other senator shall be elected by the faculty members who make up the unit that the senator represents. The election of the two emeritus senators shall be conducted by the chair of the University election's committee in the provost's office. That official and the officials who have responsibility for the other units from which senators are to be elected shall be free to craft reasonable procedures for the election of the senator in question, subject only to the requirements of the Academic Articles pertaining to the Senate and to the requirements of this Article of these Bylaws.

Ordinarily senators are elected for three year terms, and ordinarily Senate elections take place in the spring of the year. It is the duty of the chair of the Senate to remind department chairs, deans, and other University officials of the need to conduct an election for the units under their direction. Ideally one third of the Senate is elected each year. The mere fact that a senator is completing a term as senator shall not prevent that senator from being reelected to that position.

The terms of the outgoing senators shall end just before the final regular Senate session of each academic year, at which time the terms of newly elected senators shall begin. At that final regular Senate session, the new officers and chairs of the standing committees for the following academic year will be elected. The chair of the Nominating Committee will preside at this meeting until the election of the new chair of the Senate.

In the event that a Senate seat becomes vacant during the course of the academic year, the chair of the Senate shall inform the appropriate official of the need to call a special election to fill that vacancy. No such election will be necessary if the vacancy in question will last for thirty days or fewer.

# **ARTICLE IV SENATE PROCEDURES**

## **Section 1. Meetings**

The Senate shall meet at least twice during each semester. Ordinarily it meets on a monthly basis during the academic year. Extraordinary sessions of the Senate may be convened by the chair or by a number of senators equal to twenty-five percent of the number of senators in the entire Senate.

All Senate sessions are open to the public (subject to the limits on participation that are set out in Section 7 of this Article) except when the Senate is meeting in executive session.

## **Section 2. Notice of Meetings**

As early as possible in the course of each academic year, the chair of the Senate shall create a schedule of the regular sessions of the Senate for that academic year. As soon as that is done, the chair shall communicate that schedule to each member of the Senate. Prior to each session, the chair shall cause a notice of that session to be sent to the members of the Senate. That notice shall contain the agenda for that session insofar as the agenda is known at the time the notice is sent.

## **Section 3. Quorum**

A quorum to transact business shall consist of one-third of the members of the Senate, except that a lesser number may meet to another date at which a quorum may be had. Every member present will be counted in determining a quorum. Any member may call for a count of the quorum at any time, and this call shall take precedence over any motion. A quorum for a Standing or ad hoc Committee shall consist of one-third of the members of that Committee.

## **Section 4. Order of Business**

The normal order of business at each meeting shall be as follows:

1. an opening prayer,
2. approval of the minutes of the previous Senate session, after necessary corrections have been made (Those minutes, when corrected, shall become the Journal entry for that session.),
3. the chair's report,
4. memorial resolutions, if any,
5. consideration of recommendations pending before the Senate,
6. recess for standing committee sessions,
7. reports from the standing committees.
8. reports from ad hoc committees, if any,
9. other unfinished business,
10. new business,
11. adjournment.

Any proposal made as new business may be referred by the chair to an appropriate committee for its consideration. Exceptions to this order of business may be made at the discretion of the chair.

## **Section 5. Recesses**

The officer presiding or a majority of the members of the Senate who are present may call a recess on their own motion at any time for any purpose, for a length of time agreed upon by a majority of members present.

## **Section 6. The Senate Journal**

The co-secretaries shall keep the Senate Journal, in which shall be recorded all motions, the names of the senators who made them and of the senators who seconded them, and how they were disposed of by the Senate. The Journal shall also contain a fair summary of the debate that preceded the vote on each motion, as well as a brief report on other Senate discussion and debate. When the Senate meets in executive session, however, no record of what was said in that session shall be kept.

## **Section 7. Participation by Non-members**

Recognized representatives of the undergraduate student government and of the Graduate Student Union may attend all Senate sessions, except executive sessions, and participate in them, but they shall have no right to vote. The chair of the Senate shall see to it that those representatives receive notice of each Senate session and learn of the agenda for that session as well.

Whenever the Senate is addressed by someone who is neither a senator nor a recognized representative of the student government or of the Graduate Student Union, it shall be in recess.

## **Section 8. Motions**

A motion shall pass or fail according to a count of the votes cast, disregarding abstentions. All votes except roll-call votes shall be cast by a show of hands for and against the motion. Any member may require that a motion be put in writing before it is put to a vote.

A number of senators equal to ten percent of the number of senators present at a particular session may require the roll to be called on the passage of a motion, and may require that the yeas and nays be entered by name in the Senate Journal for that session. Any senator may have his or her name entered in the Journal as dissenting from the majority with respect to any motion that passes.

## **Section 9. Rules of Order**

Robert's Rules of Order shall guide the deliberations of the Senate except for those occasions on which, by a vote of two thirds of the senators present and voting, the Senate decides to deliberate on a more informal basis. The chair of the Senate is hereby empowered to appoint a parliamentarian to advise the Senate on the requirements of Robert's Rules as they apply to particular procedural issues that arise in the course of deliberation and debate.

## **Section 10. Senate Website and Newsletter**

The executive committee of the Senate is responsible for maintaining the Senate website to contain an accurate roster of Senators, their committee assignments, summaries of all meetings, all reports produced by the Senate and all documents pertinent to Senate business. The chair in

consultation with the executive committee shall decide whether any particular document is placed in the public domain or with restricted access to maintain confidentiality.

The executive committee is responsible for producing and distributing to all faculty, an electronic newsletter at least once per semester. It will contain a summary of the work of the Senate written by the chair and of the four subcommittees written by each of the four sub-committee chairs.

## **ARTICLE V AMENDMENTS**

Any senator may offer an amendment to these bylaws. Amendments shall be referred to the executive committee, which shall submit them to the entire Senate at a reasonable time before the session at which they are to be considered. At that session, the amendment shall pass if it wins two-thirds of the votes cast in the Senate.