

**SANTA CLARA UNIVERSITY
FACULTY HANDBOOK
APPENDIX A**

PREAMBLE

The Faculty Senate of Santa Clara University (hereinafter, the “Faculty Senate” or the “Senate”) is established in order to develop and express the opinion of the faculty on academic and professional matters, to make the collective experience and knowledge of the faculty available to the University President, and to facilitate the participation of the faculty in forming the policies of the University. It shall be governed by these **Bylaws**.

In these Bylaws, the “college” shall include “school” where appropriate.

THE FACULTY SENATE

- I. MEMBERSHIP. [faculty ballot: May 1995] The Faculty Senate shall consist of:
 - A. All tenured and tenure-track faculty (cf. *Faculty Handbook*, Section 3.1.1.) except for administrators at or above the level of dean of college.
 - B. All faculty with renewable-term or continuing appointments.
 - C. All other faculty on at least half-time appointments who receive an academic year contract, **except** visiting faculty.
- II. OFFICERS AND THEIR DUTIES. The officers of the Faculty Senate shall consist of the President, President-Elect, and Past-President.
 - A. PRESIDENT. The President shall take office after service as President-Elect for one year. The President shall hold office for one year. They shall preside at all meetings of the Senate and of its Council. They may invite any person to meetings of the Senate. The President also serves ex officio as a member of the University Coordinating Committee. The President receives appropriate compensation for their service according to recent practice. The duties of the President include regular consultation with the Provost in accordance with recent established practice.¹

¹ In recent practice the President of the Faculty Senate meets with the Provost two weeks before each meeting of the Faculty Senate Council. The President of the Faculty Senate meets with the President of the University once in the Fall quarter. These meetings may be extended to involve the full Executive Committee.

- B. **PRESIDENT-ELECT.** The President-Elect shall be elected by the Senate from among the members of the Senate. The President-Elect shall succeed to the presidency following one year of service as President-Elect. The President-Elect performs the duties specified in Section III of the Election Rules and Procedures. The President-Elect also serves ex officio as a member of the University Budget Council.
- C. **PAST-PRESIDENT.** The Past-President shall function in an advisory capacity to the President and President-Elect.
- D. **SUCCESSION.**
1. **PRESIDENTIAL SUCCESSION.** If the President is unable to complete their term, the President-Elect shall serve the remainder of the term and the following year as President.
 2. **PRESIDENT-ELECT SUCCESSION.** If a vacancy occurs during the time between the election of the President-Elect and their inauguration as President, the position will be filled by the runner-up in the election or by the faculty member who received the second highest number of votes in the most recently contested election.

If vacancies occur in the positions of both the President and President-Elect, a faculty at-large special election will be held to fill both unexpired terms. The Past-President will serve as Interim President until the outcome of the special election is determined.
 3. **PAST-PRESIDENT SUCCESSION.** If the Past-President is unable to complete their term or serve in this capacity, the President, with advice from the Faculty Senate Council, will appoint as Past-President a faculty member who has previously served as President or has been an active member of the Faculty Senate Council.
- III. **EXECUTIVE COMMITTEE AND ITS DUTIES.** The Executive Committee of the Faculty Senate shall consist of the President, President-Elect, the Past-President (should the Past-President desire), one tenure-stream member selected by the Faculty Senate Council, and one non-tenure-stream member selected by the Faculty Senate Council. The Executive Committee will help the Faculty Senate President provide leadership and oversight, and when necessary, meet with the University's President, Provost, and others to advance faculty concerns.
- A. **EXECUTIVE COMMITTEE MEMBERS SELECTED BY THE FACULTY SENATE COUNCIL.** These two positions will each have two-year terms. The tenure-stream member will be selected in the spring of odd numbered years. The non-tenure-stream member will be selected in the spring of even numbered years.

Should either of these members be unable to complete their term, the Faculty Senate Council will select a replacement to finish the term.

- IV. ADMINISTRATIVE ASSISTANT. The administrative assistant shall maintain lists of Senate members eligible for various elections and offices, distribute sample ballots for each election via email, and run elections. The President-Elect oversees the election for all Senate votes. The administrative assistant takes minutes of each Faculty Senate Council and Senate meeting and distributes a report of each meeting to all members of the Senate. Approved minutes of Council meetings are posted on the Faculty Senate website by the administrative assistant. The administrative assistant also receives and posts summaries of meetings and reports from the University Policy Committees. The administrative assistant shall maintain the official complete text of the Senate Bylaws, including such amendments as may be adopted, and ensure these Bylaws are easily accessible online.
- V. FACULTY SENATE COUNCIL. The Council shall consist of the Executive Committee of the Faculty Senate and the following representatives:
- A. REPRESENTATIVES.
1. Each academic department shall send a representative, with the following exceptions:
 - a. In the School of Engineering: Applied Mathematics, Civil Engineering, and Engineering Management combine to send one representative;
 - b. The School of Law has three representatives;
 - c. The Jesuit School of Theology has one representative.
 2. Academic programs with one or more full-time appointments shall have representation.
 3. At-large Representatives: There will be two at-large representatives elected by and from the tenure-stream Faculty Senate members, with no more than one of the two elected from any one school or college. There will also be two at-large representatives elected by and from the non-tenure-stream Faculty Senate members, with no more than one of the two elected from any one school or college. Members elected to these positions must agree to serve in these positions. If they do not agree to serve, the candidate(s) with the next highest votes, in accordance with the Faculty Senate Election Rules and Procedures, Section VIII, will be considered instead.
- B. TERMS. Terms on the Council shall normally be for two years, but the representatives may serve as long as their constituency so chooses.

1. Staggering of terms: To maintain continuity, representatives chosen from departments, schools, and programs beginning with A-L (e.g., Anthropology, the School of Law) should select their representatives in odd numbered years, while representatives chosen from departments, schools, and programs beginning with M-Z (e.g., Mathematics and Computer Science, Women's and Gender Studies) should select their representatives in even numbered years. Similarly, to stagger terms, only one of the two at-large tenure-stream representatives and one of the two at-large, non-tenure-stream representatives should be elected each year.

C. ALTERNATIVE REPRESENTATIVE. Any representative who must be absent from Council meetings should delegate an alternative representative from their constituency.

D. DUTIES. Representatives are to familiarize their departments with work of the Council, and to bring to the Council such issues as are referred to them by their constituents.

VI. RULES OF PROCEDURE. In all questions of procedure, the latest edition of *Robert's Rules of Order* shall govern except as otherwise set forth in these Bylaws.

A. PARLIAMENTARIAN. The President may appoint a parliamentarian, who shall hold office at the discretion of the President and who shall advise the President, at the President's request, on matters of parliamentary procedure.

B. SPECIAL RULES. To regulate its activities in any matter not prescribed in these Bylaws, the Faculty Senate Council shall enact special rules.

C. DEFINITION OF VOTING TERMS. Throughout these bylaws, the definition of a majority of the Council or of the Senate means more yes votes than no votes. Similarly, for any specific fractional voting requirement (e.g., "two-thirds of the Council"), the defined fraction of yes votes is required from the combined total of yes and no votes. Terms like "a majority of the Council" are distinct from terms like "a majority of the Council membership," which means a majority of all Council members, present or not present.

VII. FACULTY SENATE COUNCIL MEETINGS.

A. QUORUM. A majority of the Council membership, which consists of the representatives and the members of the Executive Committee, shall constitute a quorum.

B. FREQUENCY. The Council shall meet monthly during the academic year at fixed dates and times, and at such place as it shall determine. Council members shall arrange their schedules as necessary to attend. The President or one-third of

the Council may call a special meeting of the Council on whatever other occasion may be necessary.

- C. **AGENDA.** The President, with the aid of the Executive Committee if desired, shall prepare the agenda for Council meetings. Any member of the Senate may propose items for the Council agenda.
1. The agenda will be distributed to the Senate at least six days before any meeting, so that input can be given by Senate members before the meeting. After the agenda is sent, the addition of new items that could not have been foreseen when the agenda was sent may be recommended by the President and approved at the meeting by two-thirds of the Council. Items previously deliberated within the shared governance system shall be deemed as being able to be foreseen.
 2. Within an agenda item, the primary content of supporting documents and electronic presentations to be discussed at the Council meeting will be made available to the Senate at least four days before the meeting, except proposed amendments to the Faculty Handbook, including these Bylaws, or amendments to the University Policy Committees Charter, whose specific wording is to be available at least six days before the meeting.
- D. **OPEN MEETINGS.** All members of the Senate shall be informed in advance of the time and place of Council meetings and, as specified in part C, of the Council's agenda. Meetings of the Council are open to all members of the Senate who may speak to matters on the agenda, or introduce new business, when recognized by the President. If the President chooses not to recognize such member, the President may be overruled by a majority of the Council.
- E. **VOTING.** The voting members at Council meetings shall consist of its Executive Committee and the Representatives. The President may vote only in the case of a tie.
- F. **PRESIDING OFFICER.** The President shall preside at the meetings of the Council. In the absence of the President, the Past-President shall act as President; in the absence of both, the President-Elect shall act as President; in the absence of all three, a majority of the Council shall elect a Council member to act as President for the meeting.
- G. **REFERRAL TO THE SENATE.** Any matter before the Council for a vote must be submitted to a vote of the Senate at the request of a one-third vote of the Council. Any act, decision, or recommendation of the Council must be submitted to a vote of the Senate if so requested by one-fifth of the Senate membership.

VIII. POWERS OF THE FACULTY SENATE COUNCIL.

- A. The Council shall discuss and express its opinion on any matter of interest to it. The Council may, at its discretion and through its officers, express itself directly to the University President or to other persons or bodies.
 - B. The Council has the power to consider any proposal submitted to it by the University administration and determine whether to approve or disapprove such proposal, or to refer it to the Senate, with or without recommendation, for a vote of the Senate.
 - C. The Council has the power to consider proposed amendments to the Faculty Handbook, including these Bylaws, and proposed amendments to the University Policy Committees Charter, subject to the following:
 - 1. Proposed amendments must be discussed as an agenda item at an initial Council meeting before they can be approved at a subsequent Council meeting. At the initial meeting, changes to proposed amendments can be approved. Changes between meetings to the proposed amendment that are considered to be substantial by either the President or a vote of one-third of the Council will require the amendment to be treated as a newly proposed amendment.
 - 2. At the subsequent meeting, the Council can only approve the final wording of an amendment sent with the agenda, unless a wording change is approved at the meeting by unanimous consent.
 - 3. Amendment approval requires a two-thirds vote of the Council.
 - 4. For amendments that require a Senate vote, the Council may, if desired, convey to the Senate or any other relevant person or body its opinion of the amendment.
 - D. The Council has the power to plan the agenda of plenary meetings of the Senate.
 - E. The Council has the power to make recommendations to the Senate.
 - F. The Council has the power to interpret membership criteria.
- IX. COMMITTEES. The Senate, the Council, and the President may establish ad hoc committees. The President, with the approval of the Council, shall appoint members who are willing to serve to such committees. All such committees shall report periodically to the Senate or the Council.

X. POWERS OF THE SENATE.

- A. The Senate shall discuss and express its opinion on any matter of interest to it. The Senate is the general deliberative body of the faculty. The Senate may, at its discretion and through its officers, express itself directly to the University President or to other persons or bodies. Faculty collaborate with others in developing and recommending university policy through the shared governance system.
- B. Official faculty opinion on any issue consists of conclusions, recommendations, or other statements that have been approved by a majority vote of the Senate at a meeting for which there is a quorum under Section XI or by ballot. The officers of the Senate and faculty members of ad hoc committees may provide advice and counsel to other members of the university community about matters of critical concern, but such counsel does not constitute official faculty opinion unless voted on by the Senate.

XI. MEETINGS OF THE SENATE AND QUORUM.

- A. The Senate shall meet at least once each academic year. Special meetings may be called by the President, by a majority of the Council, or by petition of one-fifth of the Senate membership.
- B. At any meeting of the Senate for which notice and an agenda have been distributed to the faculty at least six days in advance of the date of the meeting, those members present shall constitute a quorum and be able to vote.
- C. For action on subjects that are not on the agenda or reasonably to be implied therefrom, and at any meeting of the Senate for which notice and an agenda have not been distributed to the faculty at least six days in advance of the meeting, one-third of the Senate membership shall constitute a quorum and be able to vote.
- D. At any meeting of the Senate, the members of the Senate that are present shall have the same powers exercised by the Council. That is, except as stated otherwise in this section, all of the rules that apply to the Council also apply to the full Senate (i.e., rules in Section VII, parts C through G, and the rules of Section VIII).

- XII. ELECTIONS. The Council and Senate shall adopt, and from time-to-time amend as necessary, Election Rules and Procedures that are consistent with these Bylaws and with the other provisions of the *Faculty Handbook* and which shall govern the conduct of all faculty elections. Elections shall be held by electronic ballot. Special elections to fill offices vacated during a term shall be held as soon as practicable following the occurrence of vacancies. Only those who are tenured or eligible for

tenure shall be eligible to vote on any ballot dealing with tenure or promotion of tenure-track faculty.

XIII. AMENDMENTS. These Bylaws, which include the Faculty Senate Election Rules and Procedures, may be amended by a two-thirds majority vote of the Senate, subject to the procedure specified in Section VIII.

XIV. WEB SITE. These Bylaws are found at:
<https://www.scu.edu/provost/policies-and-procedures/faculty-handbook-and-other-guidelines-policies--procedures/>, <https://www.scu.edu/faculty-senate/about/bylaws/>, and <https://www.scu.edu/faculty-senate/about/election-rules/>.

Amended: May 2, 2011
June 11, 2014
April 2015
June 14, 2019
January 12, 2022
March 21, 2022