Faculty Senate Constitution

University of Maine Faculty Senate

Kimberly Junkins
University of Maine

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About Us

The Senate Constitution describes the following areas of jurisdiction for the Senate:

1. The Senate has the authority to act on behalf of the faculty in establishing university-wide degree requirements.

2. The Senate recommends policies to the president of the university which become official university policy unless the president disapproves in writing within thirty days on the following matters: academic freedom, free speech and assembly, student academic standards and performance, definition of academic titles and criteria for ranks, standards for academic standing of students, and curriculum matters involving more than one college.

3. The Senate is authorized to review and make recommendations on any other academic matters or any matter affecting the academic environment, including institutional plans and priorities, the allocation of the university’s financial resources, academic organization, the library, honorary degrees, admissions policies and standards, establishment and elimination of academic programs, and assessment of academic outcomes.

4. The Senate participates in processes leading to the appointment of academic and administrative officers including the president and vice presidents.

Additional responsibilities appear in the Bylaws.
Constitution

- Article I: Purpose
- Article II: Authority
- Article III: Jurisdiction
- Article IV: Membership
- Article V: Officers
- Article VI: Meetings
- Article VII: Committees
- Article VIII: Disposition of Recommendations
- Article IX: Amendment

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. Eligibility.

1. Only full-time faculty of the University of Maine are eligible to serve on the Faculty Senate.

B. Apportionment.

1. Each college shall have at least four Senators except colleges with fewer than 10 faculty, which shall have two Senators. Faculty senators will be distributed across the colleges so that one Senator will be elected for each ten full-time faculty members, rounded upward. The Maine Business School and the Honors College are hereby formally recognized as colleges.

2. 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.

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.

C. 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.

D. 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.
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 18.2 and 3, Article VI sections 4 and 9, Article VIII sections 1 and 2, and Article 9 section 2
March 1, 2017, Article IV

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Faculty Senate
205 East Annex
Orono, Me 04468
Tel: 207.581.1167
Fax: 207.581.2640
kjunksin@maine.edu