

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 (proposed for fall 2008). 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.

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 President, Cabinet, Faculty Association, Staff Council, and Student Government Association(s) shall review the By-Laws and consult collegially, 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 UVI Senate is further charged with the responsibility of

amending 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, the UVI Shared Governance Matrix, and the UVI Principles of Shared Governance.

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 (appointed by the Faculty Association), four (4) staff representatives (appointed by the Staff Council), four (4) student representatives (appointed 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 and a Vice Chairperson from among the Senate membership. The term of office for all Senate members shall be one year, but officers can be re-elected for up to three (3) consecutive terms. 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, which must include representatives from at least two of the three constituency groups. The preferred method of decision-making is consensus. When actions require a vote, all decisions of the UVI Senate shall require a majority of those present and voting, and the number of affirmative votes must be no fewer than seven (7). 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: Meetings of the UVI Senate shall be scheduled on a monthly basis. 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 President's Office 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 Office of the President 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. The Agenda Review Committee shall consist of the UVI Senate Chairperson, University President, Faculty Association Chair, Staff Council Chair, and the Student Government Association President(s). A consensus model shall be used to determine which items are placed on the agenda.

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:

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 five (5) 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 five (5) 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).

RIGHTS AND RESPONSIBILITIES

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, nor are these procedures meant to detract from any negotiations or negotiated agreement between University stakeholder groups and the Board of Trustees.

1. In matters of academic and professional concern, the Administration shall take into account the advice and judgment of the Faculty Association and Staff Council.
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.
3. Items concerning broad-based University policy shall be presented to the UVI Senate to ensure that all constituencies have had an opportunity to participate in the formulation and development of those matters through the process of shared governance.

MINUTES

The Executive Assistant to the President shall serve as secretary to the UVI Senate. S/he shall take accurate minutes of the Senate meetings and shall publish them. The 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 (including the President).
3. Be approved by at least two of the three constituent groups (represented respectively by the Faculty Association for faculty, the Staff Council for staff, and the SGA for students).