

Missouri State University Faculty Senate

Report on Amending the Constitution of the Faculty

(presented by Michael Hudson, Parliamentarian of the MSU Faculty Senate; 2024-2025)

Difference between a Constitution and Bylaws (*RONR*, 12th ed.)

- In general, a constitution and bylaws:
 - Define “the primary characteristics of the organization” and “prescribes how the society functions”
 - Identify the rules the society considers so important they should not be easily changed nor suspended.
 - In other words, the foundational rules defining the society.
 - Parliamentary procedures and rules of order function on top of these rules to direct how the society works together to make decisions
 - Are generally considered one document but function as 2 different documents when:
 - The rules to amend the 2 documents are different (i.e., it is more difficult to amend the constitution than the bylaws)
 - The constitution contains the essential articles (i.e., items/facts) about the society such as its name, objective, membership, leadership, meetings, parliamentary authority, and amendment procedures
 - Whether separated or not, the bylaws outline additional rules for the society, such as the power of the society (e.g., where and how the society meets) and specific rights of its members (e.g., removing the right of a member to vote).

Articles of the Constitution of the Faculty Being Considered for Amendments

- Amendments being considered at this time
 - ART IV Nomenclature for Academic Entities and Personnel
 - Delete from the *Constitution* because also in the *Bylaws*
 - If these other academic entities change, it is easier for the Senate to manage their representation by having the article only in the *Bylaws*
 - ART V Membership of the Faculty Senate
 - Appears to require significant changes because current language is mostly repeated with ART 1 SEC 2 of the *Bylaws* (both are not needed)
 - ART V should be amended to clearly differentiate faculty from staff and administrators (i.e., it will clarify the kinds of faculty who may serve on the Senate)
 - Example: Full-time tenure-track faculty, such as ranked faculty, and non-tenure-track faculty, such as clinical faculty, can be elected members of the Faculty Senate. An individual who is tenured but currently employed in an administrator role, such as a department head or school director, cannot be an elected member of the Faculty Senate.
 - Specific membership in the Senate, and its councils/committees, (i.e., academic unit representation) should be managed in the *Bylaws*.

NOTE: Our current Bylaws empower the Committee on Rules to formally prepare amendments to the *Constitution of the Faculty* and the *Bylaws of the Faculty* (ART 1 SEC 9.B.5.a)

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- ART VI Officers of the Faculty Senate
 - Officers/executive board and committees/councils are generally identified in a constitution.
 - Currently, these subjects are spread throughout our *Constitution of the Faculty* and the *Bylaws of the Faculty*
 - Consider amending the *Constitution* so both items are combined into 1 overarching article outlining the organizational structure of the Senate. For example, the comprehensive rules could be:
 - Senate Officers shall include...
 - Councils of the Senate will manage curriculum as described in...
 - Standing committees of the Senate will manage other areas of authority assigned to the Senate...
 - The specific purpose, membership, election/appointment rules, etc. for Senate councils and committees should be described in the *Bylaws of the Faculty*
- ART VII Sessions of the Faculty and ART VIII Sessions of the Faculty Senate
 - Per *RONR* (12th ed.) a meeting is when members assemble to transact business. A session consists of one or more connected meetings that conducts the overall business of the society.
 - Based on these definitions, the current 2 articles do not appear to fully address these purposes. Also, the rules these articles do provide can be presented in the *Bylaws of the Faculty*.
 - A possible amendment for this issue could be to delete these 2 articles and create 1 new article (e.g., ART VII Sessions and Meetings of the Faculty Senate). This overarching rule should broadly identify when and how the faculty will conduct its business.
 - Example: To conduct the business it is authorized to conduct by the *Bylaws of the Board of Governors*, the faculty shall operate as a Faculty Senate. This Faculty Senate shall organize monthly sessions... [with further clarification that the Senate and its councils/committees will have individual meetings during the month]”
- ART X Amendment of Constitution
 - This article and its rules identifying non-substantive and substantive amendments should remain
 - The procedural rule about which faculty have the right to vote on these amendments should be amended
- No amendments being considered at this time
 - Preamble; ART I Creation of the Faculty Senate; ART II Purpose of the Faculty Senate; ART III Powers of the Faculty Senate; ART IX Parliamentary Authority

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