

**Bylaws of the Faculty Council  
of  
Montana State University-Bozeman**

**Article I: Name**

The name of this governance body shall be the Faculty Council of Montana State University-Bozeman, hereinafter called Faculty Council or Council.

**Article II: Purpose**

**Section 1. Purpose.**

Faculty Council is the chief governance body of the faculty of Montana State University-Bozeman and, together with Professional Council, a constituent of University Governance Council. Within the authority and constraints of the Montana University System powers as described in the Constitution of the State of Montana, Council has authority to frame the policies, procedures and standards of the Faculty Handbook. These policies, which are incorporated in and made part of the faculty member's annual Professional Employment (Board of Regents) Contract foster a climate of academic freedom throughout the University; promote equity in tenure, promotion in academic rank, workload, and salary; uphold academic standards, and uphold standards and procedures of accountability concerning faculty ethics and responsibilities. Council provides a means for faculty and administration to interact and discuss University business including long range and strategic planning, budgeting, curriculum, accreditation, and graduation requirements.

**Section 2. Policies.**

Faculty Council may develop policies and standards that promote, among other things:

- ▶ Effective and efficient use of University resources;
- ▶ General economic well being of faculty;
- ▶ Professional development through faculty leave programs and other benefits;
- ▶ Quality educational resources such as the Libraries, facilities, laboratories, and equipment.
- ▶ Optimal learning environments throughout the University.

**Article III. Basis of Membership**

There shall be voting and nonvoting members of Faculty Council elected from their respective constituencies.

## **Section 1. Membership.**

A. Voting Members. Voting members on Faculty Council are elected by their constituencies from the tenurable faculty who hold appointments of .25 FTE or greater and do not hold administrative appointments at the level of department head and above.

B. Constituencies. Individual constituencies for the purpose of electing members of Faculty Council are as follows:

- i. Each academic department is an individual constituency.
- ii. Each college wherein faculty are not further subdivided into departments is an individual constituency.

C. Nonvoting Members. The Secretary shall be ex officio, nonvoting members of Council.

## **Section 2. Eligibility for Election to Membership.**

Any member of the tenurable faculty is eligible for election to the seats of the Council. Each individual constituency shall elect one (1) faculty representative, except the College of Nursing and MSU Extension which shall each elect one additional member to represent the off campus interests of their faculty.

## **Section 3. Election.**

Each member of the tenurable faculty is eligible to vote in elections for Faculty Council members, provided that he/she meets the requirements specified in Faculty Council Constitution, Article Three, Section One which specifies that the tenurable faculty member shall hold a .25 or greater FTE appointment. Department heads and senior administrators are excluded.

A. Procedures for Electing Voting Members. All members of Faculty Council and alternates shall be nominated and elected according to democratic procedures. Alternates shall be elected by the same process used to elect regular members. No one person may be elected by more than one constituency.

B. Scheduling of Elections. Elections for Faculty Council members and their alternates will take place by or on the first Thursday of April. One-third (33%) of the faculty representatives shall be elected each year.

## **Section 4. Terms of Service.**

Elected faculty members shall serve a term of three (3) years and shall be eligible for re-election. No elected Council member may serve for more than two (2) full consecutive terms. A member who has served two (2) full consecutive terms must wait out at least one (1) term of three years before becoming eligible for election again.

### **Section 5. Alternates.**

Each constituency shall provide an alternate to the elected representative, to enable representation if the elected member is unable to attend a meeting. Elected members temporarily absent from campus or otherwise unable to attend a meeting shall request their alternates to attend. Where membership on the Council or any committee thereof is specified by position (ex officio), the incumbent may designate an alternate to act in his/her place.

Alternates shall not be subject to the two (2) consecutive-term limit established in Section 4, immediately above. Terms served as an alternate shall not be counted in determining the eligibility for election as a member of the Faculty Council.

### **Section 6. Vacancies.**

If a seat is vacated during a term through resignation or removal, an elected alternate may assume the seat or an election shall be held by the constituency to fill the remaining term of the seat and/or the alternate.

### **Section 7. Absences.**

Any member who is absent and does not send an alternate to five (5) Council meetings during an academic year may be asked by the chair of the Council to resign that position. If this should occur, a replacement shall be chosen by the appropriate constituency to serve until the time of the regular annual election. At that time, a member will be elected to fill out the unexpired term.

## **Article IV. Duties and Responsibilities of Officers**

### **Section 1: Officers of the Faculty Council.**

The officers of the Council shall be the chair and chair-elect or vice-chair. In addition, a secretary shall be employed to maintain an office for Faculty Council and University Governance Council.

### **Section 2: Chair of Faculty Council.**

- A. Duties and Responsibilities. The duties and responsibilities of the chair are to:
- i. Preside over meetings of Faculty Council (F.C.), University Governance Council (U.G.C.), and University Governance Council Steering Committee.
  - ii. Approve agendas of F.C., U.G.C. and U.G.C. Steering Committee.
  - iii. Attend all meetings of the Board of Regents as the official representative of Faculty Council and University Governance Council.
  - iv. Prepare an executive recommendation for the annual Council budget, including released time, travel, and other appropriate items to be approved by the Steering Committee prior to being transmitted to the Office of the Provost and Vice President for Academic Affairs.

- v. Represent Council and communicate information about its activities to the University community, the Montana University System, and the Montana Board of Regents.
- vi. Represent Faculty Council on university or MUS committees as assigned.

**B. Election.** The chair of Faculty Council shall be elected by and from the membership of Faculty Council at its last spring meeting. The chair is elected by a majority of Faculty Council.

**C. Term of Office.** The chair shall serve for two (2) years. In the first year of term, the Council shall elect a vice-chair for a one (1) year term. In the second year of the chair's term, Council shall elect a chair-elect [see section 3] who shall take office at the first regular meeting of Faculty Council in the fall following their election.

### **Section 3: Chair-elect of Vice-Chair Faculty Council.**

**A. Duties and Responsibilities.** The duties and responsibilities of the chair-elect or vice-chair are to:

- i. Assume the duties of the chair in his/her absence.
- ii. Attend meetings of the University Governance Council Steering Committee as an ex officio member.
- iii. Serve as a member of the Salary Review Committee.
- iv. Represent the Council on university or MUS committees as assigned.

**B. Election.** The chair-elect of Faculty Council shall be elected by and from the membership of the Council at its last spring semester meeting at the end of the first year of services of the chair. The chair-elect shall become the chair of Faculty Council at the end of his/her term as chair-elect. If the chair-elect is unable to serve in the capacity of chair, an election shall be held. The chair-elect is elected by a majority of Faculty Council. The vice-chair shall be elected by and from the membership of the Council at its last spring semester meeting at the end of the second year of term of the chair.

**C. Term of Office.** The chair-elect or vice-chair shall serve for one (1) year unless the chair-elect fills a vacancy in the position of chair.

### **Section 4: DELETED**

### **Section 5. Vacancies.**

A vacancy in the office of chair shall be filled by the chair-elect. A vacancy in the position of chair-elect or vice-chair shall be filled by election by the members of Council.

## **Section 6. Secretary of Faculty Council.**

The secretary is an employee of Faculty Council and University Governance Council Steering Committee. The secretary has no vote in Council matters. The duties of the secretary are to:

- i. Prepare and distribute the agenda materials for Faculty Council and its standing committees and subcommittees.
- ii. Prepare and archive the records of Faculty Council and its standing committees and subcommittees.
- iii. Count and certify written ballots.
- iv. Process all petitions and referenda.
- v. Record attendance at all meetings of the Council.
- vi. Receive all correspondence and transmit it to the appropriate parties for action.
- vii. Notify Council constituencies when their elected seats become vacant at the end of a term and therefore require replacement. Notification is also necessary to new constituencies, should they be created. This notification must be made at least thirty (30) days prior to elections.
- viii. Maintain for inclusion in the end-of-year activity summary, proposals from standing committees and their disposition.

## **Article V. Meetings**

### **Section 1. Calendar.**

Faculty Council will convene on the first Wednesday of the first week of classes each academic year. The established meeting times for Faculty Council shall be on Wednesdays of all weeks that classes are in session, from 4:10 to 5:00 p.m. All regular Faculty Council meeting dates will be published in the Staff Bulletin, when possible, prior to the meeting date.

Faculty Council will meet jointly at least once a month with the Professional Council as the University Governance Council (U.G.C.), during the months that classes are in session. The meeting should be held monthly throughout the academic year at a common time. More than one U.G.C. meeting in a month may be arranged by the U.G.C. Steering Committee if necessary. If there are no agenda items, the U.G.C. Steering Committee may decide that Councils will meet separately.

### **Section 2. Accommodations.**

A place large enough to accommodate the entire Faculty Council (or the entire University Governance Council for U.G.C. meetings) shall be contracted and publicized each Semester. The meeting room should also be able to accommodate an additional audience in accordance with the Montana State University - Bozeman open meeting policy.

### **Section 3. Special Meetings.**

Summer meetings of Council may be called by the Chair as needed.

Special meetings of either Faculty Council or University Governance Council may be called at the discretion of the Chair or at the written request of ten (10) members of the appropriate council. The purpose of the meeting shall be stated in the call. Except in cases of an emergency, at least three days notice shall be given.

**Section 4. Notice of Meetings.**

Notices of the meetings and agendas shall be mailed or electronically delivered to each member and designated alternate of Faculty Council, to all deans, vice presidents and to the president no later than the Monday before the Council meeting. These same items shall also be available to the campus and public through electronic means.

**Section 5. Agenda.**

Agenda items shall be submitted in writing to the Chair for consideration by University Governance Steering Committee. Agendas for the Faculty Council Meetings and University Governance Council Meetings shall be set and approved by the University Governance Council Steering Committee.

**Section 6. Consideration of Policy Recommendations.**

All actions or recommendations shall pass or fail in the Council by virtue of a simple majority vote. Approval of policy recommendations requires first and second reading of the proposal under consideration.

A. First Reading. Proposed policy recommendations, as defined in the Faculty Council Constitution, Article One, Section One, may be considered but not acted upon at the meeting at which it first appears on the agenda or at the first meeting at which it is brought up from the floor.

B. Second Reading. The vote on a policy recommendation shall be taken at any subsequent meeting of the Council, unless a two-thirds (66%) majority of those attending vote to suspend this rule and approve the recommendation during first reading.

**Section 7. Quorum.**

A simple majority of the elected members of Faculty Council shall constitute a quorum.

**Section 8. Distribution of Minutes.**

Printed or electronic copies of Faculty Council minutes shall be distributed to all members and alternates of the Council and to the chair of Professional Council, the president, vice presidents, and deans, and the president of the Associated Students of Montana State University - Bozeman (ASMSU) and the chair of the Classified Employees Personnel Advisory Committee (CEPAC). The minutes shall also be posted on the web for public review.

## Article VI. Committees

### Section 1. General Provisions.

A. Committee Data Base. A central listing of all University level committees shall be available electronically to all members of the campus community.

B. Terms of Service. The terms of service for all committee positions are to be established by the University Governance Council Nominating Committee.

C. Review of Committee Structure. The Nominating Committee should periodically review the charge, structure and number of members of number of individuals on each committee. Recommendations for changes shall be presented to the appropriate Council for possible action.

D. Vacancies. Vacancies on any committee shall be filled as soon as possible.

E. Notification of Meetings. Committee chairs are responsible for notifying all appropriate constituencies of the time and place of meetings and of agenda items.

F. Open Meetings. All meetings of standing committees of the Council shall conform to the Montana State University open meeting policy [see Article VIII]. Any written records of standing committees shall be available for public viewing except in the case of sensitive personnel matters. An individual who is not a member of the committee may participate in the discussion of committee business at the discretion of the committee chair.

G. Records of Committee Meetings. If a committee maintains minutes of its proceedings, that committee's chair should file copies with the Secretary of Faculty Council. Committee reports to Faculty Council shall be included in Faculty Council minutes.

H. Voting. All committee actions or recommendations forwarded to Faculty Council or to University Governance Council shall be approved by simple majority.

I. Quorum. A quorum shall consist of a simple majority of the members.

J. Resignation of Standing Committee Members. Whenever a member of a committee is unable to assume his/her committee responsibilities, and there is no provision for an alternate, that member shall notify the chair of the committee. He/she shall thereby be considered to have vacated his/her position. [see Article VI, Section 1, "D"]

### Section 2. Standing Committees of Faculty Council.

A. Faculty Affairs. [see Faculty Handbook, section 231]

B. Faculty Council Executive Committee [see Faculty Handbook, section 232]

### **Section 3. Standing Committees of University Governance Council.**

- A. Steering Committee [see Faculty Handbook, section 271]
- B. Nominating Committee [see Faculty Handbook, section 272]

### **Section 4. Faculty Council Issues Committees.**

- A. University Promotion & Tenure Committee [see Faculty Handbook, section 241]
- B. Conciliation Committee [see Faculty Handbook, section 242]
- C. Grievance Committee [see Faculty Handbook, section 243]
- D. Salary Review Committee [see Faculty Handbook, section 244]
- E. Intellectual Property Committee [see Faculty Handbook, section 245]

### **Section 5. Faculty Caucuses.**

- A. Research Faculty Caucus [see Faculty Handbook, section 251]
- B. Adjunct Faculty Caucus [see Faculty Handbook, section 252]

### **Section 6. Faculty Council Participation on University-Wide Search Committees.**

A. Participation in Searches for Permanent Administrative Positions. The President shall request the Chair of Faculty Council to nominate faculty for membership on search committee to fill University administrative vacancies. The Chair of Faculty Council shall forward the President's request to the Chair of the Nominating Committee who shall advertise the openings in Council meetings and through electronic means. The Chair of the Nominating Committee shall report the nominees to Faculty Council for their selection. Council will, in turn, forward their selected nominees to the President, who shall select the Faculty Council representation from these nominees.

B. Participation in Filling Acting and Interim Administrative Positions. Faculty Council and/or Steering Committee shall participate in the screening and selection process for all acting and interim, university-wide administrative positions. The President of Montana State University shall confer with the Chair of Faculty Council to establish the means and time-lines for Faculty Council and/or Steering Committee participation.

## **Article VII. Parliamentary Authority**

The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Council may adopt.

## **Article VIII. Open Meetings**

All meetings of the constituent membership of official Montana State University-Bozeman committees and boards shall be open to the public, except when the discussions or deliberations of these committees or bodies relate to a matter of individual privacy and the demands of individual privacy clearly exceed the merits of public disclosure and shall

be conducted in conformity with the MSU-Bozeman Open Meetings Policy ([www.montana.edu/wwwfachb/policy/open.html](http://www.montana.edu/wwwfachb/policy/open.html)).

### **Article IX. Amendments**

These bylaws may be amended at any regular meeting of the Council by two-thirds vote provided that the amendment has been submitted in writing at the previous regular meeting. Amendments shall be effective upon adoption unless otherwise specified.

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Adopted: November 1996  
Amended: April, 2004

