CONSTITUTION OF THE STAFF SENATE OF THE UNIVERSITY OF TEXAS-PAN AMERICAN

ARTICLE I. Purpose

The Staff Senate is a representative body through which eligible staff members may make recommendations to the President relative to interests, concerns, and issues that affect the staff of the University. The Senate may make recommendations on general policies but does not act on individual issues. The Senate shall endeavor to keep staff members informed about issues and activities affecting them and, in turn, keep the President advised of staff needs and interests.

ARTICLE II. Membership

A. Non-Voting Members of the Senate shall consist of the President and members appointed by the President.

B. Eligible voting Members of the Senate to include benefits-eligible staff with the exception of Executive level employees during an elected term, a representative vacancy shall be declared when, prior to the expiration of his/her term, a Senate member: (1) leaves the employ of the University, (2) is reassigned to a district other than that to which the representative was elected, or (3) is promoted to a non-eligible position.

1. Qualifications of Representatives

   a. Representatives must be regular employees appointed one-half time or more and;

   b. Representatives must have one year of continuous service at the University as of August 31 in the year elected.

2. Duties of Representatives

   a. Representatives shall attend all meetings of the Senate representatives shall be allowed up to four (4) hours per month, in addition to the time spent at Senate meetings, to devote to Senate work. Additional time for Senate assignments may be negotiated with the representative's supervisor.

b. Representatives salaried solely by sponsored projects must adhere to *Handbook of Operating Procedures (HOP)* 4.10.5 University Payroll Distribution.

c. Representatives shall serve on at least one committee and/or subcommittees of the Senate.

d. Representatives shall be available to their constituents and shall publicize how they can be contacted. They shall be willing to listen to staff concerns, to receive information and suggestions, and to communicate these effectively to the Senate. In turn, representatives must keep their constituents informed about the work of the Senate and relay matters communicated to the Senate by the administration.

3. Term of Office

The term of office for representatives is two years, beginning July 1 following their election. A representative can be elected for a maximum of two consecutive terms. However, an individual elected to the Senate to serve for one year or less to complete a vacated unexpired term may still be elected to two full terms.

In the event a representative is appointed to represent the Staff Senate on a special committee, (i.e.), Employee Advisory Council and the committee assignment exceeds the remaining time of the elected period of the representative, that representative shall be allowed to remain as a representative to the end date of the special appointment term.

4. Vacancies

A vacancy that occurs through promotion, termination of employment, change of voting district, resignation or expulsion from the Senate shall be filled by an appropriate alternate. The alternates for each district is the next highest vote recipient following the successful candidates in an election. If alternates are not available, or are no longer eligible, then the original electing group shall fill the vacancy in the same manner as the original election, within thirty (30) days of the date of the vacancy.

5. Removal from Office

Any elected representative can be removed from office for nonperformance of Senate duties. A petition requesting removal of a Senate member can be brought to the Executive Committee by a simple majority of the members of that Senator's district or such a request may be initiated by action of the Senate. The Executive Committee will investigate the matter and will recommend action to the Senate. The final decision on any recommended action to remove a representative will be made by the Senate upon a two-thirds (2/3) vote of the membership.

Possible causes for removal shall include, but are not limited to:

1. non-attendance (missing more than two meetings per year),
2. failure to consistently report on activities of the Senate to the district, and/or unavailability to constituents.
3. misconduct as outlined in Section 2.b of *HOP 7.7.2* Discipline and Dismissal of Employees.

6. Districts

a. Institutional Unit Districts

Institutional Unit Districts include Academic Affairs, Business Affairs, Information Technology, President's Office, Student Affairs and University Advancement. Only eligible staff members employed by one of the Institutional Unit Districts shall be eligible to vote in the election of their district representative. A staff member whose appointment crosses over one or more Institutional Unit Districts will be eligible to vote only in the district to which he/she is assigned by Human Resources.

b. Job Class Districts

Job Class Districts include Administrative/Managerial, Professional, Clerical/Secretarial, and Technical/Paraprofessional, Skilled Crafts, Service/Maintenance.

The assignment to these Job Class Districts shall be determined by the University Office of Human Resources following the guidelines for assigning job codes established by the Office for Civil Rights. An eligible staff member whose appointment crosses over one or more of these job Class Districts will be eligible to vote only in the job Class District to which he or she is assigned by Human Resources.

7. Number of Representatives

Representatives shall be elected from each voting district by eligible staff members in the district. There shall be one representative elected from each Institutional Unit District and one representative elected for every fifty (50) eligible staff members in a job Class District. A job Class District with less than fifty (50) members shall be entitled to elect one representative. When the number of that district exceeds a multiple of fifty (50) by at least twenty-six (26), a job Class District shall be entitled to elect one additional representative. The number of eligible staff members in a job Class or Institutional Unit District will be determined by the University Human Resources based upon the February payroll each year.

ARTICLE III. Nominations and Elections

The nomination and election process as described in Sections III.A and III.B. shall be managed by the Nominations and Elections Committee. Nominations shall be made to the Nominations and Elections Committee no later than April and elections shall be held no later than May except for the initial election.

A. Nomination Procedures

1. The University Human Resources will provide the appropriate documents to the Nominations and Elections Committee to determine all eligible staff members, in each job class category and by Institutional Unit Districts. The Office of Human Resources will also provide email addresses necessary to contact eligible voters.

2. Staff members employed by April 10 of each year shall be eligible to vote.

3. An electronic nomination form will be sent to eligible staff members. All forms shall identify the district, the number of nominations allowed per person and instructions for voting and/or returning the form (manner, date, time, place) to the Nominations and Elections Committee.

4. Each eligible staff member within a district may nominate one eligible staff member from the district for each representative position to which that district is entitled.

5. After the closing date for nominations, the Nominations and Elections Committee shall tabulate the number of nominations received by each potential candidate.

6. Candidates for the Staff Senate shall be determined according to the highest number of nominations received. The number of nominees to appear on the election ballot in each district shall not exceed five times the number of available positions for that district. In case of a tie at the cut-off, an additional nominee(s) will be placed on the ballot. In descending order, the number of nominations received by a potential candidate will determine nominees to appear on the ballot(s) until the required number reached or the nominations list is exhausted.

7. Prior to placing a nominee on the ballot, the Nominations Committee will check to see that the potential nominee meets all the qualifications for a Senate Representative as described in Article II. BI of this Constitution.

8. The Nominations and Elections Committee shall notify the successful nominees that their names will be placed on the election ballot unless they withdraw by a specified date. If a nominee withdraws, the Nominations and Elections Committee shall select a replacement, e.g., the person who received the next highest number of nominations in the district in which the withdrawal took place. If insufficient nominations for a particular district occur, this matter will be referred to the Senate Executive Committee for a recommendation on additional nominations.

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B. Election Procedures

1. Voting shall be held on campus for no less than seven consecutive working days.
2. Elections shall be by electronic ballot.

3. The Nominations and Elections Committee will prepare the ballots for the election. Included on the ballot will be the reference to the Job Class or Institutional Unit District and a listing of the nominees in an order determined by lot. In addition to instructions for voting, the number of candidates to be elected from each district will be specified.

4. Ballots will be distributed only once through campus email to all staff employees. Any employee alleging that he or she did not receive an official ballot must submit a request to the Nominations and Elections Committee no later than the election deadline in order to be issued another ballot. Ballots must be submitted by the election deadline via their own email in order for the ballot to be valid. A voting notice will be posted/announced at least one week prior to the first day of voting. Absentee voting may be requested from the Nominations and Elections Committee on a case by case basis, allowing the Committee ample time to verify voter eligibility.

5. At the close of the election, the Nominations and Elections Committee will tabulate the votes.

6. Candidates receiving the highest number of votes shall be declared Senate representatives and one alternate will be identified (See Sec. II.B.4.). If a tie occurs, a run-off election will be conducted for staff of the district affected.

7. Within one work week of the close of the election, the Nominations and Elections Committee shall notify the newly elected representatives. Within one week of such notification to the newly elected representatives, the Committee shall inform the institutional community of the results of the election.

8. All records pertaining to the nomination and election process shall be stored in the office of the Secretary of the Senate (or the Senate Office) in compliance with The University of Texas-Pan American

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Handbook of Operating Procedures (HOP) 4.4.1 Records and Information Management and Retention.

ARTICLE IV. Officers and Elections

A. Titles of Officers

The officers of the Senate shall include the Chair, Chair-Elect, Vice Chair, , Secretary, Treasurer, and Parliamentarian.

B. Duties

1. Chair

The Chair shall preside at all meetings of the Senate and the Executive Committee; abide by the stated appropriate committee(s); maintain and update a calendar of events relevant to the Senate for the year; serve as a non-voting ex-officio member of all Senate committees; serve as liaison to the Faculty Senate; and prepare a written year-end report, at the end of his or her term, of the Senate's activities and progress and make it available to all members of the Senate prior to the first meeting of the new fiscal year. He or she will also serve as liaison to the President to keep the President informed about concerns of the Senate as well as to keep the Senate informed about administrative initiatives related to staff.

2. Chair-Elect

The Chair-Elect shall be in training to serve as Chair and shall be nominated to serve as Chair the year following the term as Chair-Elect. In the absence of the Chair, it shall be the duty of the Chair-Elect to perform the duties of the Chair, preside at meetings of the Senate and perform such duties as ordinarily pertains to this office. Vacancy in the office of the Chair shall be filled by the Chair-Elect. The Chair-Elect serves on the Executive Committee and is expected to work with the Chair regarding agendas and meeting particulars, and other operational business of the Senate.

3. Vice Chair

   The Vice Chair shall preside over the Senate in the absence of the Chair or Chair-Elect or in the event that the Chair requests the Vice Chair to serve during the course of a meeting. He/she will assist the Chair in performing leadership responsibilities; accept names of persons interested in serving on standing committees and make appointments on the basis of personal preferences where possible or, in the absence of volunteers, make the necessary appointments to committees in consultation with the Executive Committee; call a meeting of any committee that is not fulfilling its responsibilities; and make and distribute yearly to all Senate members, as soon as appointments have been made, a roster of Senate committees' memberships.

4. Secretary

   The Secretary shall record minutes of each Senate meeting; distribute copies of the minutes to representatives at least ten working days before the next scheduled meeting of the Senate; notify Senate members of meeting dates and locations; collect, receive and maintain, at a central location, annual reports and minutes of Senate and committee meetings; serve as Secretary of the Executive Committee; initiate and monitor the system of overlapping terms of representatives; verify the number of representatives authorized in each voting district; keep Nominations and Elections records (Section III.C).

5. Treasurer

   The Treasurer will be responsible for recording and maintaining the financial records of all aspects of the Staff Senate's functions by following rules laid out in the *Handbook of Operating Procedures (HOP).*

6. Parliamentarian

   The Parliamentarian shall ensure that the Senate abides by *Robert's Rules of Order, Revised* when conducting its meetings and will serve as a resource person to Senate officers and the membership regarding the usage of the stated rules of order.

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C. Elections

The outgoing Chair, or in his/her absence, the Vice Chair shall conduct the nomination and election of officers at the July meeting of the Senate. The Chair, Chair Elect, Vice Chair, Secretary, Treasurer, and Parliamentarian shall be nominated from the floor, elected, and begin terms at the conclusion of the July meeting. A simple majority of those present and voting is required for election.

D. Term of Office

1. The term of office for Senate officers shall be one year. A representative shall not hold more than one office at a time, and no representative shall be eligible to serve more than two consecutive terms as an officer of the Senate in the same office. However, a representative who assumes an unexpired term for less than six months may subsequently be elected to office for no more than two full consecutive terms.

2. In the event that the Chair is unable to complete the elected term of office, the Chair-Elect shall assume the vacant office for the length of the unexpired term. In the event that the office of Vice Chair, Chair-Elect, Secretary, Treasurer or Parliamentarian becomes vacant, a special election shall be held to fill the vacant office for the remainder of the term by a simple majority vote of the Senate members present and voting. Such elections may be held at any regular meeting of the Senate.

E. Transfer of Records

All records pertaining to Senate business shall be transferred from outgoing officers to incoming officers. The Executive Committee shall ensure that past records of the Senate are maintained according to The University of Texas-Pan American Records Retention Policy.

ARTICLE V. Executive Committee

A. Membership

The membership of the Executive Committee shall consist of the elected officers of the Senate.

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B. Meetings

The Executive Committee shall meet monthly. The Chair shall preside at its meetings. Additional meetings may be called by the Chair, by the President, or upon request of two members of the Executive Committee. The Secretary will be responsible for notifying Committee members of meeting dates and locations and will keep minutes of all meetings. A majority of the Committee membership shall constitute a quorum. The minutes of the meetings shall be open to inspection as stipulated herein. The Chair shall report the actions of the Committee to the Senate at each regular meeting of the Senate.

C. Responsibilities

The Executive Committee shall set the agenda for each regular meeting of the Senate as stipulated in Section VII.E.; review periodically the purpose and membership of standing committees to ensure that they are functioning as intended by the Senate; assist the Vice Chair with appointments to standing committees and ad hoc committees as needed; recommend to the Senate creation of such special committees as it deems necessary; resolve questions related to the Senate's election process; and ensure due process and make recommendations to the Senate regarding the removal of Senate members from their positions.

D. Term

The term of a member of the Executive Committee shall be for that representative's term as an officer of the Senate.

ARTICLE VI. Standing Committees

A. Responsibilities

1. Nominations and Elections Committee - This committee shall coordinate all regular and special nominations and elections processes for the Staff Senate.

2. Communications Committee - This committee shall plan and coordinate activities at which University employees can meet their representatives and be informed about Senate activities; serve as the public relations committee of the

Senate; and work with the University Relations Office to publicize Senate activities.

3. Special Events Committee – This committee is responsible for annual fund raising/community relations events or participation in University related events when requested and approved by the Executive Committee.

4. Special Issues Committee – This committee is responsible for seeing that temporary issues are reviewed and resolved and will periodically review the Staff Senate constitution or bylaws to ensure that they meet present standards. This committee will take direction from the Executive Committee.

B. <u>Membership and Officers</u>

Membership on these committees will be open to all Senate representatives, including officers of the Senate, with the exception of the Chair. Representatives may serve on more than one standing committee of the Senate at one time. Each standing committee shall consist of a minimum of three members, and members shall serve for one year. Committees shall meet monthly or as convened by the committee chair. Each committee shall elect a chair and a secretary; each shall serve for one year or until replaced in the next election. If a representative serves an unexpired term of six months or less as either committee member or committee officer, the individual is eligible to serve for another year, provided his/her Senate membership is continued for another year.

C. <u>Duties</u>

The standing committees shall accept business items assigned to them by the Executive Committee, but may also initiate their own agendas. Generally, members will address their assignments in a responsible and timely manner; the chair will make a report to the full Senate at each monthly meeting; the committee secretary shall maintain and provide the Vice Chair and Senate Secretary with a written report of each committee meeting. The committee secretary will also prepare and submit an annual report, including all items placed on the committee agenda and the disposition of each, to the Vice Chair and the Senate Secretary by the last meeting each year.

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ARTICLE VII. Senate Meetings

A. <u>Types of Meetings</u>

1. Regular Meetings of the Senate shall be held monthly during the Senate year which shall coincide with the University's fiscal year. An agenda shall be sent to all representatives at least five (5) working days prior to the meeting. However, if the Chair and Executive Committee have no new agenda items or proposals, they reserve the right not to hold a meeting but must notify Senate representatives of the cancellation.

2. Special Meetings of the Senate will be called by the Chair or upon petition of twenty (20) percent of the Senate membership. Three (3) working days notice should be given of any special meeting or, in the case of an emergency situation, as soon as is practicable. Only business specified in the call of the special meeting may be conducted at such a meeting.

B. <u>Quorum Required</u>

A simple majority of the membership shall constitute a quorum for the conduct of the Senate's business.

C. <u>Floor Privileges</u>

Proposals, measures and resolutions shall be introduced on the Senate floor only by elected representatives of the Senate. Non-members of the Senate may be granted the right to speak on matters before the Senate. When a non-representative requests this privilege, the Chair shall determine if any representative has an objection; hearing none, he/she shall grant permission to the non-representative to speak. If an objection is raised, the privilege shall be extended only by a majority vote of the voting members present.

D. <u>Vote</u>

Only elected Senate members present may vote. Action by the Senate shall be by voice vote. If the Chairperson determines the voice vote is not substantially clear, he/she shall request a show of hands. A simple majority of those present shall be necessary to pass upon recommendations. A member of the Senate may call for a secret ballot on substantive questions.

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E. Agenda

Meetings of the Senate shall have an agenda that includes the time and place of the meeting, the order of business, and copies of any substantive proposals. The Executive Committee shall set the agenda; however, items may be added to the agenda at the meeting if approved by a majority of the voting members present and voting. The agenda (time, place of meeting, and order of business) should be distributed to all eligible staff and administration. The Executive Committee must take under advisement a formal written request that the Senate consider an issue when such a request is initiated by one of the following: (1) the President; (2) Faculty Senate; (3) Student Senate; (4) any Senate representative.

F. Minutes

The minutes of the meeting shall be open for inspection. A summary of the minutes shall be made available to all eligible staff members.

ARTICLE VIII. Parliamentary Authority

The rules contained in the current edition of *Robert's Rules of Order, Revised* shall govern the Senate and its committees in all cases to which they are applicable and in which they are not inconsistent with the *Handbook of Operating Procedures (HOP)* provisions and any special rules of order the Senate may adopt.

ARTICLE IX. Amendments and Bylaws

A. Amendments

1. Amendments to this Constitution may be proposed by the Senate upon its own initiative upon a 2/3 vote of its membership; or by a petition of ten members of the staff to the Senate subject to a favorable vote by 2/3 of the Senate.

2. Ratification Procedure is as follows:

   a. Within 14 days of the date of Senate approval, copies of the proposed amendment(s) must be distributed to eligible staff together with a ballot.

b. This ballot must be returned to the Secretary of the Senate within seven days.

c. If 3/4 of the eligible staff voting approve the amendment(s) they shall take effect when approved by the President of the University and by the Executive Vice Chancellor for Academic Affairs of The University of Texas System.

B. Bylaws

The Senate shall make any bylaws it deems necessary to facilitate the transactions of its business as long as such bylaws are consistent with the provisions of this constitution and are approved by the majority of the membership and approved for inclusion in the *Handbook of Operating Procedures*.

ARTICLE X. Ratification

This Constitution shall take effect when approved by the staff by a majority of those voting and by the President of the University and by the Executive Vice Chancellor for Academic Affairs for inclusion in the *Handbook of Operating Procedures*.