



## Faculty Senate Transmittal and Administrative Action Routing Form

To: Office of the President

From: Faculty Senate Chair, Julia Parra *JP*

RE: **Proposition: 12-20/21**

Date: February 5, 2021

Please find enclosed Faculty Senate Legislation [No. 12-20/21](#) entitled, "[Minor change to Senate Constitution to clean up procedure on filling vacancies for Senators on leave](#)", approved by the Faculty Senate on [February 4, 2021](#).

### Please Route for Approval:

<b>Faculty Senate Request</b>	<ul style="list-style-type: none"><li><input type="checkbox"/> Your review and approval. Based on Policy 1.70 B. 2. b., your action is due within 40 working days from receipt of this transmittal, or <a href="#">April 5, 2021</a>.</li><li><input type="checkbox"/> A previous veto of legislation affecting academic policy has been overridden by 2/3 vote of the Faculty Senate; pursuant to the timeline provided in Policy 1.70 B. 2. c., your action to rescind that veto is requested within five business days of receipt.</li><li><input type="checkbox"/> Please indicate your availability to meet with Faculty Senate leadership to discuss.</li><li><input checked="" type="checkbox"/> For your review and acknowledgement, approval/veto not required (memorial).</li></ul>
<b>Chancellor Action</b>	<ul style="list-style-type: none"><li><input type="checkbox"/> I acknowledge receipt of the above.</li><li><input type="checkbox"/> I will respond further at a later date.</li><li><input type="checkbox"/> I approve this legislation, and will process according to NMSU Rules &amp; Policies.</li><li><input type="checkbox"/> I approve this legislation on a provisional basis. It will become effective immediately, and I will place it on the Agenda for a future meeting of the Board of Regents.</li><li><input type="checkbox"/> I veto this legislation.</li><li><input type="checkbox"/> Other:</li></ul> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div>_____</div><div>Date: _____</div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div>Carol Parker, NMSU Provost</div><div></div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div>_____</div><div>Date: _____</div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div>John D. Floros, NMSU President</div><div></div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div>_____</div><div>Date: _____</div></div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"><div>Dan E. Arvizu, Chancellor</div><div></div></div>

### Please return form to:

Gloria Podruchny

Faculty Senate Recording Secretary

Email: [glopodru@nmsu.edu](mailto:glopodru@nmsu.edu) / Phone: (575)646-2593

**Proposition:** 12-20/21

**Title:** Minor change to Senate Constitution to clean up procedure on filling vacancies for Senators on leave.

**Date Submitted:** 26 January 2021

**Sponsor(s):** Brown (A&S), more to follow

**Proposed Committee:** Consent Agenda is requested

**Assigned Committee:** : Consent Agenda is requested

**Prior Approvals:** N/A

**Proposal Type** (please check one):

☐ Memorial

☐ Proposition to change policy (please include ARP/RPM reference(s) from <https://arp.nmsu.edu/>)

☐ Proposition for curriculum addition/change (please include all curriculum change forms and signature pages as outlined here: <https://provost.nmsu.edu/forms/>)

☒ Other (please describe below)

This is an internal Senate matter. The proposed changes in the Faculty Senate Constitution will be sent to all faculty for a vote after it is approved by the Senate.

**Proposal:** By this memorial, a change to the Senate Constitution is proposed, with this change then going to the faculty at large for a vote after Senate approval. This change simply cleans up an inconsistency of current language as to how vacancies for Senators on leave are filled.

Current text of Article V, Section 5

- In the case of a leave of absence of a member of the Faculty Senate, the existing senator should appoint a temporary replacement who shall serve until the absent member returns from leave or until the member's term of office has expired, whichever occurs first. The provisions of Article IV, Section.3 shall apply to such election.

Version with markups:

- In the case that a senator should lose eligibility to serve or should resign as senator, the senior senator of the former senator's voting group shall ensure an election of a new senator for the remainder of the term. In the case of a leave of absence of a member of the Faculty Senate- senator, the existing incumbent senator shall should appoint a temporary replacement who shall serve until the end of the academic year, until the absent member returns from leave, or until the member's term of office has expired, whichever occurs first. The provisions of Article IV, Section.3 shall apply to such election.

Proposed text to clean up issues with above text.

- In the case that a senator should lose eligibility to serve or should resign as senator, the senior senator of the former senator's voting group shall ensure an election of a new senator for the remainder of the term. In the case of a leave of absence of a senator, the incumbent senator shall appoint a temporary replacement who shall serve until the end of the academic year, until the absent member returns from leave, or until the member's term of office has expired, whichever comes first.

**Rationale:** The current language notes that the incumbent Senator selects the replacement, then also refers to an election. The proposed text clarifies that the incumbent Senator selects the replacement and deletes reference to an election.

DRAFT