
CONSTITUTION OF THE FACULTY SENATE OF THE NEW MEXICO STATE UNIVERSITY

(As ratified by the faculty and reported to the Senate on July 18, 1961; amended by the faculty and reported to the Senate on November 16, 1984 and January 14, 1988; amended and reported to the Senate on January 14, 1993 [by-laws] and April 4, 1993 [constitution]; amended October 1995, October 2004, December 2004, December 2005, March 2007 and October 2008 by the Senate and confirmed by faculty balloting.)

ARTICLE I – NAME

The name of this organization shall be the Faculty Senate of the New Mexico State University, For the purpose of this constitution, the term “faculty” shall refer to any individual who is tenured or holds a tenure-track or regular non-track position and who is not retired.

ARTICLE II – FUNCTIONS AND POWERS

Section A: The Faculty Senate shall have legislative jurisdiction over policies affecting the university’s academic mission in regard to teaching, research, and service, including the definitions of purpose and objectives.

Section B: Legislation passed by the Faculty Senate shall be submitted to the President of the University and, upon receiving the President’s signature, shall become effective July 1 following unless otherwise specified. If the President takes no action on a proposition within 45 days of its passage by the Faculty Senate, that proposition stands as approved. Any proposition which passes the Faculty Senate but is disapproved and returned by the President may, by a two-thirds vote of the present and voting members of the Faculty Senate, be forwarded to the President. If the President does not rescind the veto in 5 days, the President shall present the proposition to the Board of Regents, with a request for consideration and action by that body.

Section C: The Faculty Senate shall have authority to determine its procedures and the procedures of its committees.

ARTICLE III – COMPOSITION AND PERSONNEL

Section A: The Senate shall be composed of three categories of members: (1) the elected chair of the Faculty Senate; (2) 60 elected senators; and (3) ex officio nonvoting members

as specified in a bylaw of the Faculty Senate. Of the 60 elected senators, 54 shall be tenured or tenure-track faculty: 4 shall be from the branch colleges (1 from each branch existing in 1982); 3 shall be from the Cooperative Extension Service; 1 from the University Library; and the remaining 46 tenure-track members shall be divided into 2 categories, 23 elected from the colleges in proportion to the number of majors enrolled (both graduate and undergraduate) and attending the main campus academic departments, and 23 elected from the colleges in proportion to the number of tenured or tenure-track faculty in the main campus academic departments in each college. The remaining 6 members shall be regular nontenure-track faculty members: 1 representing all 4 branch colleges; 1 from the Cooperative Extension Service; and 4 nominated and elected at large from the main campus, with the following stipulations: a) no more than 1 nontenure-track representative from any department may serve at the same time, and b) no more than 2 nontenure-track representatives from any of the senate electing groups as defined in Article VI, Section A may serve at the same time.

*Ex officio members shall be entitled to all other floor privileges.

The number of members representing each college shall be determined as follows:

The vice chair of the Faculty Senate shall obtain the student and faculty data referred to above from the sources as stipulated in the By Laws. The vice chair will calculate the number of members representing each main campus college as of the next annual elections as follows:

Step 1: For each college, compute its fraction from the total majors enrolled (undergraduate and graduate combined)

Step 2: Multiply the fraction obtained in Step 1 by 23 and truncate the decimal remainder, do not round. The resulting number is the tentative number of members representing each college.

Step 3: If the sum of the number of members for all the colleges computed in Step 2 is less than 23, assign one additional member to each college in order of the decimal remainders, from highest to lowest, that were truncated in Step 2 until the sum reaches 23. The decimal parts will be computed to as many digits as necessary to avoid ties.

Step 4: If a tiebreaker is required the names of the colleges having equal decimal fractions and qualifying for the unassigned member(s) will be written on equal sized pieces of paper and the pieces of paper placed into a container. The recording secretary of the Faculty Senate will draw as many names as needed to assign the remaining member(s). A college may be assigned no more than one member using this method. This drawing will be witnessed by the Senate at a regularly scheduled Senate meeting.

Step 5: Repeat the preceding steps based on the number of faculty in the colleges to apportion the other 23 seats.

The vice chair will present the data and calculations to the Faculty Senate for its review prior to final acceptance.

Section B: For colleges in which the number of departments exceeds or equals the number of elected senators, no more than one elected senator shall serve from a single department. For colleges in which the number of departments is less than the number of elected senators, there shall be at least one elected senator from each department.

ARTICLE IV - ELECTIONS

Section A: Tenured and tenure-track faculty will vote on tenured and tenure-track nominees to the Faculty Senate. Regular nontenure-track faculty will vote for their representatives

Section B: Elections of senators shall occur for the University Library and in each of the colleges and branches during March. Cooperative Extension Service senators shall be elected during the annual conference of the Cooperative Extension Service.

Section C: The vice chair of the Faculty Senate shall oversee all university wide elections. For the purpose of nominating senators, the faculty of each college, branch, University Library, or Cooperative Extension Service shall meet as a group, hereafter termed faculty electing groups, or may submit nominees to their senior faculty senator. The senior senator of each faculty electing group shall serve as chair.* The chair of each group shall be responsible for conducting the election of those nominated. Elections shall be by secret written ballot. Elections of faculty senators shall be completed before the end of March each year. In the event of a tie vote, the result shall be determined by lot. Immediately after the election the chair of each faculty election group shall inform the vice chair of the senate of the names of the elected senators.

*In case of a tie in consecutive service, cumulative service in the Faculty Senate will determine the senior senator.

ARTICLE V – TERM OF OFFICE OF ELECTED SENATORS

Section A: The Faculty Senate year shall begin immediately following the last day of the second semester of an academic year and end the last day of the second semester of the next academic year.

Section B: The usual term of office for elected senators shall be 3 years. However, when reapportionment makes it necessary, the terms of some newly-elected senators shall be for 1, 2, or 3 years so that the terms of an approximately equal number of senators from each faculty electing group expire each subsequent year. No faculty member shall be elected to a Faculty Senate term which will result in more than seven consecutive years of service. The chair of the senate shall be responsible for implementing this section.

Section C: Vacancies in the Faculty Senate created by the expiration of members' terms of office shall be filled at the regular annual elections.

Section D: In the case of the death, resignation, or retirement of a member of the Faculty Senate, a successor shall be elected to fill out the unexpired term at a special election called for that purpose. The provisions of Article IV, Section C, shall apply to such election.

Section E: In the case of a leave of absence of a member of the Faculty Senate, a special election shall be called to elect a temporary replacement who shall serve until the absent member returns from leave or until the member's term of office has expired, whichever occurs first. The provisions of Article IV, Section C, shall apply to such election.

ARTICLE VI – OFFICERS

Section A: The seven senate electing groups are: (1) the senators representing the four branches; (2) the senator representing the University Library and the senators representing the College of Arts and Sciences; (3) the three senators representing the Cooperative Extension Service and the senators representing the College of Agricultural, Consumer and Environmental Sciences. The senators representing each of the four remaining colleges shall each constitute a separate senate electing group.

Section B: The officers of the Faculty Senate shall be a chair, vice chair, a parliamentarian, and a recording secretary. The terms of the chair and vice chair shall begin on the first day following the end of the spring semester and end on the last day of the following spring semester. The parliamentarian and the recording secretary shall be appointed by the chair with the approval of the Faculty Senate. The chair and vice chair shall be elected members of the Faculty Senate, representing different senate electing groups.

Section C: The Faculty Senate shall elect two senators as nominees for the position as chair at the December meeting. The nominees must be members of the senate at the time of nomination and election and must intend to continue as active (nonretired) faculty during the following academic year. If the chair would otherwise still have been serving in the senate during the ensuing term of office, a temporary replacement shall be elected to serve during the chair's term. Immediately following these nominations, a ballot shall be prepared and mailed to all faculty as defined in Article I. The by-laws of the Faculty Senate shall apply to the nomination and election of the chair. The winner of the election, until assuming the office of the chair, will be designated the chair-elect. The chair-elect shall not be from the same senate electing group as the chair (except when the current chair is re-elected). In the case of the death, resignation, or retirement of the chair, the vice chair shall fulfill the remainder of the chair's term of office.

Section D: At the end of the last meeting of the senate year, the elected senators for the next year from each senate electing group shall caucus and elect their members to the Committee on Committees. This Committee on Committees shall then caucus and elect its chair, who will also be vice chair of the senate. These actions shall be reported in the minutes of the last Faculty Senate meeting. Should the office of vice chair become

vacant, the chair of the Faculty Senate shall call a special meeting of the Committee on Committees to elect a new chair of the Committee on Committees.

ARTICLE VII – COMMITTEES

Section A: The standing committees of the Faculty Senate shall be the Committee on Committees, Scholastic Affairs, University Affairs, Faculty Affairs and Long-Range Planning.

Section B: The functions and membership of the standing committees shall be as follows:

1. **Committee on Committees**: The duties of the Committee on Committees shall be:
(a) to elect the vice chair of the Faculty Senate; (b) to assign senators to the remaining four standing committees; (c) to create ad hoc or special committees; (d) to initiate, carry out, or lead senate discussions of such topics as it deems appropriate; (e) to determine the time and place of each regular meeting of the Faculty Senate; (f) to review the implementation of any legislation adopted by the senate and to report on the progress and manner of such implementation to the senate; and (g) expedite and monitor electronic communications with and voting on emergency issues by Faculty Senators during those intervals outside of the regular academic year. The committee shall consist of one member from each senate electing group for each five elected senators or major fraction thereof. Each electing group shall have at least one member regardless of its senate representation. Vacancies shall be filled by the elected senators from the senate electing groups. The four standing committee chairs will serve as nonvoting ex officio members, unless the standing committee chair has also been elected by their senate electing group as a voting member of the Committee on Committees, in which case that standing committee chair may serve as a voting member of the Committee on Committees and remain as chair of that standing committee.
2. **Committees on Scholastic Affairs, University Affairs, Faculty Affairs, and Long-Range Planning**: The other standing committees shall consider propositions referred to them as described in Article IX, as well as actively develop and prepare for Faculty Senate consideration such policies and propositions as may seem beneficial to the university, particularly in areas suggested by their names. In doing so, they may, through hearings and requests for information, draw on the resources of the university and its administration. Each committee shall have the right to create and constitute subcommittees consisting of individuals whom it designates; such subcommittees shall be chaired by a member of the constituting committee. Each committee shall consist of at least 13 voting members as assigned from the elected senators by the Committee on Committees. Senators not employed on the main campus need not be counted in the determination of a quorum. Each elected senator shall serve on one, and no more than one, of these four committees, with the exception of the chair of the Committee on Committees, who need only serve on that committee. Each committee shall elect a chair at its first meeting.

3. **Committee of the Whole:** The Faculty Senate by majority vote may convene as a Committee of the Whole to discuss and shape possible legislation pertaining to a particular issue. While sitting as a Committee of the Whole, the Faculty Senate may not pass new resolutions.

Section C: A term of committee membership shall be 1 year. Members may serve more than one term.

ARTICLE VIII – MEETINGS

Section A: Meetings of the Faculty Senate shall take place no less frequently than once a month during the academic year, but only on a special meeting basis during the summer sessions.

Section B: The time and place of each regular meeting shall be determined by the Committee on Committees.

Section C: The chair of the senate or, in the absence of the chair, the vice chair, may call special meetings at any time. A special meeting shall be limited to the consideration of the specific items of business designated in the call of the meeting.

Section D: The President shall have the right to attend and participate in all meetings of the Faculty Senate and its committees. Any member of the university community may attend regular meetings of the Faculty Senate and its committees, and by invitation may participate in the discussions and deliberations.

Section E: A majority of the voting members of the Faculty Senate shall constitute a quorum.

Section F: The rules contained in the current edition of Robert’s Rules of Order shall govern the parliamentary procedures of the Faculty Senate in all cases to which they are applicable and in which they are not inconsistent with the Constitution and any bylaws the Faculty Senate may adopt.

Section G: The officers of the senate shall make arrangements for its meetings. The chair will send a notice of the meeting and an agenda to each member of the faculty and will also send copies of committee reports to each senator.

Section H: Faculty electing groups represented by a senator not located on the main campus may send an elected alternate to substitute for that representative at meetings of the Faculty Senate and its committees. The Faculty Senate may seat the substitute with the right to participate and vote in the Faculty Senate and/or its committees.

ARTICLE IX – PROPOSITIONS FOR CONSIDERATION

Section A: Propositions to be considered by the Faculty Senate shall be presented by one or more voting or nonvoting senators. First-time propositions will not be sponsored or presented in the name of standing or ad hoc committees.

Section B: Each proposition shall be prepared in writing and signed by the presenting senator(s). Propositions shall be keyed to affected portions of the New Mexico State University Policy Manual so as to indicate the intended changes. At the time of presentation, copies of the proposition shall be distributed to all senators by the presenting senator(s).

Section C: Normally, a proposition shall be given first reading and explanation by the presenting senator(s), and then referred to the appropriate committee(s) by the vice chair of the senate. A challenge to the referral to committee may be made by any senator. The decision on the committee or committees to which referral shall be made will then be by majority vote of the senate. In exceptional cases, a proposition may be considered by the Faculty Senate as emergency legislation without referral to its committees, provided either:

(a) previous notice and an outline of the nature of the proposition was given in the agenda of the meeting and the senate accepts consideration of the proposition by a two-thirds vote, or

(b) lacking previous notice, the senate accepts consideration of the proposition by a three-fourths vote.

Section D: Committees shall hold hearings on all propositions referred to them. These hearings shall be open to the public so that all individuals interested in propositions may make presentations to the committee. The decision as to the nature of a committee's report on each proposition shall be by majority vote of the committee. Commentary for and against the proposition may be submitted with the report. Propositions shall be reported out with one of four recommendations to the senate:

RECOMMEND FOR PASSAGE; RECOMMEND AGAINST PASSAGE;
RECOMMEND REPLACEMENT BY A COMMITTEE-DRAWN SUBSTITUTE; or
RECOMMEND SENATE DISCUSSION.

Section E: Propositions shall be reported out by the committees and forwarded to the recording secretary of the Faculty Senate prior to the Faculty Senate meeting next following first reading. A committee shall be given additional time when its chair, prior to that next meeting, notifies the recording secretary of the Faculty Senate that additional time is needed. In not case, however, shall committee deliberation of a proposition extend beyond the second regular Faculty Senate meeting following first reading of the proposition.

The recording secretary shall be responsible for informing the Faculty Senate of violation of this provision.

Section F: Legislation reported out of committee shall be placed on the Faculty Senate agenda for full consideration in any of four possible circumstances:

- If the committee recommends for passage.
- If the committee recommends against passage but the Faculty Senate, after debate, votes for full consideration.
- If the committee recommends a substitute motion and the Faculty Senate votes for full consideration.
- If the committee recommends Faculty Senate discussion: in this case, after Faculty Senate debate, the proposition may be referred to a committee for further consideration.

The legislation shall be considered defeated if it does not receive full Faculty Senate consideration. When the unfinished business portion of the agenda is reached, each of the items that has been voted full Faculty Senate consideration shall be moved for adoption and will thus be subject to debate, amendment, and normal parliamentary procedures. However, when a committee recommends senate discussion, referral back to a committee must precede final passage.

ARTICLE X – AMENDMENTS

Section A: Amendments to this constitution shall be initiated as propositions and shall initially follow the procedures of Article IX. Upon passage by the Faculty Senate they shall be duplicated and distributed to all members of the faculty who are qualified to vote.

Section B: Such proposed amendments shall be considered as adopted when approved by an affirmative vote of two-thirds of the qualified members of the faculty who vote. Such voting shall be by secret written ballot.

Section C: This constitution may also be amended by an initiative and referendum selection. Such an initiative shall specify the amendment(s) to be made and shall require the signatures of 10 percent of the faculty as defined in Article I. Verification of the signatures upon the initiative shall be by the officers of the Faculty Senate. Upon verification, such amendments shall be submitted directly to the faculty without prior approval of the Faculty Senate. The amendment(s) shall be considered as adopted when approved by an affirmative vote of two-thirds of the qualified members of the faculty who vote.

Article XI - BYLAWS

Section A: All procedural decisions and guidelines adopted by the Faculty Senate to implement its constitution shall be appended to that document in an addendum to be labeled “Bylaws”.

Section B: Adoption and amendment of bylaws shall be by a simple majority vote of the Faculty Senate. Presentation of proposed by laws or amendments thereof shall follow the procedure for presentation of proposals detailed in Article IX of this constitution.