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Constitution and Bylaws

University of Maine Faculty Senate

Constitution

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Article I: Purpose

Section 1. Purpose. The purpose of the University of Maine Faculty Senate is to represent the faculty of the University of Maine in the development of University policies as described in this Constitution.

Article II: Authority

Section 1. Authority of the Board. The Board of Trustees is the legal governing body of the University and nothing within the Constitution shall be construed as granting to the faculty or to the University of Maine Faculty Senate the authority to act outside the policies of the Board of Trustees.

Section 2. Collective bargaining. Nothing within the Constitution shall be construed as granting to the faculty or to the University of Maine Faculty Senate the authority to act in ways that are inconsistent with any collective bargaining agreement.

Section 3. Degree Requirements. The responsibility for the determination of the requirements which students must meet to be eligible for a degree rests with the faculty of the University of Maine. (Board of Trustees of the University of Maine System, Policy and Procedures Manual, Section 303.1, "Degree Requirements".)

Section 4. Delegation to the Senate. The University of Maine Faculty Senate is delegated by the faculty the authority to act in its behalf in ways specified in this Constitution.

Section 5. Approval of the Chancellor. This Constitution has been approved by the Chancellor of the University of Maine System pursuant to Board of Trustees' Policies.

Article III: Jurisdiction

Section 1. Degree requirements. Subject to other provisions of this Constitution, the Senate shall have the authority to act in behalf of the faculty in establishing University-wide degree requirements.

Section 2. Establishment of policy. In the following matters a recommendation of the Faculty Senate shall become University policy except when disapproved by the President of the University in a written response to the Senate within thirty days from the date on which such a recommendation is transmitted to the President: academic freedom, free speech and assembly policies, student academic standards and performance, the definition of academic titles and general criteria for ranks, standards for actions on the academic standing of students, and curriculum matters involving two or more colleges.

Section 3. Review and recommendation. The Senate shall have the authority to review and make recommendations regarding all other academic matters not specified in Section 2, above, or any matter affecting the academic environment including such matters as institutional plans and priorities, the allocation of the University's financial resources, academic organization, the library, the awarding of honorary degrees, admissions' policies and standards, the establishment and elimination of academic programs, and the assessment of academic outcomes.

Section 4. Resolution of disagreements. In regard to recommendations disapproved by the President of the University of Maine under the provisions of Section 2 above, good faith effort shall be made by all parties to resolve any disagreements.

Section 5. Response of the President. The President of the University of Maine shall inform the Faculty Senate routinely of the disposition of its recommendations.

Section 6. Reservation of authority to the colleges. The individual colleges shall have the authority to establish degree requirements for the degrees offered by the colleges and the Faculty Senate shall have the authority to establish degree requirements for the Bachelor of Arts degree. For purposes of this paragraph, the Graduate Faculty shall have the standing of a college faculty.

Section 7. Reservation of authority to faculty members. Nothing in this Constitution shall be construed to deprive individual faculty members of any authority they otherwise have under any collective bargaining agreement or Board of Trustees' policies.

Section 8. Participation in appointment processes. The faculty shall participate in processes leading to the appointment of academic and administrative officers including the President and the Vice Presidents.

Section 9. Evaluation of University of Maine administrators. The Faculty Senate, acting through the Executive Committee chaired by the President of Faculty Senate, shall conduct faculty evaluations of UMaine administrators, in consultation with the President of the University.

Article IV: Membership

Section 1. Faculty members. The faculty members of the University of Maine shall elect faculty Senators as follows:

A. Apportionment.

1. Each college shall have at least four Senators.

2. Faculty senators will be distributed across the colleges so that one Senator will be elected for each ten full time faculty members. For purposes of apportionment full-time members of each college shall be designated by the dean of that college. The criteria used will be subject to approval of the Senate. Each February, the deans of various colleges shall send the Senate Secretary a list of full-time faculty. Using the above rules, the Secretary, subject to the approval of the Executive Committee of the Senate, shall determine the number of faculty representatives to the Senate to which each college is entitled and shall so inform the deans. Departmental chairpersons shall be eligible for election as faculty Senators.

3. The Cooperative Extension faculty, who are not represented as part of a college, shall be represented by two Senators. These representatives shall be elected in the manner described in Article IV, Section 1.8.

4. In the event of changes in the composition of colleges or distribution of faculty across colleges, the Executive Committee of the Senate shall formulate a plan to phase in the adjustments to apportionment of Senators resulting from such changes. Such a plan must include the provision that elected Senators shall have the option to complete their term even if the resulting number of total Senators is temporarily greater than forty.

B. Time and manner of election.

1. Each college shall elect its Senator during the spring semester of each academic year. Voting shall be by secret ballot and at least two faculty members shall be nominated for each vacancy a college has on the Senate.

2. A special election conducted by the applicable college at a faculty meeting or through a paper mail ballot or through electronic vote whereby only one vote per faculty member is reasonably ensured shall be held to fill an unexpired vacant position on the Faculty Senate. The President of the Faculty Senate shall declare a position vacant if, in consultation with the faculty Senator, the President determines that the Senator is unable to continue to fulfill his/her responsibilities. Senators have the responsibility to inform the Senate President of any circumstances that may preclude their continued participation in Senate activities.

3. In order to be eligible to serve on the Senate, a faculty member must have tenure status or have been a member of the faculty of the University of Maine for at least two years.

C. Term of office.

1. The term of office of a Senator shall be three years, beginning July 1 following election, serving for not more than two successive terms.

2. If a college is represented by more than two Senators, their term of office shall be fixed so that approximately one third of the Senators shall be elected each year.

Section 2. President. The President of the University of Maine shall be a non-voting member of the Senate.

Section 3. Administrative members. Administration membership on the Senate shall consist of the following persons: Vice President for Academic Affairs & Provost, Vice President for Research, and one elected representative of the Deans' Council.

Section 4. Undergraduate student members. There shall be two undergraduate student members selected by the Student Government.

Section 5. Graduate student member. There shall be one graduate student member selected by the Association of Graduate Students.

Section 6. Un-represented groups may request liaison status with the Faculty Senate. If the request is approved by the Senate, the group will select its representative to attend full Senate meetings. The Liaison will serve with voice but no vote.

Article V: Officers

Section 1. Officers. At a meeting in April of each year, the Senate shall elect, from among the faculty members, the following three officers for a term of one year: President, Vice President, and Secretary. Any tenure-track or continuing appointment faculty member, who has been on the University of Maine faculty for at least two years, is eligible for election to these offices. Newly elected officers shall begin their duties on July 1 following their election.

Section 2. Succession of officers. The President and Vice President may not serve more than two consecutive terms in the same office.

Section 3. Parliamentarian. The President shall select a Parliamentarian.

Section 4. Elections. Election of these officers and their duties shall be as detailed in the bylaws of the Senate.

Article VI: Meetings

Section 1. Regular meetings. The Senate shall hold regular monthly meetings during the academic year at a time and place which it shall determine.

Section 2. Special meetings. Special meetings of the Senate may be called by the President of The University of Maine, by the President, or by the Secretary on request of any ten members of the Senate, provided all members have been notified at least 24 hours in advance of the time and date of the special meeting.

Section 3. Special separate meetings. Nothing in this Constitution shall preclude the calling of special separate meetings of the administrative members or of the faculty members or of the student members of the Senate. Such meetings may be called by the President of the University of Maine, by the President of the Faculty Senate, by the President of the General Student Senate, or by the Secretary on the request of any ten faculty members, provided all members have been notified at least seven days in advance.

Section 4. Agenda. The complete agenda for each regular meeting of the Senate shall be established by the Agenda Committee which shall consist of the President, the Vice President, and the Secretary. Particularly it shall designate those proposals which are to be considered by the Senate under new business.

A. Submission of proposals. Any member of the Senate may submit proposals, in writing, to the Agenda Committee. The Agenda Committee shall have the authority to request additional clarifying or supporting material concerning each proposal before it is placed on the agenda. However, the committee may not withhold a proposal from the agenda for more than thirty days, except by consent of the proposer.

B. Distribution of agenda. The Secretary shall distribute the agenda at least 72 hours prior to each regular meeting.

C. Referral or automatic postponement of non-agenda proposals. Except in an emergency, as determined by a two thirds vote of the members present, any proposal introduced under new business which does not appear on the agenda shall either be referred to an appropriate committee or automatically postponed until the following meeting.

Section 5. Parliamentary authority. Robert's Rules of Order, as most recently revised, shall govern meetings of the Senate, except in cases where such rules are inconsistent with this Constitution.

Section 6. Substitute members. A member who must be absent from any meeting of the Senate shall name an alternate from the same college or administrative office to attend and to exercise all privileges and powers of the regular member.

Section 7. Quorum.

A. A quorum of the Senate shall consist of a majority of its members.

B. Roll call vote. A roll call vote on any motion can be demanded by one fourth of the present and voting members of the Senate if a quorum is present.

Section 8. Attendance of non-members.

A. Administration and faculty non-members. Any member of the administration or faculty may attend meetings of the Senate. Such a visitor may speak but not vote.

B. Invited participants. The President of the University of Maine or the President of the Senate may invite anyone to participate in the discussions of the Senate.

Section 9. Distribution of minutes. The Secretary shall keep the minutes of the Senate and distribute them to all of the members of the Senate as well as to the faculties of the participating colleges and Cooperative Extension at least seven days prior to the next regular meeting. Posting the minutes on the Faculty Senate web site shall constitute such a distribution.

Article VII: Committees

Section 1. Standing committees. The Senate may create standing committees as provided in its Bylaws. Such standing committees shall report to the Senate in writing at least once each academic year.

Section 2. The Committee on Committees. Except for the Committee on Committees, in consultation with the appointed Chair, the Senate President will appoint the members of each standing committee. In appointing

members, the Senate President will consider the need to balance membership continuity with new members in a given year. Committee membership is for one year, with the possibility of reappointment. The Committee on Committees, elected by the Senate, will consist of one faculty Senate member from each college, one faculty Senate member from the University of Maine Cooperative Extension and the Graduate Student Association Representative to the faculty Senate. The Committee on Committees shall, at the request of the University President or designee, recommend faculty members to standing and ad hoc administrative committees or shall provide a list to the President or designee of faculty members who have agreed to serve on a specific committee.

Section 3. Ad hoc committees. The Senate may create ad hoc committees to address specific short term issues as deemed appropriate and expedient at the time. Such ad hoc committees will report to the Senate at appropriate intervals and in writing at the conclusion of their charge. Such ad hoc committees will disband at the conclusion of their charge.

Section 4. Appointment of committee members. The President of the Senate shall appoint faculty members to committees except in those instances in which the bylaws specify election of committee members from the faculties of the individual colleges.

Article VIII: Disposition of Recommendations

Section 1. Veto by colleges. Any academic policy recommendation by the Senate may be vetoed by a majority of the colleges, voting in their separate college meetings, or by a paper mail ballot of the college or by electronic voting that reasonably ensures only one vote per faculty member if a regular college meeting cannot be scheduled during the time limit allowed for a veto. Each college shall determine which recommendations of the Senate are subject to its veto, and shall exercise its right of veto by the 45th day (vacations excepted) after the recommendation has been acted upon by the Senate.

Section 2. Referendum on veto. The veto of a majority of the Senate by a majority of colleges shall become effective only if it is supported by a majority of the faculties of the colleges voting by paper mail ballot or by electronic voting that reasonably ensures only one vote per faculty member. If paper, ballots shall be mailed by the Secretary to all faculty members of the colleges within fifteen days following a veto. The secretary shall count such ballots fifteen days after mailing them. Electronic votes shall be counted five days after the electronic mailing of the ballot or electronic notification of the call to vote.

Section 3. Transmittal of recommendations. Recommendations passed by the Senate shall be transmitted to the President of the University of Maine for the appropriate action.

Section 4. Appeal to the Chancellor. In the event that a recommendation of the Senate is not approved by the President of the University of Maine, or in the event of a serious and prolonged disagreement between the President of the University of Maine and the Senate on a question of grave concern to the University of Maine, the Senate, by a majority vote taken by secret ballot may authorize the President of the Senate to communicate, in writing, directly with the Chancellor in order to present its viewpoint. A copy of such a communication shall be provided the President of the University of Maine.

Section 5. Appeal to the Board of Trustee. If, after the procedures outlined in Section 4, a serious and prolonged disagreement exists between the Senate and the Chancellor, the Senate, by a majority vote through secret ballot, may authorize the President of the Senate to communicate directly in writing with the Board of Trustees to present its viewpoint. A copy of the communication shall be forwarded to the Chancellor.

Article IX: Amendment

Section 1. Proposal of the amendment. Any member of the Senate may propose an amendment to the Constitution. The proposed amendment shall be submitted to the Secretary of the Senate at least forty-five days prior to the vote on the proposed amendment. Upon receipt of the proposed constitutional amendment, the Secretary shall forward it to the Chairperson of the Committee on Constitution and Bylaws. The Secretary shall notify the membership of the Senate in the next regular meeting printed agenda that such a proposal has been received and forwarded to the Committee on Constitution and Bylaws. This committee shall review the proposed constitutional amendment and may make recommendations. The proposed constitutional amendment and the action of the Committee on Constitution and Bylaws shall be distributed by the Secretary to the membership of the Senate at least fifteen days prior to the meeting at which action is to be taken.

Section 2. Adoption of the amendment.

If the proposed amendment received a two-thirds majority of the votes cast in the Senate, it shall be submitted to all university faculty members for ratification. The Secretary or the Secretary's designee shall conduct a suitable referendum within fifteen days after publication in the minutes of the Senate indicating a favorable action on the amendment by the Senate. The referendum may be accomplished using one of the following methods:

(a) by hard copy mail with the Secretary counting the votes fifteen days after the mailing of the ballot to all faculty members or

(b) by electronic vote using an electronic announcement that reasonably reaches all faculty members individually and that reasonably ensures that no more than one ballot may be cast by any one faculty member with the counting of votes by the Secretary to occur five days after the electronic mailing of the ballot or after electronic notification of the electronic means of voting.

A two-thirds majority of the ballots cast in the referendum shall be necessary for adoption of the amendment. Any challenge based on process that contests a Constitutional amendment vote shall be deemed null and void unless transmitted to the President of the Senate within fourteen days of the ballot count.

Amended by Faculty Senate and approved by Section 2 of Article IX:

- December 18, 2002
- September 23, 2009, Article V, Sections 1 and 2
- May 20, 2011, Article III section 6, Article IV sections 1B.2 and 3, Article VI sections 4 and 9, Article VIII sections 1 and 2, and Article 9 section 2

Bylaws to the Constitution of the Faculty Senate

ARTICLE I. ELECTION OF SENATE OFFICERS

At the March meeting, the Committee on Committees shall present preferably at least two candidates for Vice President/President-elect, Secretary and Board of Trustees Representative. The agenda for the April meeting shall include the names of those nominated. There shall be an opportunity for nominations from the floor at the time of the election in April. Each office shall be voted on separately by secret ballot, where there is a contest, and a majority of the votes cast shall be necessary for election. In the event that no candidate receives a majority, a second vote shall be taken between the two highest candidates. In the event the Vice President's office becomes vacant prior to the expiration of the term, the Senate shall hold a special election. At a regularly scheduled meeting of the Senate, the President shall inform the members of the vacancy, ask the Committee on Committees to secure nominations, and set the time for the election at the next regularly scheduled meeting of the full Senate. At the time of election, the procedure shall be as outlined at the beginning of this paragraph. In the event the Secretary's office becomes vacant prior to the expiration of the term, the President shall, in consultation with the Executive Committee, appoint a replacement to serve the remainder of the term.

ARTICLE II. COMMITTEE MEMBERSHIP

The new President of the Senate shall designate the Chairperson of the Committee on Committees. The Committee on Committees, except as otherwise noted, shall make recommendations to the President of the Senate for all faculty members of each standing committee. The President shall appoint the members of each standing committee, and parliamentarian and the chair of each committee, who serves at the pleasure of the President. Ex officio members, where specified in the composition of a committee, shall have all rights of membership. The President shall be an ex officio member of each standing committee. To ensure that each College is represented on the Executive Committee, the President may appoint members to serve "at large" on the Executive Committee.

Section 1. Definition of Faculty Member:

Full time faculty members shall be defined as:

- a. Tenured or tenure track faculty member.
- b. Research faculty member with an academic appointment.
- c. Cooperative Extension faculty member, continuing contract or continuing contract track
- d. Full time faculty members at any rank.
- e. Lecturers and instructors.
- f. Directors and Department Chairs who are also full time faculty members and meet all of these criteria: 1. Program offers a degree, major or concentration, 2. Program has full time faculty members, other than the director, and the director is engaged in teaching, scholarship, and service., 3. Faculty members in the program engage in shared governance. In essence, an eligible director should be accountable to the faculty, and treated as a chair by the University.

ARTICLE III. SUBCOMMITTEES

Each standing committee may create such sub-committees as will expedite its work. Subcommittees may include faculty members, administrators, and students, but the chairperson must be a member of the parent committee and a majority of members must be Faculty Senators. Each subcommittee shall be responsible to the parent committee and report directly to it.

ARTICLE IV. STANDING COMMITTEES

Section 1. EXECUTIVE COMMITTEE

A. *Function.* The Executive Committee has broad responsibility for planning and facilitating the activities of the Senate. This committee assigns, coordinates and reviews the work of the committees of the Faculty Senate. The Executive Committee conducts the business of the Senate on a temporary basis, if in its judgment, an emergency exists.

B. *Membership.* The members of the Executive Committee are the President of the Senate, the Vice President/President-elect, the Secretary, the Chairpersons of these Committees: Academic Affairs; Constitution and Bylaws; University Environment; Finance and Institutional Planning; Service and Outreach; Committee on Committees; Research and Scholarship; Library Advisory; Program Creation, Review, and Reorganization Committee; General Education Committee; Parliamentarian; and the Board of Trustees Representative. The immediate past president of the Senate will hold, for a period of one year, the designation "Past President" and will serve as a non-voting member of the Senate Executive Committee and hold a seat at Senate meetings.

Section 2. ACADEMIC AFFAIRS COMMITTEE

A. *Function.* The Committee on Academic Affairs reviews and makes recommendations to the Senate in regard to academic matters including university-wide degree requirements, curriculum matters involving two or more colleges, the academic calendar, academic freedom, academic standards, academic performance, the assessment of academic outcomes, academic titles, criteria for ranks, admission standards, grading, evaluation of teaching, student academic standing, honorary degrees, and the library.

B. *Membership.* The members of the Committee on Academic Affairs are the Vice President for Academic Affairs and Provost and, as much as possible, one Faculty Senator from each college and Cooperative Extension, and one student Senator.

Section 3. UNIVERSITY ENVIRONMENT COMMITTEE

A. *Function.* The Committee on the University Environment reviews and makes recommendations to the Senate in matters relating to the academic and physical environments of the University including cultural programs, energy and resource conservation, sustainability, free speech and assembly, athletics, public relations, residential life, safety, facilities, and conduct.

B. *Membership.* The members of the Committee on the University Environment are the Vice President for Student affairs and, as much as possible, one Faculty Senator from each college and Cooperative Extension, and an Undergraduate and Graduate Student Senator.

Section 4. FINANCE AND INSTITUTIONAL PLANNING COMMITTEE

A. *Function.* The Committee on Finance and Institutional Planning reviews and makes recommendations to the Senate in matters relating to administrative organization, institutional planning, and budgetary issues affecting university priorities and allocation.

B. *Membership.* The members of the Committee on Finance and Institutional Planning are the Chief Financial Officer and, as much as possible, and one Faculty Senator from each college and Cooperative Extension, and one Undergraduate and Graduate Student Senator.

Section 5. RESEARCH AND SCHOLARSHIP COMMITTEE

A. *Function.* The Committee on Research and Scholarship reviews and makes recommendations to the Senate in matters relating to research including research priorities, research funds, patents, the protection of human and animal subjects, and research safety.

B. *Membership.* The members of the Committee on Research and Scholarship are the Vice President for Research, and as much as possible, one Faculty Senator from each college and Cooperative Extension.

Section 6. CONSTITUTION AND BYLAWS COMMITTEE

A. *Function.* The Committee on Constitution and Bylaws reviews proposed amendments to the Constitution and Bylaws of the Faculty Senate.

B. *Membership.* The members of the Committee on Constitution and Bylaws are the Parliamentarian of the Senate, the Vice President/ President-elect, and three Faculty Senators from different colleges or Cooperative Extension.

Section 7. ELECTED MEMBERS COMMITTEE

A. *Function.* The Elected Members Committee is charged with exploring issues of interest to its members. The committee may take up issues and topics placed before it by majority vote of the committee or by agenda. This will not limit the committee from accepting commitments referred to the committee by the Faculty Senate.

Although the membership of this committee comprises the majority of the Faculty Senate, this committee may not issue statements of any type in the name of the Faculty Senate of the University of Maine. Ordinarily, the committee shall not report to the Faculty Senate unless expressly listed on the agenda of the Faculty Senate.

B. *Membership.* The members of the Elected Members Committee include all members of the Faculty Senate who have been elected by their respective faculties. The Chair shall be the President of the Faculty Senate or his/her designate.

Section 8. PROGRAM CREATION AND REORGANIZATION REVIEW COMMITTEE.

A. *Function.* The Program Creation and Reorganization Review Committee (PCRRC) has the responsibility to receive and review proposals for the creation, elimination and reorganization of academic programs. After the information is gathered and evaluated, the committee will present a recommendation to the faculty senate for its approval.

B. *Membership.* The members of the Program Creation, Review and Reorganization Committee are a minimum of six Faculty Senators, including, as much as possible, one from each college and Cooperative Extension. Members of this committee may be members of other standing senate committees.

Section 9. SERVICE and OUTREACH COMMITTEE

A. *Function.* The Committee on Service and Outreach reviews and makes recommendations to the Senate regarding service and outreach issues and opportunities that affect the university and its communities.

B. *Membership.* The members of the Committee on Service and Outreach are, as much as possible, at least one member from each of the colleges and Cooperative Extension.

Section 10. LIBRARY ADVISORY COMMITTEE

A. *Function*: The Library Advisory Committee reviews and makes recommendations to the Senate in matters relating to the functions of the library including physical plant needs, staffing levels, financial support, service to the academic community and the adoption of new technology. The committee shall provide a communications link with the campus as well as a policy forum on library issues.

B. *Membership*: The members of the Library Advisory Committee are the Dean of Libraries, ten faculty members representing a variety of disciplines, an undergraduate student and a graduate student. The Chair of the Committee shall be chosen by the Senate President.

Section 11. GENERAL EDUCATION COMMITTEE

A. *Function*. To serve as a liaison for all administrative committees dealing with general education, i.e., Undergraduate Program Curriculum Committee, (UPCC), and Committee of Student Learning Outcome Assessment & Improvement (SLOA & I); and to bring to the attention of the Academic Affairs Committee issues relating to general education that are within faculty purview, which means all issues.

B. *Membership*. Chair is a member of the Academic Affairs Committee and is appointed by the chair of the Academic Affairs Committee. Ex Officio members are: Faculty Senate representative to the Undergraduate Program Curriculum Committee, Director of Center for Excellence in Teaching and Assessment (CETA), Co-Chair of the Provost's Committee on Student Learning Outcomes Assessment and Improvement, Faculty Senate volunteers, and a broad representation of faculty members from various colleges and units. There is no set number.

ARTICLE V. SPECIAL COMMITTEES

Other Ad Hoc Committees may be created for time limited periods as voted on by the full Senate.

ARTICLE VI. AMENDMENT

These bylaws may be amended by a two-thirds vote of the Senate Faculty Members present and voting, provided that the proposed amendment has been submitted to the Secretary of the Senate at least forty-five days prior to the vote on the proposed amendment. Upon receipt of the proposed amendment, the Secretary shall forward it to the Chairperson of the Committee on Constitution and Bylaw. The Secretary shall then notify the members of the Senate in the next regular meeting printed agenda that such a proposal has been received and forwarded to the Committee on Constitution and Bylaws in conformance with this section of the bylaws. This committee shall review the proposed amendment and make recommendations. The proposed amendment and the action of the Committee on Constitution and Bylaws shall be distributed by the Secretary to the membership of the Senate at least fifteen days prior to the meeting at which action is to be taken.

Revision History:

Revised January 27, 1999
Article IV Section 7

Revised January 31, 2007
Article IV Section 8

Revised October 17, 2007
Article IV Section 5
Article IV Section 9

Revised April 22, 2009
Article I, Article II, Section 1,
Article IV, Sections 2,3, 4, 5, 8
Article V, Section 1,
Article VI

Revised November 17, 2010
Article II
Article IV, Sections 1, 8, 11
Article V
Article VI
Article VII