

Ratified by eligible Frostburg State University Staff, January 12, 2017

Approved by President, January 13, 2017

Effective, January 13, 2017

Amended, October 11, 2018

Amended, January 12, 2022

# **Frostburg State University Staff Senate By-laws**

## **Mission**

Basic to the effective operation of any system of higher education is the acceptance of the concept of shared governance. Shared governance should include participation by students, faculty, and staff. The non-faculty, non-bargaining unit employees at Frostburg State University provide a wide range of services and expertise that is critical to the fulfillment of the University's many missions. In recognition of this essential role, non-faculty, non-bargaining unit employees will have a voice in basic decisions that affect the welfare of the University and its employees, including an informed advisory role in administrative areas.

## **Article I – Purpose**

The Frostburg State University Staff Senate (FSUSS) advises the President of Frostburg State University and provides representation for the University on the Council of University System Staff (CUSS). The FSUSS acts on behalf of staff employees who are not represented by collective bargaining. It has the responsibility to consider and make recommendations to the President on institutional and statewide issues that affect staff employees and to inform eligible employees about topics of importance concerning Frostburg State University and the University System of Maryland. The FSUSS is an essential component of shared governance at Frostburg State University and contributes to the effectiveness of the institution as it strives to accomplish its educational mission.

## **Article II - Membership, Officers & Committees**

### **Section II.1 Membership:**

The Staff Senate membership will represent all exempt, non-exempt, and full-time contingent staff employees not covered by collective bargaining, excluding Academic Deans, members of the Frostburg State University Executive Cabinet, and employees who are eligible to participate on the Faculty Senate.

Each category of staff will elect its own Senators.

The voting membership of the Staff Senate will consist of 9 elected Senators of whom there will be 5 PIN exempts, 2 PIN non-exempts, and 2 contingents (exempt and/or non-exempt). The apportionment of membership will be reviewed annually by the Staff Senate, and if necessary, amended using the By-laws amendment process (Article IV.2.a.).

#### **II.1.a Election of (PIN) Exempt Senators**

There will be 5 elected exempt Senators from all exempt employees. All of these positions will be elected at-large with positions elected alternating years, three positions in the spring of odd-numbered years and two positions in the spring of even-numbered years.

#### **II.1.b Election of (PIN) Non-exempt Senators**

There will be 2 elected non-exempt Senators from all non-exempt employees not covered by collective

bargaining. Each of these positions will be elected at-large with 1 Senate position elected every year.

### **II.1.c Election of Contingent Senators**

There will be 2 elected Senators from all contingent employees. These positions will be elected at-large every year.

### **II.1.d Election of Senators**

The Staff Senate Vice Chair will organize and administer elections of Senators to the Staff Senate (Article II.4.b). If the nomination process for Senators does not provide a sufficient pool of candidates to meet the representation mandate for Exempt, Non-Exempt, or Contingent staff, the Senator replacement will be selected at-large based upon the largest vote count among the remaining candidates who had been nominated but not elected. In the event of a tie, the Staff Senate Vice-Chair will administer another election of those candidates that have tied. In the event of a second tie, the Staff Senate Chair, in consultation with the Staff Senate, will determine which candidate will be on Staff Senate.

## **Section II.2 Term of Office:**

**II.2.a** Exempt and non-exempt Senators' term of office will be for 2 years. Contingent Senators' term of office will be for 1 year. Senators may not serve more than four full years consecutively unless there is an absence of a nomination for the employment category in which the current senator is classified or there is an incomplete ballot.

**II.2.b** If a vacancy is created by a status change, conversion, recall, or resignation of a Senator, the Senate will make an appointment from the most recent list of Senate nominees on which the eligible staff has voted. If the vacancy cannot be filled from the list of nominees, the Senate will solicit volunteers and select the replacement from those respondents. The replacement must represent the same constituency as the Senator who vacated the position and will hold the position until the next regular election. The remaining term of the departed Senate position will be filled through this election.

### **II.2.c Attendance**

Senators should make every effort to attend every meeting. A Senator who misses three consecutive meetings (excused or otherwise) and attends fewer than 50 percent of the regularly scheduled meetings may be subject to a recall. Multiple consecutive absences constitute a Senator's failure to meet the expectation of participation and representation of his/her constituency.

### **II.2.d. Recall of Senators**

Senators may be recalled at any time by a majority vote. A recall is affected by any of the following procedures and a vacancy exists immediately upon completion of the procedure:

- a) A petition of recall is signed by a majority of the entire constituency that elected the individual, effecting the immediate recall of the individual; or
- b) A petition of recall is signed by at least 10 members of the constituency that elected the individual, a special meeting of the constituency is called and a majority of the entire constituency votes to recall the individual; or
- c) A vote of no confidence by 2/3 of the Senators would call for a special meeting of the constituency that elected the individual and a majority of the entire constituency votes to recall the individual; or
- d) A vote of "dereliction of duties due to lack of attendance" by 2/3 of the Senators.

The vacancy created by a recall will be filled by an appointment by the remaining Senators. (Article II.2.b).

## **Section II.3 Officers:**

The officers of the Staff Senate will be designated as Chair, Vice Chair, and Secretary. In the absence of the Chair, the Vice Chair will serve as Chair. These officers will be elected by and from the Senators. The term of office for each officer is one year.

## **Section II.4 Duties of Officers:**

**II.4.a.** The Chair's duties will include, but not be limited to, presiding at all meetings of the Staff Senate; enforcing the obligations imposed by the By-laws of the Staff Senate; serving as an ex-officio non-voting member of all Staff Senate committees; directing and setting meeting times, agendas, dates, and places; conferring with the University administration, as needed; initiating appointments of Senators or eligible staff to committees, including University-wide committees, as needed; responding, notifying and/or submitting all official recommendations in a timely manner to the administration; providing leadership to Senators and committees; performing other duties as the directed by the Staff Senate; and serving as a staff representative on the University Advisory Council.

**II.4.b.** The Vice Chair's duties will include, but not be limited to, acting as assistant to the Chair; serving as acting Chair in the absence of the Chair and have all power and prerogatives of the Chair; organizing and administering elections of Senators to the Staff Senate; and performing other duties as directed by the Staff Senate.

**II.4.c.** The Secretary's duties will include, but not be limited to, preparing and distributing minutes of all meetings of the Staff Senate to the Staff Senate for approval; officially updating all approved By-law changes; distributing approved minutes, the meeting agendas, notes from CUSS meetings (Article II.5), and other information pertinent to eligible staff; assuring the Staff Senate webpage is maintained; and performing other duties as directed by the Staff Senate.

**II.4.d.** The Chair of any ad hoc committee created by the Staff Senate will be a Senator.

### **Section II.5 Council of University System Staff (CUSS):**

The mission of the Council of University System Staff (CUSS) is to provide a voice for Staff employee concerns in reference to basic decisions that affect the welfare of the University System of Maryland (USM) and its employees. CUSS speaks for all Nonexempt and Exempt Staff employees on Regular and Contingent II Status, who are not represented by a union under collective bargaining. CUSS is comprised of Staff employees with representatives from each of the 12 USM institutions and the USMO. Institution membership is proportionate to the number of Staff employees at the individual institutions with a minimum of two primary members and two alternate members per institution.

**II.5.a.** The Staff Senate will designate a minimum of four members (ideally two Exempt and two Nonexempt) to represent Frostburg State University on CUSS. Two of these Senators will be primary (voting) members of CUSS and the other designated Senators will be alternates.

**II.5.b.** At least one FSU CUSS representative will attend the monthly CUSS meetings at System constituent locations, host any CUSS meetings scheduled for FSU, and provide CUSS meeting notes to the Senate.

**II.5.c.** One FSU CUSS representative, in addition to the Chair of the FSUSS, will serve as a staff representative on the University Advisory Council.

## **Article III: Rules and Meetings**

### **Section III.1 Rules:**

**III.1.a.** *Robert's Rules of Order* will be used unless otherwise specified. The latest edition of *Robert's Rules of Order* will provide parliamentary procedures for conducting the business of the Staff Senate and its committees.

**III.1.b.** The By-laws of the Staff Senate will be amended only after a posted specified period and a ballot vote by the staff eligible to participate on the Staff Senate. Any staff member may propose amendments. A proposed amendment must be presented to the Staff Senate through the predetermined process (Article IV.2.d).

### **Section III.2 Staff General Meetings:**

**III.2.a.** The staff eligible to participate on the Staff Senate will meet in open plenary sessions at least twice during any calendar year. The notice, agenda, and supporting documents will be made available to the membership no later than two days prior to each regular meeting, unless otherwise approved by the Staff Senate.

**III.2.b.** All Staff General Meetings will be open to eligible staff members of the University community.

**III.2.c.** The Staff Senate will prepare the agenda for the scheduled Staff General Meetings prior to the regular meeting.

**III.2.d.** Special Staff General Meetings may be called in any of the following ways, with the reason to be specified in the call:

- Upon request of the Chair of the Staff Senate;
- Upon request of the President of the University;
- By a majority vote of the Staff Senate.

**III.2.e.** The scheduling of a special meeting will reflect the urgency of the matters specified in the call, the requirement of reasonable notice, and the availability of the membership.

**III.2.f.** The notice of a special meeting will include the agenda and will be sent to the members of the eligible staff as far in advance of the meeting as possible. The agenda of a special meeting may specify a scheduled time of adjustment.

### **Section III.3 Staff Senate Meetings:**

**III.3.a.** All Staff Senate meetings will be in open session unless otherwise requested and announced for matters requiring confidentiality.

**III.3.b.** The Staff Senate will meet during the first week of each month. Eligible staff members may submit requested agenda items in writing to the Staff Senate for action.

### **Section III.4 Quorum:**

A quorum for the Staff Senate will consist of a majority of current Senators.

### **Section III.5 Voting:**

**III.5.a.** Unless otherwise specified in *Robert's Rules of Order*, motions in meetings of the Staff Senate will be passed by majority vote of those in attendance provided a quorum is present when the vote is taken.

**III.5.b.** Ballots will be provided to eligible staff and must be submitted for any By-law change and the election process. The Staff Senate will determine all other issues requiring a ballot vote. The Staff Senate will determine the method and/or procedure for balloting, which will be forwarded to the Staff Senate Vice Chair for administration.

**III.5.c.** Elections will be held in May of each year and any new term for a Senator will commence July 1.

## **Article IV: By-laws**

### **Section IV.1 Adoption:**

**IV.1.a.** The initially prepared By-laws will be published for a minimum of 15 calendar days before the first reading and can be allowed a longer period of time as determined by the drafting committee in advance of ratification.

**IV.1.b.** The initially prepared By-laws will be presented to the eligible staff for consideration and comment, discussed openly at the first reading and second reading, voted and ratified by a majority of the eligible staff voting (by ballot) within each constituency group.

**IV.1.c.** The By-laws will be adopted by a majority of those eligible staff voting.

**IV.1.d.** The newly-ratified By-laws will be submitted by the drafting committee to the President of the University for review and approval. Should the President not concur with this ratified document, then the drafting committee may meet with the President to negotiate a satisfactory resolution. Any revisions made during the negotiation will be submitted by the drafting committee to eligible staff for approval following Article IV.1.c. After review and approval by the President and approval and ratification by the eligible staff, the By-laws will become effective on the designated date.

## **Section IV.2 Approving or Amendment of By-laws:**

**IV.2.a.** Any eligible staff member may submit By-law Amendments, in writing, to the Staff Senate at any time. A petition endorsement of at least ten of the eligible staff will be required before the Staff Senate will review and prepare an agenda item for a future Staff Senate meeting. In addition, any elected Senator can propose/sponsor a By-law change at a Staff Senate meeting in lieu of a petition.

- a) The appropriate petition form can be obtained from the Staff Senate.
- b) A recommendation may be made by the Staff Senate for further study and/or referred to an appropriate committee.

**IV.2.b.** The Staff Senate will be responsible for adding any endorsed By-law Amendment to the agenda of a Staff Senate meeting within 60 days of receipt along with any studies or information received in relation to the original request.

**IV.2.c.** Voting on a By-law Amendment will occur after the complete By-law Amendment has been communicated to the eligible staff for at least 20 calendar days after the initial introduction to the represented staff.

**IV.2.d.** Any By-law Amendment must have the approval of at least two thirds (2/3) of those voting; Voting will be by written ballot only. (Article III.5.b)

**IV.2.e.** The amended By-laws will be submitted to the President of the University for review and approval. Should the President not concur with this amended document, then the Staff Senate may meet with the President to negotiate a satisfactory resolution. Any revisions made during the negotiation will be submitted by the Senate to eligible staff for approval following Article IV.1.c.

**IV.2.f.** Unless specified otherwise by the By-law Amendment, these amendments will take effect immediately upon approval by President.

### **Addendum – January 2017**

The drafting committee will act as the de facto staff Senate until the By-laws are fully implemented with the election of the Staff Senate for the 2017-2018 academic year.

#### **Staff Senate By-laws Drafting Working Group**

Dana Severance – CUSS representative

Jody Pifer – CUSS representative and elected member of President's Ad Hoc Advisory Committee

Angie Hovatter – CUSS alternate

Rubin Stevenson – CUSS alternate

Reid Bluebaugh – Elected member of President's Ad Hoc Advisory Committee

Cynthia Smith - Elected member of President's Ad Hoc Advisory Committee

Sara-Beth Bittinger – volunteer

Lea Messman-Mandicott – volunteer

Jay Hegeman – volunteer