

Updates to Faculty Senate Procedure

Background

This document proposes and offers a rationale for two “Special Rules” and clarifies two points regarding procedure. Special Rules apply only to meetings of the full Faculty Senate (FS).

Special Rules

Within Robert’s Rules, Special Rules can be adopted or suspended by a two-thirds vote with previous notice or a majority of the entire membership. They continue to exist from one meeting to the next. They are subordinate to the constitution and bylaws and cannot contradict them, but they supersede *Robert’s Rules*.

1. *Special Rule Limiting Speeches When Motions are Pending:* Each speaker may speak up to twice on any debatable motion, and each speech must conclude within two minutes.

Rationale: Robert’s Rules set the default limits at two speeches per motion and ten minutes per speech. This limit is impractical because the Faculty Senate convenes for one hour per month. The proposed limits have rarely, if ever, been exceeded. More time may be requested using the subsidiary motion to *Extend the Limits of Debate*, which requires a two-thirds vote. The limits do not apply when no debatable motion is pending.

2. *Special Rule Clarifying the Workflow for ARP Revisions:*

When the Policy Steering Committee refers an ARP revision to the Faculty Senate, the proposed revision is first reviewed by the FSLC. The FSLC may vote either to place the revision on the FS consent calendar or to assign it to a committee. If the full FS approves the revision by consent, then the FS chair reports this to the University Policy Officer (UPO) and no further action is taken. If at least one senator objects to the consent vote, then the FS chair assigns it to a standing committee and the workflow is as though the FSLC had assigned it to a committee (below):

- If the committee votes to approve the revision as-is or with amendments, then, at the next FS meeting, the committee’s representative moves the ARP revision and any amendments for consideration by the full FS. If the full FS approves the revision, then that result and any approved amendments are communicated back to the UPO. Any amendments shall be recorded in a redlined version of the ARP revision, added to the Minutes, and forwarded to the UPO at the same time. If the FS votes not to approve the revision, then the vote and any concerns are also forwarded to the UPO.
- The committee should endeavor to complete their review in one month, but may request up to one additional month for debate and amendment.

Rationale: The workflow for disposing of ARP revisions is not clear in the FS Constitution and must be slightly different than for resolutions (for example, because co-sponsorship is meaningless and sponsorship by a senator is not required). This rule indicates that the workflow follows that of resolutions, forbids the FSLC from responding to proposed ARP revisions directly, and encourages the use of the FS consent calendar for uncontroversial policy revisions.

Parliamentary Procedure

The ways in which the NMSU faculty senate has come to (1) count votes (2) dispose of committee reports are inefficient and problematic. The following procedures will be adopted by default going forwards. They are consistent both with Robert's Rules and with the Faculty Senate Constitution and Bylaws, and are therefore less a change of rules and more of an announcement.

1. **Voting:** By default, votes shall be counted using *viva voce*. This means that senators who are physically present may use raised hands while senators who are remote may use electronic means to indicate their votes, but the votes will not be counted or recorded.

Rationale: While it has been customary in recent years for the Recording Secretary to count and report ayes, nos, and abstentions, experience indicates that most votes are not close. It is only the outcome that matters. Using *viva voce* by default will save time. If a vote is expected to be close or if a voting member calls a Division of the Assembly, then the Chair should switch to a "rising vote" by counting physically and digitally raised hands or by using secret ballots.

2. **Disposal of Committee Reports:** If a resolution has been referred to a committee and the committee's report recommends adopting the resolution, then the committee's representative should move the resolution following the report. A motion by any other senator to "adopt" or "accept" the report is equivalent to moving the committee's recommendations. No second is required in either case. A motion to reject the report is out of order.

If the committee report recommends against adopting the resolution, then a vote to reject the report enables the resolution to be moved again.

Rationale: In recent years, the Faculty Senate has come to require a vote to accept a committee report that contains affirmative recommendations on resolutions before voting on the resolutions themselves. A vote "not to accept the report" has been understood as a vote against the committee's recommendation, effectively killing the pending resolution. This custom has two problems:

1. It conflicts with Robert's Rules Ch. 13 Sec. 54 item (3), which state that the committee's reporting member should move that the resolution or resolutions be adopted after presenting the report. Moreover, Robert's Rules state that consideration of the resolution for which the committee produced a positive recommendation "cannot be objected to if the matter was referred to the committee."
2. The Faculty Senate Constitution stipulates, "In the case where the committee recommended no passage, and committee's report is accepted, the proposition is considered defeated" (end of Article IX), but it makes no reference to positive recommendations. The custom of requiring acceptance before moving a positive recommendation is therefore unsupported. (This paragraph incidentally conflicts with Robert's Rules Ch. 13 Sec. 54 item (4), which permits an assembly to consider a resolution despite the committee's negative recommendation, but the Constitution takes priority over Robert's Rules.)

If a senator wishes to kill the resolution for which a committee report contains a positive recommendation, they may use the subsidiary *Motion to Postpone Indefinitely* after the resolution has been moved. This motion requires a second, is debatable, and passes with a simple majority.

