

THE CONSTITUTION OF THE FACULTY SENATE OF
THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER

ARTICLE I. OBJECT

This Senate exists to the end that the faculty shall assume its proper share of the responsibility for the making of academic decisions, for the protection of academic freedoms within a framework of due process, and for the general advancement of the University of Mississippi Medical Center.

ARTICLE II. MEMBERSHIP

2-1. Ex Officio Members. The following shall be *ex officio* members and shall serve as communication links with other administrative and governing bodies:

- (a) The Chancellor of the University of Mississippi
- (b) The Vice Chancellor for Health Affairs of the University of Mississippi
- (c) The Dean of the School of Dentistry
- (d) The Dean of the School of Health Related Professions
- (e) The Dean of the School of Medicine
- (f) The Dean of the School of Nursing
- (g) The Dean of the Graduate School
- (h) The Executive Secretary of the Board of Trustees of the Institutions of Higher Learning
- (i) The Past-President and/or Past-Secretary if either held office the preceding year and is no longer an elected member of the Faculty Senate.

As new Schools are added, the newly appointed dean will automatically become an *ex officio* member of the Faculty Senate. These *ex officio* members shall have the privilege of the floor only for the purposes of debate. They may not make or second motions and shall have no vote. Only a regularly-designated assistant may stand for an *ex officio* member.

2-2. Elected Members. The provided elected members shall be drawn from and elected by the full-time faculties of the Schools at the University of Mississippi Medical Center. Division of schools include:

School of Dentistry

School of Health Related Professions

School of Medicine

Departments: Anesthesiology, Emergency Medicine, Family Medicine, Medicine, Neurology, Neurosurgery, Obstetrics and Gynecology, Ophthalmology, Orthopedic Surgery, Otolaryngology, Pediatrics, Preventive Medicine, Psychiatry and Human Behavior, Radiology, Surgery

School of Nursing

University Medical Center Division

Departments: Academic Information Services, Anatomy, Biochemistry, Microbiology, Pathology, Pharmacology and Toxicology, Physiology and Biophysics.

- (a) Each school or part of a school shall be considered a division of the Faculty Senate. Each School shall have at least two senators as basic representation without regard to faculty size. The recognition of part of a school as a separate division will require an amendment to the constitution. (Article IX).
- (b) For every thirteen (13) full-time faculty members, a division shall have one additional senator. The division of a given faculty member is determined by the department or division from which that member's prime appointment is held and/or principal support is derived. That determination will be made by the Vice Chancellor or the Vice Chancellor's designee.
- (c) The total number of senators in the Faculty Senate shall not exceed 24, but it may be less. As the faculty size increases, it will be necessary to dilute the senator to faculty ratio to 1:14, 1:15 and so on to keep the number of senators within the limit.
- (d) The Senate shall consist of three classes. These shall rotate at the rate of one class per year so that each senator shall serve three years with his term expiring June 30th of the year by which his class is designated. When a new division is added, the candidate receiving the most votes will serve for a three-year term, the one receiving the second highest number of votes will serve a two-year term, and the one receiving the third highest number of votes will serve for a one-year term.

2-3. Eligibility. Any full-time faculty member (with the exception of *ex officio* members of the Faculty Senate) who (1) holds the rank of Assistant Professor or higher in one of the various divisions and (2) has been a member of the University of Mississippi Medical Center for the two years immediately preceding the effective date of office is eligible for election. When a new division of the Faculty Senate is established, faculty with rank of Assistant Professor or higher will be eligible for election to the Senate immediately. A senator whose regular term expires may not serve again until two full years have passed. That individual, however, would become eligible for the regular spring election held during the second year after leaving office. However, if a faculty member were elected specifically to fill an unexpired term of one year or less, that member may stand for re-election (See 4-1).

2-4. Method of Election. Soon after the beginning of the new calendar year the Secretary shall send to all full-time faculty members a request for names of those they wish to nominate as senator. This communication should specify the requirements of eligibility and urge that only those eligible be nominated and that the names be submitted within four weeks of the initial request.

After verifying the eligibility of those nominated, the Secretary shall mail to all full-time faculty members a list of the nominees from their respective division. The Secretary shall include with the list of the faculty eligible to hold office: (1) the number of senators to be elected in that division and (2) directions for the return of all ballots within four weeks in unmarked sealed envelopes within an outer envelope signed by the voter and addressed to the Secretary.

After one month, the Executive Committee shall meet, open the sealed unmarked envelopes and count the votes. Ballots returned with less than the appropriate number of marked names shall be considered valid ballots. Within each division the appropriate number of senators receiving the largest number of votes shall be declared elected and the results shall be announced at the May meeting. In case of a tie, the persons under consideration shall draw lots from the Secretary in the presence of the Executive Committee.

Advances in computer network technology at the University of Mississippi Medical Center has allowed for a transition from a paper to paperless environment. In lieu of using a paper ballot, the Executive Committee may adopt the use of an electronic ballot for the election of faculty senate officers. In order to implement an electronic election, the Executive Committee must ensure that confidentiality will be ensured, and that no duplicate voting, or voting by non-fulltime faculty members will occur. The Executive Committee will present these assurances to the full senate for a vote to adopt an electronic ballot. Electronic voting will be conducted over a 4-week period at the time that elections are to be held.

2-5. Alternate Senators. Two alternate senators for each division shall be chosen at the time of the regular elections. The nominees receiving the highest number of votes shall be declared elected senators in accordance with the apportionment for that division. The next two nominees receiving the highest number of votes shall be declared first and second alternates. Should the first alternate become senator, the second alternate shall become the first alternate and the person with the next highest number of votes becomes second alternate until the term ends.

The two alternate senators, when requested to do so from any senator in his/her division, shall sit in the absence of that senator and have all the privileges and responsibilities of the absent senator.

2-6. Attendance. A senator who is unable to attend a regularly scheduled meeting is required to contact the first or second alternate. A senator failing to attend three consecutive senate meetings without notifying an alternate shall be considered to have resigned from the Senate and shall be replaced by the first alternate. If either the first or second alternate fails to attend two consecutive requested meetings, the alternate will be considered to have resigned and will be replaced by the next highest voted nominee on record in that division.

ARTICLE III. OFFICERS OF THE FACULTY SENATE

3-1. Description and Duties. The officers shall be President, President-Elect, Secretary, and Secretary-Elect. The President shall moderate each meeting and chair the Executive Committee. The President-Elect shall act for the President in case he is unable to carry out his duties. In addition, he shall serve as parliamentarian. The Secretary shall keep the minutes of each meeting of the Faculty Senate, as well as those of the Executive Committee. The Secretary-Elect shall assist the Secretary and act for him in case he is unable to carry out his duties.

3-2. Eligibility. Only elected members of the Faculty Senate may hold office.

3-3. Term of Office. Each officer shall hold office for one year as officer-elect, beginning on July 1st, immediately following his election, and for the succeeding year as officer, except as otherwise provided for under section 4-2.

3-4. Election of Officers. The new officers shall be elected by the full Senate (excluding *ex officio* members) at the first meeting of the academic year. It shall be the responsibility of the President to announce the eligible candidates for President-Elect and Secretary-Elect to the Faculty Senate Membership prior to that meeting. All senators in their first or second year of service are eligible except that the same office may not be held by a member from the same division in successive years. A division, as well, may not be represented by more than one officer in the same class. If two members from the same division receive the most votes for two different offices, the member selected for the lesser office will be ineligible and the successful candidate for that office would be the member from a different division with the highest number of votes.

3-5. Executive Committee. The Executive Committee shall consist of the President, the President-Elect, the Past-President, the Secretary, the Secretary-Elect, and the Past-Secretary. The immediate Past-President and Past-Secretary will be considered *ex officio* members of the Executive Committee if no longer elected members of the Senate. Members of the Executive Committee shall prepare the agenda and serve as the election committee.

ARTICLE IV. VACANCIES

4-1. Senate Seats. If a senate seat becomes vacant, it shall be filled by the person receiving the next highest number of votes in the election originally filling that seat, consistent with the provisions in sections 2-4 through 2-5.

4-2. Officers. If any office becomes vacant between July first and the following election of officers, the runner-up from the same division shall automatically assume office until the term expires. If there is no runner-up in the same division, then the person receiving the highest number of votes for that office from any division and also meeting the criteria in sections 3-3 and 3-4, would be selected. If there are no alternates for the office, then the re-election or appointment of another senator to office would be at the discretion of the Senate.

If the vacancy occurs after the election of officers, it will be filled early by the senator who would otherwise fill it either because of election or advancement on the following July first.

ARTICLE V. RELATIONSHIP TO OTHER ADMINISTRATIVE AND GOVERNING BODIES AND AUTHORITIES

5-1. Review. While the Faculty Senate recognizes the autonomy of the Executive Faculty of the School of Medicine, of the Graduate Council, of the Faculty of the School of Nursing, School of Dentistry, School of Health-Related Professions, School of Medicine and University Medical Center Division of the University of Mississippi, it reserves the right to review any

action of these bodies, if that action affects the University of Mississippi Medical Center faculty and/or student body as a whole.

5-2. Higher Authority. The Faculty Senate acknowledges the final authority of the Board of Trustees of the Institutions of Higher Learning in the State of Mississippi, subject to the constitutions of the State of Mississippi and of the United States of America.

ARTICLE VI. PARLIAMENTARY REFERENCE

In those questions of parliamentary procedure not specifically covered in this document, Robert's Rules of Order Revised shall apply.

ARTICLE VII. POWERS

The Faculty Senate shall have the power to recommend new policy within the following limitations:

7-1. Affirmative Action. The Vice Chancellor of the University of Mississippi Medical Center shall approve the affirmative action or shall veto any recommendation of the Faculty Senate within 60 days following the date the recommendation was received. In the absence of the Vice Chancellor, the Vice Chancellor's Designee shall automatically assume this responsibility. If by the end of the 60-day period, no action has been taken, then the right of appeal may be followed as outlined in section 7-3.

7-2. Procedure. In recommending matters of policy, the following procedure will apply.

The opening step must be a motion to place the matter on the agenda of the next meeting. The motion must be seconded and then may be debated. A simple majority shall suffice to carry the motion. If carried, the recommendation itself may be taken up at the next meeting. A two-thirds majority of those present and voting shall be necessary for passage.

7-3. Appeal. The Faculty Senate shall have the right to approach, through normal administrative channels, the Chancellor of the University as well as the Board of Trustees concerning any action by the Administration of the University of Mississippi Medical Center, subject to the following limitations:

- (a) The opening step shall be a motion to hear a representative of the Administration speak to the action at the next meeting. A simple majority will suffice to carry the motion.
- (b) At the next meeting, following the hearing, a motion to appeal the action will be in order, and must designate the official or group to which the appeal is directed. Following passage, which shall require a two-thirds majority of those present and voting, the President shall deliver to the Vice Chancellor of the University of Mississippi Medical Center or, in his absence, the Vice Chancellor's Designee a request for a hearing from the

designated official or group. At the next meeting, the President shall make a full report to the Senate. If further appeal is desired, it may be authorized by a two-thirds majority of those present and voting.

- (c) In the event that the Vice Chancellor or the Chancellor fails to pass the appeal, with or without comment, to the next higher authority within 60 days, the Faculty Senate will have the privilege of appealing directly to that authority.

ARTICLE VIII. MEETINGS

The Faculty Senate shall meet at least once each month during the academic year.

8-1. Attendance by Faculty. Any faculty member may attend any regular meeting of the Senate. If a faculty member requests permission to address the Senate, a simple majority will suffice to grant him this privilege. If a member of the faculty filed a prior written request with the Executive Committee, however, a hearing must be granted.

8-2. Attendance by Others.

(a) Students. Any student registered at the Medical Center who wishes to be heard by the Senate must first file a written request with the Executive Committee. The student may then be invited to address the Senate at its next meeting.

(b) Other Persons. The Senate meetings shall be closed to all others except those the Executive Committee or the Senate may choose to invite or to hear.

8-3. Quorum. One-half the membership shall constitute a quorum if there be at least one senator present from each division.

8-4. Called Meetings. The Executive Committee may call special meetings as necessary. The business transacted will be limited to that outlined in the call.

8-5. Canceled Meetings. The Executive Committee may cancel any scheduled meeting provided due notice is given.

ARTICLE IX. AMENDMENTS

This constitution may be amended by the following sequence of actions:

9-1. Motions. A motion to place the questions of amendment on the agenda of the next meeting shall be made at a regular meeting, a simple majority vote is required for passage.

9-2. Passage by Senate. At the following meeting, a two-thirds majority of those present and voting shall be required.

9-3. Adoption by Faculty. A written notice then shall be sent to each faculty member (as defined in section 2-4) describing the proposed amendment. After the next regular meeting, the faculty members thus notified shall be balloted by mail (by the general procedures in section 2). A simple majority of the votes cast within each division shall be required for passage.

ARTICLE X. ADOPTION

The Vice Chancellor of the University of Mississippi Medical Center shall serve as the temporary President of the Faculty Senate until the constitution is adopted, the senators chosen, and the new President elected. As temporary President, the Vice Chancellor shall appoint a temporary committee, drawn from the faculty, to assist during the election of Senators and a new President.

10-1. Constitution. The constitution must first be ratified by a simple majority of the faculty membership present at a general faculty meeting, provided that a copy of the proposed constitution together with notice of the meeting has been distributed to each such faculty member far enough in advance of the balloting for ratification to allow study. If the constitution is ratified, it shall require the signature of the Vice Chancellor of the University of Mississippi Medical Center as well as that of the Chancellor of the University of Mississippi before it shall be declared in effect. It cannot, however, be dissolved by either of these offices at a later time.

10-2. Operation. It shall be understood that in operation of the Faculty Senate, the faculty shall furnish the personnel in the form of the senators, and the administration shall furnish supplies and secretarial assistance.

10-3. Election of Senators. The procedures of sections 2-2 through 2-5 shall be followed, except that the initial list shall be mailed out as soon as the constitution is in effect with instructions to each division to vote for 12. After one month, the temporary committee (Article X) shall count the votes. Within each division, the 12 persons with the largest number of votes shall be declared the nominees for that division, except that no more than four names may be from the same department. The ballots, with instructions to vote for six with no more than two from the same department, then shall be distributed. After one month, the temporary committee (Article X) shall count the ballots and arrange the names within each division in descending order of number of votes received. In the case of tie votes, the provisions of section 2-5 shall apply. If more than two persons from the same department are in the top six, the two highest shall be elected and the others from that department *shall be* omitted from the list. Within each division, the two highest candidates shall be declared elected to three-year terms, the next two to two-year terms, and the next two to one-year terms. The temporary President shall make a written announcement to the entire faculty of the results and at the same time announce the first meeting of the new Senate. At that meeting, the temporary President shall preside until a new President has been elected from among those chosen for three-year terms. The division from which the new President is chosen then shall determine the divisions from which the other officers shall be chosen according to section 3-4, the new President being considered the current President-Elect for this purpose. The Secretary also shall be from those elected to three-year terms, while the officers elect shall be from those elected to two-year terms.