

# UVI SENATE BYLAWS

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## UNIVERSITY OF THE VIRGIN ISLANDS BOARD OF TRUSTEES RESOLUTION

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**Purpose: To approve the UVI Senate Bylaws**

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WHEREAS, VISION 2012 upholds shared governance and collegiality as core values of the University of the Virgin Islands (“the University”); and

WHEREAS, the Middle States Commission on Higher Education recommended that the University improves its adherence to Standards 4 and 5 of the Commission of Higher Education; and

WHEREAS, on January 31, 2009, the Board of Trustees of the University approved the UVI Shared Governance Framework, which required the establishment of the UVI Senate and bylaws to govern such a body; and

WHEREAS, the UVI Senate was established, and on May 14, 2009, the UVI Senate adopted the UVI Senate Bylaws, which provides the structure for the effective and efficient operation of the Senate; and

WHEREAS, the President of the University submitted the UVI Senate Bylaws to the Board of Trustees and recommended approval of the document; and

WHEREAS, on September 30, 2009 the Academic, Research and Student Affairs Committee of the Board of Trustees recommended to the Board that the UVI Senate Bylaws be approved;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY THAT:**

1. The UVI Senate Bylaws are hereby approved.
2. The President of the University is authorized to take such action as is necessary to implement this resolution.

### CERTIFICATION

The undersigned hereby certify that the foregoing is a true and exact copy of a resolution of the Board of Trustees of the University of the Virgin Islands and adopted at its meeting on Saturday, October 31, 2009, as recorded in the Minutes of that meeting.

\_\_\_\_\_  
Secretary of the Board

\_\_\_\_\_  
Date

## University of the Virgin Islands Senate By-Laws

### INTRODUCTION

It shall be the policy of the University of the Virgin Islands community to establish procedures to ensure UVI students, faculty, and staff have the right to participate effectively in University governance. By establishing the UVI Senate, the University provides a forum through which students, faculty, and staff make policy recommendations to the University President.

The sole purpose of these By-Laws is to implement the concept of shared governance enacted by the Board of Trustees. These By-Laws shall not be construed in any manner to alter the fundamental relationship between the Board and employees, students or other groups. The Board of Trustees retains all powers implied or granted by law. The members of the Board of Trustees, as appointed officials, recognize their accountability to the Virgin Islands community and the University, and their responsibility under law to make policy decisions affecting the University.

Further, these By-Laws shall not be construed in any manner to alter the functions of the faculty association, the staff council, or the student government association(s) inherent in their governing legislation or roles as advocacy groups for their respective constituencies; nor in any way detract from any stated function that the appropriate legislation requires of stakeholder groups.

**Status of Senate:** The University of the Virgin Islands Senate (hereinafter referred to as “UVI Senate” or “University Senate”) shall only have the powers and duties set forth in these By-Laws or applicable law and regulations.

**Review of By-Laws:** After these By-Laws have been in effect for one year, the University Senate shall review the By-Laws and consult collegially with stakeholders, at which time the By-Laws may be amended in accordance with the Amendment Provision herein.

### PURPOSE

The purpose of the UVI Senate shall be to receive and review University policy recommendations from any and all University groups, obtain constituent opinions, advise the President as to policy recommendations, provide a venue for University-wide initiatives and provide a means of communication within the University community. The UVI Senate is the forum in which all proposed broad-based University policy and procedural changes are discussed collegially before they are acted on or implemented by the University President. The

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UVI Senate is further charged with the responsibility of recommending amendments to the President regarding the UVI shared governance model, as appropriate, through consultation with the Faculty Association, Staff Council, and Student Government Association(s). The UVI Senate shall adhere to the UVI Shared Governance Model and later documents approved by the Board of Trustees.

The UVI Senate is expected to play a pivotal role in providing input to the institution's decision-making process. The primary functions of the UVI Senate shall be governed by, and subject to the limitations imposed by federal laws, territorial laws, and mandates from the University of the Virgin Islands Board of Trustees. The UVI Senate shall provide broad based advice to the President and Cabinet on a broad range of issues including budgets, educational programs and standards, personnel policies, University community issues, strategic plans, facilities management and operation, and policies respecting faculty, staff and student as appropriate. This broad charge brings virtually all campus policy matters within the purview of the UVI Senate, except those areas of responsibility delineated by the approved by-laws of the respective stakeholder group. Acting as an advisor to the President, the UVI Senate may pass recommendations on a wide range of issues. The faculty association, staff council, and student government association shall at all times maintain their role as advocates for their respective constituencies as stated in the applicable legislation, bylaws, or policy manual and shall execute all functions as outlined in the applicable legislation, bylaws, or policy manual.

## MEMBERSHIP

The membership of the UVI Senate shall include twelve (12) representatives from the following three UVI constituent groups (i.e., faculty, staff, and students): four (4) faculty representatives (elected by the Faculty Association), four (4) staff representatives (elected by the Staff Council), four (4) student representatives (elected by the Student Government Association(s)), and the UVI Cabinet. The President and Cabinet shall serve as ex-officio, non-voting members of the Senate. A constituency group may replace its representatives at any time during the year; however the replacement must be appointed to serve out the remainder of the annual term.

## MEETINGS

**Conduct of Meetings:** The UVI Senate shall elect a Chairperson, a Vice Chairperson, and a Secretary from among the Senate membership. *“Senators shall serve two year terms of office. Senators will serve no more than two consecutive terms in office and may be re-elected to the Senate after at least one term NOT in the Senate. The constituent groups (faculty, Students, Staff) will elect two new senators every year on a rotating basis. The Constituent groups will be responsible for electing a new senator in the event of a vacancy for any reason.”*

The Chair of the Senate shall serve no more than two (2) consecutive terms in the capacity of Chair. The Senate shall use Robert's Rules of Order to govern proceedings and the conduct of meetings. A quorum must be present to hold a meeting. A quorum is defined as fifty percent plus one (7) of the voting members. The preferred method of decision-making is consensus.

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When actions require a vote, all decisions of the UVI Senate shall require a majority of those present and voting ***and requires a minimum of 5 positive votes***. Proxy votes shall not be accepted.

**Type of Meetings:** All meetings of the UVI Senate shall be open to all stakeholders. There shall be no executive sessions. The proceedings of the UVI Senate are a matter of University record and disclosure of the proceedings is subject to federal, territorial and Board of Trustees policies.

**Scheduling of Meetings:** The UVI Senate shall meet monthly. The full meeting times must be announced at the beginning of each academic year. All meetings shall be open to all stakeholders. Except for unpredictable events, the UVI Senate shall hold a minimum of four (4) meetings during the regular academic year. Emergency meetings may be called by the University President, UVI Senate Chairperson or by a written Emergency Meeting Request signed by seven (7) UVI Senate members.

Agenda packets (including the Minutes from the prior UVI Senate Meeting) for the UVI Senate shall be distributed (by hardcopy and email) by the Senate Secretary at least five (5) days in advance of regularly, scheduled meetings to all Senate members, as well as copies to chairs of the Faculty Association and the Staff Council, and the president(s) of the Student Government Association(s). A copy shall be posted on University bulletin boards and posted electronically to ensure accessibility to the UVI community at large.

## **SUBMISSION OF AGENDA ITEMS**

**Form of Submission:** UVI Senate agenda items shall be submitted in writing to the Senate Chairperson at least one week prior to the preparation of the agenda. Items may be submitted by UVI Senate members or any individual or group within the University campus community. A consensus model shall be used to determine which items are placed on the agenda. The Senate Chairperson shall prepare the final agenda in collaboration with the Agenda Review Committee.

**Review of Submission:** The Agenda Review Committee shall review all agenda items and determine if they are within the scope of the UVI Senate, or if an item should be referred to a constituent group for further work before being submitted to the UVI Senate. If the item is not to be included on the Senate agenda, or referred for further work, the UVI Senate Chairperson shall return the request to the originator with the reason for not including the item. The decision may be appealed by the originator to the UVI Senate. In accordance with Robert's Rules of Order, the UVI Senate may modify the agenda at the opening of a meeting.

## **ACTION ITEMS**

Items brought to the UVI Senate for consideration may be presented by the originator (not necessarily a UVI Senate member). After review of any substantiating materials and discussion, the UVI Senate shall take action in one of the following ways:

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1. To concur by consensus or majority vote with an item and recommend it to the University President.
2. To modify a recommendation and forward the item to the University President by consensus or majority opinion. Written minority opinions may be submitted at the same time.
3. To refer an item to a constituent group or committee for further work or consideration. In this case the UVI Senate does not forward the item to the President and remains mute on the item.
4. To use other parliamentary motions in Robert's Rules of Order such as to table or postpone an item.

Items recommended for forwarding to the University President shall be brought to the UVI Senate in written form. Decisions reached by the UVI Senate are by consensus or majority opinion. Members who wish may write a minority report.

The President shall accept, reject or make alternative recommendations to those of the UVI Senate, or make recommendations to the UVI Senate in the absence of any recommendation from the UVI Senate. Within ten (10) working days of receipt of written recommendations from the UVI Senate, the University President shall communicate with the Senate his/her decision in writing. If the President's decision is affirmative, the recommendation becomes University policy, unless required for further approval by the Board of Trustees.

If the President does not support the recommendation, the President shall provide a written justification to the UVI Senate within the ten (10) working day time limit. Those items not accepted by the University President shall be on the next UVI Senate agenda for the UVI Senate's consideration of the President's written justification or alternate proposal. The Senate may consider making a new recommendation to the University President. ***In all instances, the University President retains the right and duty to make final decisions on items after UVI Senate consideration.***

## UVI COMMITTEES

The Senate shall set the guidelines under which University-wide/global policy committees shall be formed. Specific stakeholder group committees shall be formed in accordance with the By-Laws of the relevant stakeholder group. Committees shall be formed by the appropriate component as per stakeholder group and/or UVI Senate guidelines for such committee(s).

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## **SENATE AGENDA REVIEW COMMITTEE**

The Senate Agenda Review Committee shall establish the agenda for Senate meetings and perform any assignment designated by the UVI Senate. The Senate Agenda Review Committee shall be comprised of the Senate Chairperson, Vice Chairperson, Senate Secretary and one additional Senator, elected by the Senate. The ex-officio, non-voting members of the Senate Agenda Review Committee shall be the UVI President, Provost, and one additional Cabinet member, elected by the Cabinet.

## **RIGHTS AND RESPONSIBILITIES OF THE SENATE**

These By-Laws recognize the special relationships mandated by the provisions of Title 17, Chapters 33 and 35 of the Virgin Islands Code, Sections 453 and 492, establishing the Board of Trustees, and the Shared Governance Framework approved by the Board of Trustees, Cabinet, faculty, staff, and students. These By-Laws do not detract from the rights and responsibilities of the Faculty Association, Staff Council, or Student Government Association(s) to address the President or the Board of Trustees directly on items within their scope.

1. In policy matters of academic and professional concern, the Administration shall take into account the advice and judgment of the UVI Senate.
2. In general, the UVI Shared Governance Matrix further identifies the role of the UVI Senate in matters related to University-wide approvals, decisions, recommendations, consultations, and information sharing; and, matters which may be outside of the purview of the UVI Senate. *(as of the time of the creation of these by-laws – the Shared Governance Matrix has not yet been adopted by the Board of Trustees)*
3. Items concerning broad-based University policy shall be presented to the UVI Senate to ensure that all constituencies have an opportunity to participate in the formulation and development of those matters through the process of shared governance.

## **Duties of the Senate Chair**

- a. The duties of the Chair shall include, but not be limited to:
  - i. Preside at all meetings of the Senate and the Agenda Review Committee;
  - ii. Determine, in collaboration with the President and the Agenda Review Committee, the agenda for all meetings of the Senate;
  - iii. Issue calls for special meetings of the Senate.
  - iv. Receive all matters directed to the Senate and to refer these to the Senate or to one of its committees as appropriate;
  - v. Act as the official representative of the Senate; and

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- vi. Uphold the Framework, and By-Laws of the Senate.

## **Duties of the Senate Vice-Chair**

- a. The duties of the Vice Chair shall include, but not be limited to:
  - i. Preside at meetings of the Senate in the absence of the Chair;
  - ii. Act as Chair of the Senate in the event a vacancy occurs in the office of the Chair of the Senate until another Chair is elected;
  - iii. Represent the Senate when appointed to do so by the Chair of the Senate; and
  - iv. Serve as a member of the Agenda Review Committee

## **Duties of the Senate Secretary**

- a. The duties of the Secretary shall include, but not limited to:
  - i. Serve as recording officer and custodian of records
  - ii. Keep a register, or roll, of the Senate members and call the roll when required
  - iii. Notify officers, committees and delegates of their appointment
  - iv. Send out proper notices of all called meetings
  - v. Prepare the correspondences of the Senate in collaboration with and on behalf of the Senate Chair
  - vi. Distribute and/or post minutes, agendas, and all other documents as required by the Senate
  - vii. Serve as a member of the Agenda Review Committee

## **Duties of the Senator**

All duly elected senators are expected to render responsible and ethical service in carrying out the duties of a UVI Senator, and to administer faithfully the policies and objectives of the University – in general, and those which best fulfill the needs, concerns and interests of the faculty, staff, and students at UVI – in particular. Furthermore, Senators shall strive to enhance the productivity and employment experience of every UVI faculty, staff, and student through the shared governance process and the collective commitment of the Senate to the mission of the University. Specifically, the duties of a Senator shall include, but not be limited to:

- i. Attend all meetings of the UVI Senate
- ii. Work collegially with fellow senators to come to consensus on issues
- iii. Stay informed on matters related to the Senate and the University
- iv. Seek information and follow up on that information as needed
- v. Participate in discussion during Senate meetings
- vi. Share information with other senators and other colleagues/constituencies, as appropriate

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## **MINUTES**

The Office of the President shall provide administrative assistance to the Senate by providing a staff assistant to record the minutes of the UVI Senate meetings. The Senate Secretary shall be responsible for distributing the minutes and notification of meetings, and all other duties as stated in these Bylaws. The Senate Secretary shall also maintain an accurate file of UVI Senate minutes including a record of University policies developed by the UVI Senate and the President. Minutes shall be posted on the UVI website, in UVI Announcements, and on major University bulletin boards in buildings across both campuses.

## **AMENDMENTS**

Amendments to the By-Laws may be proposed by any member of the UVI Senate. In order to be adopted, proposed amendments must:

1. Receive a two-thirds (2/3) majority affirmative vote (8 members) of the UVI Senate.
2. Be reviewed by all three constituent groups of the University and the Cabinet.
3. Approval by the University President
4. Approval by the University Board of Trustees