

The University Senate of Michigan Technological University

Proposal 19-17 (Voting Units: Full Senate)

“Revisions to the Senate Constitution”

I. Introduction

According to the Constitution of the University Senate, “The Senate is the representative body for its constituents and speaks on their behalf on matters under the Senate’s jurisdiction” (Article III.A). In order to make this representative body work in the most democratic and representative fashion, the following amendments are proposed to the Senate Constitution.

II. Proposal

The Constitution of the University Senate shall be amended as follows.

[1] Article II.B.2.a: The words “professor of practice” shall be inserted into this clause so that it shall read “The academic faculty are individuals holding a rank of instructor, lecturer, professor of practice, assistant professor, associate professor or professor for a minimum of nine months full-time.”

Rationale: Article II of the Constitution defines the constituents of the University Senate. Over time, the University has created new faculty ranks to reflect the diversity of roles that advance the strategic plan and address the University mission. An amendment to the Constitution is required to reflect the evolution of faculty roles, to ensure all faculty are represented by the Senate.

[2] Article III.G: The following shall be inserted before III.G.1 and the items renumbered accordingly: “1. Only Senators shall vote on matters before the Senate, or their Alternates, if the Senator is not present.”

and

Article IV.A.3: Strike item IV.A.3 and renumber this section accordingly.

Rationale: These two sections (Article IV.A and Article III.G) serve two purposes. Article IV.A defines Senate membership, while Article III.G specifies the conduct of voting. Article IV.A.3 is therefore out of place, because it is about voting but located in a section about membership. Furthermore, the wording of Article IV.A.3 introduces ambiguity because it makes no specific reference to the context of different votes, which is addressed explicitly in Article III.G. Both

Senators and Alternates are members of the Senate, but Alternates may vote only in certain circumstances. The proposed changes improve the organization of the Constitution and improve clarity while removing ambiguity.

[3] **Article III.G.5:** Substitute the word “and” for the word “or” to the effect that this now reads: “All Senators and their Alternates may vote in Senate committee deliberations.”

Rationale: This removes ambiguity.

[4] **Article IV.B:** This item shall be stricken and the Article renumbered appropriately.

Rationale: The term “residency” is ambiguous, and in practice the 2-year requirement has not been enforced. In the interest of maximizing participation in the Senate, this provision is removed.

[5] **Article IV.C.1:** The sentence “representation units may ask the Senate Executive Committee to waive these term limits” shall be replaced with “the term limit shall be waived on presentation to the Executive Committee a request approved by a majority vote of the constituents of the Representation Unit.”

Rationale: The Constitution provides that Senators are elected by the Representation Unit, are limited to two consecutive 3-year terms, and that the term limit may be waived if the Executive Committee approves a request of the Representation Unit to do so. This latter provision ensures timely scrutiny of Senate representation, but the process needlessly subsumes the democratic will of the Representation Unit to select its representative to the Senate Executive. The revision makes clear that the Representation Unit, and only the Representation Unit, has the authority to determine its representation in the Senate.

[6] **Article V:** The sentence “The officers-elect of the Senate shall assume their duties immediately after the last Senate meeting of the spring semester” shall be replaced with “The officers-elect of the Senate shall assume their duties on July 1.”

Rationale: Under the present wording, the “old” officers leave office before the end of the academic year, and the “new” officers assume their duties before the Senate is prepared to conduct business. For example:

- a. The new Officers may take office before the Spring meeting of the Board of Trustees, but are not prepared to represent the Senate’s accomplishments because they have just commenced service;
- b. Compensation for the Officers paid from the Senate budget may not be available until the new fiscal year, beginning in July; and,
- c. After adjournment in the spring, the full Senate rarely, if ever, meets before September,

and thus the full Senate conducts no business until this time.

This change brings the Senate's electoral calendar in line with the formal and informal academic, fiscal, and governance calendars for the University.

[7] Article IV.C.3: The sentence “the term of office shall commence immediately following the end of the last meeting of the spring term” shall be replaced with “the term of office shall commence on July 1.”

Rationale: This change brings the term of Senate membership in line with that of the Officers and with the same rationale as provided above.

[8] Article X: The sentence “ratification shall require a two-thirds majority” shall be replaced with “ratification shall require a majority vote in a referendum in which a majority of eligible senate constituents cast a valid ballot.”

Rationale: The present wording suggests a high threshold is required to change the Constitution, but this is misleading, because it may be interpreted as a two-thirds majority only of those who choose to vote. The new wording replaces this with a threshold that is unambiguous.

Proposal 19-17:

Introduced to Senate: 01 March 2017

1st Approved by Senate: 05 April 2017

2nd Approval by Senate:

Approval by Constituents: 12 April 2017 of the 1078 constituents 445 responded with 311 approve, 26 reject, 108 abstain

Approved by Administration:

Approved by Board of Trustees: 20 October 2017