Constitution

Open, reciprocal communication is the essence of every organization. When an organization such as this University grows, the lines of communication often become tangled or completely severed. To prevent this and to foster mutual trust and respect, both parties must arrive at a common ground for meaningful discussion. This common ground is found in the Staff Senate described in this document.

ARTICLE I NAME

The name of the organization shall be the Staff Senate of East Tennessee State University.

ARTICLE II PURPOSES AND FUNCTIONS

The purposes and functions of the Staff Senate of East Tennessee State University shall be the following:

A. To provide a means for assuring formal, systematic, and continual channels of communication through which the non-faculty and non-student components of this University participate meaningfully in the study and discussion of problems, situations, and opportunities relating to them.

B. To offer appropriate recommendations to the President on matters pertaining to the staff of the University.

C. To interact with other groups within the University (i.e., faculty, students, and administration) on matters pertaining to the University as a whole.

ARTICLE III MEMBERSHIP

The Staff Senate shall consist of thirty (30) members elected from EEOC non-faculty categories, as well as thirteen (13) members elected by each degree-granting School/College.

A. Eligibility: Any regular full or part-time member of the university staff (non-faculty component) having been employed by the University for a period of not less than one (1) year shall be eligible for election to membership. The university staff is defined as all nonacademic, non-teaching personnel employed by the University. University administrative and support personnel holding academic rank but not eligible for representation by the Faculty Senate shall be eligible for election to membership in this body.

B. Term of Office: The term of office for an elected member of the Senate shall be three (3) years.

C. Representation: Each employment category shall have the specified number of representatives approximating their percentage of employment of the total staff. Membership representation shall be reviewed prior to each election to assure the appropriate representation by EEOC non-faculty employment categories. In addition to the thirty Staff Senators elected from EEOC non-faculty employment categories, each degree-granting School/College will elect one representative with the exception of the Colleges of Arts & Sciences, Business & Technology, and Medicine which will each elect two. Any degree-granting School/College established after ratification of this amendment shall be entitled to one representative. (Amended 9/96, 2/04, and 1/08) Elected senators changing to a different EEOC non-faculty category during their term will be allowed to complete their term under their elected EEOC non-faculty category.

D. Elections:
1. Shall be held in July of each year by secret ballot; term of office begins with the September meeting of the Senate.

2. Elections shall be conducted and supervised by the Committee on Staff Elections under the rules and regulations stated in the Senate Bylaws.

3. In the event of a tie vote between two staff members for an elected position, the person with the most years of regular service at ETSU as determined by the Office of Human Resources will be considered elected. Years of service at ETSU shall also be used to break any tie for those in Alternate positions following an election. Elections shall be conducted by individual Schools/Colleges to coincide with the regular Staff Senate EEOC Elections in July of each year.

E. Attendance at monthly meetings is required. Absences may be excused by notifying the Senate Secretary prior to the meeting. Senators accumulating more than three (3) consecutive unexcused absences or six (6) total absences in a twelve (12) month period, defined as September through August, will be terminated from membership. Appeals may be made through the Committee on Staff Concerns as set forth in the rules and regulations of the By-Laws. Any Senator whose term of office is terminated due to absences or other reasons and has not been reinstated following the appeals process shall not be eligible to run for office until at least one year has passed since his/her dismissal. (Amendment 9/96, 1/08, and 8/11)

ARTICLE IV OFFICERS

The Staff Senate officers shall be the following: President, President-Elect, Secretary, and Treasurer. At the end of one (1) year of service, the President-Elect shall succeed the President. The President-Elect, Secretary, and the Treasurer shall be elected annually.

A. President: The President shall be the presiding officer of the Senate, shall chair the Executive Committee, and shall be an ex officio member of all other Senate committees.

B. President-Elect: The President-Elect shall substitute for the President in his/her absence, assume all duties of that office in the President's absence, and serve in other capacities as the President may direct. Should the term of the President-Elect end prior to assuming the duties of the Presidency, his/her term will be extended one year. (Amended 9/96)

C. Secretary: The Secretary shall perform the following duties:
   o Serve as recording secretary at all regular or special meetings of the Senate;
   o Keep the official attendance records of all meetings;
   o Prepare and maintain the official membership list of the Senate.
   o Collects all committee reports, meeting minutes and other official Senate documents at the end of the year and delivers them to the Archives of Appalachia.

D. Treasurer: The Treasurer shall perform the following functions:
   o Compile and maintain all records of financial transactions involving the Senate;
   o Make monthly financial reports to the Senate at large;
   o Prepare annual financial statement to be submitted to the President of the University.

E. Member at Large: The Member at Large shall perform the following functions:
   o Act as a liaison between the Senate and the Executive Committee
   o With the exclusion of the President, temporarily fulfill the duties of an officer in their absence.
   o In the event of an officer vacancy, the Member at Large shall temporarily serve in that role until the vacancy is filled by election of the Senate, with the exclusion of the President.
ARTICLE V STAFF SENATE COMMITTEES

The Senate shall establish committees to study and to make reports on matters of concern to the University staff. Committees created by the Senate become Senate committees, receiving their authority from that body and reporting their findings and recommendations to the Senate. These committees shall not act independently of this body. The policies and procedures of Senate Committees shall be established in the bylaws.

A. Standing Committees: The standing committees of the Senate shall be the Executive Committee and such others desired by the Senate and listed in the Bylaws. The Senate shall elect members to the standing committees at the October meeting. (Amended 9/96)

B. The Executive Committee shall be composed of six (6) members including the President, President-Elect, Secretary, Treasurer, immediate Past President, and one member at large. Should the term of the President end prior to fulfilling duties as immediate Past President, his/her term will be extended one year. (Amended 9/96)
   o Each year, one (1) member at large shall be elected to the Executive Committee by the Senate from its membership; the vote shall be by secret ballot after the new members of the Senate are seated.
   o The duties of the Executive Committee of the Senate shall be as follows:
      • To consider and act on urgent matters of immediate and general interest to the University which cannot wait for action by the Senate in regular session. Such actions of the Executive Committee shall be reported to the Senate at its next meeting and shall be subject to ratification by a majority vote of the Senate;
      • To advise the president on such ad hoc committees of the Senate as may be needed with committee membership appointed by the president;
      • To examine the work of the various Senate committees to prevent duplication of effort, to ensure the completion of committee assignments, and to coordinate the work of all committees;
      • To refer matters to the proper committees of the Senate;
      • To meet at least five (5) workdays in advance of regular Senate meetings for the purpose of preparing an agenda and making assignments to those who are to report to the Senate at the next Senate meeting. The secretary will forward the agenda to each member of the Senate at least three (3) days before the Senate convenes.

ARTICLE VI MEETINGS

The Staff Senate shall hold one regularly scheduled meeting each month at such time as specified by the membership of the Senate. Special meetings may be called by the Executive Committee or by the President of the Senate upon petition of ten (10) members of the Senate. Notification of special meetings shall be made, in writing, to all members of the Senate at least three (3) workdays prior to such meetings. Except for executive sessions, all meetings of the Senate shall be open to any member of the University community and visitors who may be invited in advance by the President of the Senate. The Senate may go into executive session by approval of a simple majority of the members present.

A. Executive sessions will be used when the Senate considers matters deemed confidential.
B. Only parties deemed essential to the matter at hand will be permitted to attend the session.

ARTICLE VII AMENDMENT PROCEDURE

A. This constitution may be amended in either of the following ways:
   o A petition signed by one-third (1/3) of the full-time staff members of the University.
   o A formal motion supported by one-third (1/3) of the voting Staff Senate members.
B. Ratification: Any amendments shall be adopted and ratified in the following manner:
   o An amendment must receive a favorable vote by a majority of Staff Senators voting in an official Senate meeting to be held no sooner than one (1) week after introduction.
   o Any such amendment must receive a favorable vote by a majority of the staff members voting thereon.

AMENDMENTS TO THE CONSTITUTION

The following amendments were approved by the 2015-2016 Staff Senate:

1. Article IV, Section E. Member at Large
   **Previous:** Current Constitution does not have duties of the Member at Large defined as an officer
   
   **Approved:** Member at Large: The Member at Large shall perform the following functions:
   A. Act as a liaison between the Senate and the Executive Committee
   B. With the exclusion of the President, temporarily fulfill the duties of an officer in their absence.
   C. In the event of an officer vacancy, the Member at Large shall temporarily serve in that role until the vacancy is filled by election of the Senate, with the exclusion of the President.

   **Rationale:** The Member at Large is an Executive Committee member and duties needed to be defined in the constitution, as is with other executive committee positions.

2. Article V, Section A Policies and procedures of Senate committees
   **Previous:** Policies and Procedures of Senate Committees: All recommendations from these committees shall be presented to the Senate for consideration. Minority reports and recommendations by dissenting committee members may be submitted to the Senate for consideration. A majority of the committee membership shall constitute a quorum for the transaction of all committee business.
   
   **Approved:** Strike this section

   **Rationale:** The committee feels the constitution establishes the standing committees while the by-laws define their policies and procedures.

3. Change lettering of Article V Section B to Section A
   **Rationale:** Formatting change if amendment 2 is passed. If not, this amendment is not needed.

4. Article V Section B and C
   **Previous:** Policies and procedures
   A. The standing committees shall be maintained at full membership.
   B. Each committee shall file reports in writing with the Secretary of the Senate at least seven (7) workdays prior to each regularly scheduled meeting of the Senate when committee business is to be placed on the agenda.
Approved: Strike these sections

Rationale: The committee feels the constitution establishes the standing committees while the by-laws define their policies and procedures.

5. Change lettering of Article V Section D to section B
   Rationale: If amendment 4 passes, this is needed.

6. Article V Section B
   Previous: Except for the Executive Committee, committee membership shall be restricted to four (4) duly elected Senators appointed by the President except in those instances when the committee itself deems it should be enlarged.
   Approved: Strike this sentence.
   Rationale: The committee feels that committee membership and selection is governed by the bylaws. This is not a followed practice anyway.

7. Article V Section B, second bullet
   Previous: The duties of the Executive Committee of the Senate shall be as follows:
   ▪ To consider and to act on urgent matters of immediate and general interest to the University which cannot wait for action by the Senate in regular session. Such actions of the Executive Committee shall be reported to the Senate at its next meeting and shall be subject to ratification by a majority vote of the Senate;
   ▪ To propose of the senate such ad hoc committees of the Senate as may be needed and to recommend to the Senate the membership of those committees. The life of an ad hoc committee shall be limited to the term of the Senate that created that committee;
   ▪ To examine the work of the various Senate committees to prevent duplication of effort, to insure the completion of committee assignments, and to coordinate the work of all committees;
   ▪ To refer matters to the proper committees of the Senate;
   ▪ To meet at least five (5) workdays in advance of regular Senate meetings for the purpose of preparing an agenda and making assignments to those who are to report to the Senate at the next Senate meeting. A copy of the agenda will be sent to each member of the Senate at least three (3) workdays before the Senate convenes.
   Approved: Strike this section

   Rationale: The committee feels that duties of committees should be in the By-laws.

8. Article VI Meetings
   Previous: The Senate may go into executive session by approval of two-thirds (2/3) of the members present.
   Approved: The Senate may go into executive session by approval of a simple majority of the members present
Rationale: Changed because of Robert’s Rules. 2/3 majority is not needed to create an executive session.

9. Add sections A and B to Article VI. Meetings
   Previous: Current Constitution doesn’t have these sections
   Approved: A. Executive sessions will be used when the Senate considers matters deemed confidential. B. Only parties deemed essential to the matter at hand will be permitted to attend the session.
   Rationale: These sections define what an Executive session is and the parameters of such session. This format is consistent with the rest of the Constitution as well.

10. In Article VII, Section A
    Previous: This constitution may be altered by an initiatory procedure begun in either of the following ways:
    Approved: Strike, “altered by an initiatory procedure begun” and change to amended
    Rationale: The committee felt the procedure was describing how to amend and felt initiatory procedure was extraneous wording. We chose to be more concise.

11. In Article VII, Section B
    Previous: An amendment must receive a favorable vote by a majority of Staff Senators voting in an official Senate meeting to be held no sooner than one (1) week after the initiatory procedure has been completed
    Approved: Strike, “the initiatory procedure has been completed,” and change it to, “amendment introduction.”
    Rationale: Since the committee deleted the initiatory procedure in section A, the change had to be reflected in Section B.

12. In Article VII, Section B second bullet
    Previous: The proposed amendment will then be distributed to the staff for review and evaluation.
    Approved: Strike this bullet
    Rationale: The committee felt this was inherent in being an informed voter. The secretary would include the amendment in the minutes and it fell to the Senator to be informed about the vote or abstain from voting.

The following amendments were approved prior to 2015-2016 Senate.
1. This amendment, effective TBD, amends Article III Membership, to read: “The Staff Senate shall consist of 41 elected members.”

2. And Article III Membership, Section C. Representation, adding at the end of the paragraph, to read: “Representation in addition to the 30 Staff Senators elected from EEOC non-faculty employment categories, 11 members shall be elected as follows: Each School/College will elect 1 representative with the exception of the Colleges of Arts and Sciences and Medicine which will elect 2.”

3. And Article III Membership, Section D. Elections, Paragraph 3., adding at the end of the paragraph, to read: “Elections shall be conducted by individual Schools/Colleges to coincide with the regular Staff Senate EEOC Elections in July of each year.”

Has Replaced:
“The Staff Senate shall consist of thirty (30) elected members.” And Adding To:

“Each employment category shall have the specified number of representatives approximating their percentage of employment of the total staff. The executive/administrative shall have three representatives; professional non-faculty shall have two representatives; clerical and secretarial shall have 12 representatives; technical and paraprofessional shall have 3 representatives; skilled craft shall have 2 representatives; and service maintenance shall have 8 representatives. Membership representation shall be reviewed prior to each election to assure the appropriate representation by EEOC non-faculty employment categories.” And Adding To:

“In the event of a tie vote between two staff members for an elected position, the person with the most years of regular service at ETSU as determined by the Office of Human Resources will be considered elected. Years of service at ETSU shall also be used to break any tie for those in Alternate positions following an election.”

4. This amendment, effective September 1996, amends Article III, Membership, Section C., Representation, to read: Each employment category shall have the specified number of representatives approximating their percentage of employment of the total staff. Membership representation shall be reviewed prior to each election to assure the appropriate representation by EEOC non-faculty employment categories.

Has Replaced:
“Each employment category shall have the specified number of representatives approximating their percentage of employment of the total staff. The executive/administrative shall have three representatives; professional non-faculty shall have two representatives; clerical and secretarial shall have 12 representatives; technical and paraprofessional shall have 3 representatives; skilled craft shall have 2 representatives; and service maintenance shall have 8 representatives. Membership representation shall be reviewed prior to each election to assure the appropriate representation by EEOC non-faculty employment categories.”

5. This amendment, effective September 1996, amends Article III, Membership, by adding Section E., to read: Attendance at monthly meetings is required. Absences may be excused by notifying the Senate Secretary prior to the meeting. Senators accumulating more than three (3) consecutive unexcused absences or six (6) total absences in a twelve (12) month period will be terminated from membership. Appeals may be made through the Committee on Staff Concerns as set forth in the rules and regulations of the By-Laws.

6. This amendment, effective September 1996, amends Article IV, Officers, Section B., to read: President-Elect: The President-Elect shall substitute for the President in his/her absence, assume all duties of that office in the President's absence, and serve in other capacities as the President may direct. Should the term of the President-Elect end prior to assuming the duties of the Presidency, his/her term will be extended one year.
Has Replaced:
“President-Elect: The President-Elect shall substitute for the President in his/her absence, assume all duties of that office in the President's absence, and serve in other capacities as the President may direct.”

7. This amendment, effective September, 1996, amends Article V, Staff Senate Committees, Section B., Standing Committees, to read: Standing Committees: The standing committees of the Senate shall be the Executive Committee and such others desired by the Senate and listed in the Bylaws. The Senate shall confirm members to the standing committees at the October meeting.

8. This amendment, effective September, 1996, amends Article V, Staff Senate Committees, Section C., to read: The Executive Committee shall be composed of six (6) members including the President, President-Elect, Secretary, Treasurer, immediate Past President, and one member at large. Should the term of the President end prior to fulfilling duties as immediate Past President, his/her term will be extended one year.

Has Replaced:
“The Executive Committee shall be composed of six (6) members including the President, President-Elect, Secretary, Treasurer, immediate Past President, and one member at large.”

9. This amendment, effective February 2004, amends Article III Membership, Section C to read: In addition to the thirty Staff Senators elected from EEOC non-faculty employment categories, eleven members shall be elected as follows: Each School/College will elect one representative with the exception of the Colleges of Arts & Sciences, Business & Technology, and Medicine which will each elect two.

Has Replaced:
“Representation in addition to the 30 Staff Senators elected from EEOC non-faculty employment categories, 11 members shall be elected as follows: Each School/College will elect 1 representative with the exception of the Colleges of Arts and Sciences and Medicine which will elect 2.”

10. This amendment, effective January 2008, amends Article III, Section C. Representation, to read: In addition to the thirty Staff Senators elected from EEOC non-faculty employment categories, each degree-granting School/College will elect one representative with the exception of the Colleges of Arts & Sciences, Business & Technology, and Medicine which will each elect two. Any degree-granting School/College established after ratification of this amendment shall be entitled to one representative.

Has Replaced:
“In addition to the thirty Staff Senators elected from EEOC non-faculty employment categories, eleven members shall be elected as follows: Each School/College will elect one representative with the exception of the Colleges of Arts & Sciences, Business & Technology, and Medicine which will each elect two.”

11. This amendment, effective January 2008, amends Article III Membership, Section E., to read: Attendance at monthly meetings is required. Absences may be excused by notifying the Senate Secretary prior to the meeting. Senators accumulating more than three (3) consecutive unexcused absences or six (6) total absences in a twelve (12) month period will be terminated from membership. Appeals may be made through the Committee on Staff Concerns as set forth in the rules and regulations of the By-Laws. Any Senator whose term of office is terminated due to absences or other reasons and has not been reinstated following the appeals process shall not be eligible to run for office until at least one year has passed since his/her dismissal.

Has Replaced:
“Attendance at monthly meetings is required. Absences may be excused by notifying the Senate Secretary prior to the meeting. Senators accumulating more than three (3) consecutive unexcused absences or six (6) total absences in a twelve (12) month period will be terminated from membership. Appeals may be made through the Committee on Staff Concerns as set forth in the rules and regulations of the By-Laws.

12. This amendment, effective August 2011, amends Article III Membership, Section E., 3rd Sentence, to read: “Senators accumulating more than three (3) consecutive unexcused absences or six (6) total absences in a twelve (12) month period, defined as September through August, will be terminated from membership.”

Has Replaced:
“Senators accumulating more than three (3) consecutive unexcused absences or six (6) total absences in a twelve (12) month period will be terminated from membership.”