



MIDWESTERN STATE UNIVERSITY

Operating Policies & Procedures Manual

University Operating Policy/Procedure (“OP”)

OP 06.03: Faculty Senate Constitution

Approval Authority:	President
Policy Type:	University Operating Policy and Procedure
Policy Owner:	President
Responsible Office:	Provost and Vice President for Academic Affairs
Next Scheduled Review:	03/01/2027

Article I: NAME

The organization herein described shall be called the Faculty Senate (or “Senate”) of Midwestern State University (“MSU” or “University”), a component institution of the Texas Tech University (“TTU”) System. The Faculty Senate is a representative faculty organization established in accordance with TTU System Regulation 07.20 (Faculty Senates) and shall represent the entire faculty of the University and advise the University administration and TTU System administration regarding matters related to the general welfare of the University.

Article II: ORGANIZATION

Section 1. Only the TTU System Board of Regents may establish a Faculty Senate at MSU. The Faculty Senate shall be composed of senators representing the entire faculty of Midwestern State University.

Section 2. The faculty of each college of MSU (all schools are assigned to a designated college) shall elect one senator for each ten faculty members or fraction thereof but not fewer than two senators. If a faculty member is elected or appointed to complete a term vacated prior to the end of the term, the faculty member will take office immediately upon election or appointment. Selection of the Faculty Senate’s members must:

- (1) ensure adequate representation of each college of the University;
- (2) require the members to be faculty members; and
- (3) except as otherwise provided by the TTU System Board of Regents, limit the number of members to not more than 60 with at least two representatives from each college,

including:

- (A) one member appointed by the President of the University; and
- (B) the remaining members elected by a vote of the faculty of the member's respective college.

A member of the Faculty Senate appointed by the President of the University in accordance with Subsection (3) (A) may serve up to six consecutive one-year terms and then may only be reappointed after the second anniversary of the last day of the member's most recent term.

A member of the Faculty Senate elected by a vote of the faculty member's respective college serves a two-year term, staggered in a manner that allows approximately one-half of the elected members to be elected each year, and may only be reelected after the second anniversary of the last day of the member's most recent term.

Section 3. The President of the University shall appoint a Presiding Officer, Associate Presiding Officer, and Secretary from the members of the Faculty Senate.

The Presiding Officer appointed by the President of the University shall preside over meetings of the Faculty Senate and represent the Senate in official communications with the University administration and System administration.

Section 4. The three officers of the Senate shall constitute the Executive Committee of the Senate.

Article III: NOMINATIONS AND ELECTIONS

Section 1. Each academic year, in the spring, the Presiding Officer of the Faculty Senate will consult with the Provost to determine the number of faculty positions in the current budget for each college. The Presiding Officer will then determine the number of positions that should be allocated to each college based upon those figures, subject to the requirements set forth in Article II, Section 2. A previously elected senator shall not, however, be removed from office before the expiration of his or her term because of a declining constituency.

Section 2. Service on the Faculty Senate is an additional duty of the faculty member's employment. Members of the Faculty Senate are not entitled to compensation or reimbursement of expenses for their role as members of the Faculty Senate unless the expense is on behalf of and approved by the University.

Section 3. If a college has the correct number of Senate seats, the Presiding Officer will notify the dean of that college which senators' terms will end and direct the dean to hold an election to replace those senators.

Section 4. If the numbers indicate that a college should gain one or more seats, the Presiding Officer will notify the dean of that college which senators' terms are ending and direct the dean to hold an election to replace those senators, and to fill the additional seat(s), subject to the requirements set forth in Article II, Section 2.

Section 5. If the numbers indicate that a college should lose one or more seats, the Presiding Officer will notify the dean of that college which senators' terms will expire in the current year and how many, if any, may be replaced. In no event will a college's representation be reduced to less than two representatives from each college.

Section 6. Members of the Faculty Senate shall be elected from among the candidates determined in the nominating process. Faculty shall vote for senators from their respective colleges.

Section 7. Election of senators in each college will take place at a time and place announced by the dean of that college at least one week in advance and no later than the last day of April. The dean will preside or name a substitute to do so. Nominations and/or voting may take place in person or via a digital/virtual medium as determined by the dean. A majority of the eligible voters of the college will constitute a quorum for the election of senators. Nominations will be made from the floor. Voting will be by secret ballot with a majority of the votes cast being required for election. Tie votes shall be resolved by a special election. The dean will immediately send the names of those elected to the Presiding Officer of the Faculty Senate.

Section 8. If a current senator, whose remaining term includes more than one long semester, should leave the University, or resign from the Senate, then the dean of the senator's college shall call an election at the earliest possible time, but not later than thirty days after the vacancy, to elect a replacement to fill out the term. If the remaining term has only one long semester or less, then the dean may choose to appoint an eligible faculty member to fill the remaining term.

Article IV: JURISDICTION

Section 1. The Faculty Senate is charged with the responsibility of advising the University administration and System administration regarding matters related to the general welfare of the University. The Faculty Senate shall be advisory only to the President of the University, and may not be delegated the final decision-making authority on any matter. While allowing for appropriate consultation with faculty, administrators, and other stakeholders on matters related to academic policy and institutional operations, [Texas Education Code §51.352](#) (Shared Governance) states that no principle of shared governance may be used by the Faculty Senate to obstruct, delay, or undermine the TTU System Board of Regents' responsibilities under [Texas Education Code §51.352](#) (Responsibility of Governing Boards), or for ideological or political purposes.

Section 2. The Faculty Senate may make recommendations to the President of the University concerning the academic functions of the University, academic freedom, and other matters pertaining to the general welfare of the University, particularly those of special interest to the

faculty. The Senate may not issue any statement or publish a report using the University's or System's official seal, trademark, or resources funded by the University or System on any matter not directly related to the Senate's duties to advise the University administration.

Section 3. Should the President of the University choose not to follow a recommendation of the Faculty Senate, the President shall inform the Senate in writing of the reasons therefore and, upon request of the Senate, the President shall meet with the Senate for discussion of the matter.

Section 4. The Senate may choose to consider any issue brought to it by a member of the faculty, the administrative staff, or the student government. Such issues shall normally be transmitted to the Senate through one of its members and placed on the agenda by the Executive Committee, subject to the requirements set forth in Article V, Section 3.

Section 5. Upon written request, and approval by the Executive Committee, any member of the faculty or administrative staff may appear before the Senate.

Section 6. The Faculty Senate, through the Executive Committee, may request any member of the faculty or administrative staff to appear before the committee to discuss an item of business.

Section 7. To the extent a provision of these Bylaws contravenes federal law, the Constitution or laws of the State of Texas, or TTU System *Regents' Rules* or Regulations, such Bylaw provision is void and shall not affect or undermine the validity of any other Bylaw provision which can be enforced without the use of the offending portion of the Bylaws.

Article V: RESPONSIBILITIES

Section 1. The Faculty Senate shall adopt rules for establishing a quorum (see Section 8 – Meetings, Faculty Senate Bylaws) and shall conduct meetings at which a quorum is present in a manner that is open to the public and in accordance with the procedures prescribed by the President of the University (see Section 5 – Rules of Procedure, Faculty Senate Bylaws).

Section 2. The Faculty Senate shall broadcast over the Internet live video and audio, as applicable, of each open meeting of the Senate if more than 50 percent of the members of the Senate are in attendance.

Section 3. The following shall be made available to the public on the University's Internet website not later than the seventh day before a meeting of the Faculty Senate:

- (1) an agenda for the meeting with sufficient detail to indicate the items that are to be discussed or that will be subject to a vote; and
- (2) any curriculum proposals reviewed by the Senate that will be discussed or voted on at the meeting.

Section 4. The names of the members in attendance must be recorded at a meeting in which the Faculty Senate conducts business related to:

- (1) a vote of no confidence regarding a University or System administrator; or
- (2) policies related to curriculum and academic standards.

Section 5. The Faculty Senate shall meet at least monthly during the regular academic year, as provided by the Bylaws. Meetings, hereby referred to as regular meetings, may be in person or via a digital/virtual medium as agreed upon by the Senate. The first meeting of the academic year will normally be held during the week prior to the start of classes, but in no event shall it be held more than thirty calendar days after the reporting date for faculty in the fall. Each spring, the Senate shall approve a tentative meeting calendar for the following year which designates the date and time of the first meeting in the fall.

Section 6. The Executive Committee will normally meet at least nine (9) days prior to each scheduled Senate meeting. At that time, the Executive Committee will set the agenda for the upcoming meeting. The agenda and the minutes from the previous meeting, and any other pertinent documents will then be distributed to the membership in such a way as to reach them at least seven (7) days prior to the meeting, and the agenda for the meeting and any curriculum proposals that will be discussed or voted on at the meeting made available to the public on the University's Internet website in accordance with Article V, Section 3.

Section 7. During the first week of May, individuals who will comprise the new Senate will meet for organizational purposes only. The current Presiding Officer will preside over this organizational meeting.

Section 8. All regular meetings of the Faculty Senate shall be open meetings.

Section 9. The Faculty Senate may establish such Senate committees as it deems appropriate. The members and temporary chairperson of the Senate committees shall be named by the Faculty Senate and at their first meeting of each year the members of each committee shall select their own chairperson and such other officers as may be appropriate for the effective functioning of the committee.

Section 10. The President of the University may establish and define composition of ad hoc or standing committees or councils of Midwestern State University and may determine if members are to be elected or appointed. Midwestern State University faculty members appointed to these standing committees or councils shall be selected from a list of nominees for each committee or council provided by the Faculty Senate. The President of the University may specify the number of nominations to be supplied by the Faculty Senate for each such committee or council position.

Section 11. A faculty member serving on the Faculty Senate may be immediately removed from the Faculty Senate for failing to conduct the member's responsibilities within the Senate's parameters, failing to attend Senate meetings, or engaging in other similar misconduct. A member of the Faculty Senate may be removed on recommendation of the University's Provost and approval by the University's President.

Article VI: ADOPTION AND RATIFICATION

Section 1. This Constitution shall take effect upon approval by a majority vote of the faculty, and approval by the President of the University

Section 2. Current members of the Senate shall constitute the initial membership of the Senate under this Constitution.

Article VII: AMENDMENT PROCEDURE

Section 1. An amendment to the Constitution of the Faculty Senate may be proposed by a petition to the Presiding Officer of the Faculty Senate from a majority of the Senate, by a petition containing signatures of forty percent of the full-time faculty on continuing contract or by the President of the University.

Section 2. Amendments to this Constitution shall become effective upon approval by two-thirds vote of the Faculty Senate and approval by the President of the University.

Section 3. The Senate shall provide each Senator with a copy of proposed amendments at least thirty days before the voting date.

Section 4. Presidential approval of a proposed amendment will be communicated to the Faculty Senate through the Presiding Officer of the Senate.

Related Statutes, Rules, Policies, Forms/Attachments, and Websites

Texas Education Code

[Section 51.352: Faculty Council or Senate](#)

Subsection (a) providing that only the governing board of an institution of higher education may establish a faculty senate at the institution.

[Section 51.352: Shared Governance](#)

Subsection (b): Institutions of higher education in this state shall be governed by a principle of shared governance, which refers to a structured decision-making process in which the governing board of the institution exercises ultimate authority and responsibility for institutional oversight, financial stewardship, and policy implementation, while allowing for appropriate consultation with faculty, administrators, and other stakeholders on matters related to academic policy and institutional operations. The principle of shared governance may not be construed to diminish the authority of the governing board to make final decisions in the best interest of the institution, students, and taxpayers.

Subsection (c): Administrators at institutions of higher education must make decisions in a manner that promotes efficiency, accountability, and responsiveness to state priorities, workforce needs, and the institution's institutional mission. Faculty and staff may provide recommendations on academic matters, but that input is only advisory in nature, ensuring that governing boards and institutional leadership retain clear and ultimate decision-making authority. Shared governance structures may not be used to obstruct, delay, or undermine necessary institutional reforms or serve as a mechanism for advancing ideological or political agendas.

TTU System Regents' Rules and Regulations
[TTU System Regulation 07.20 – Faculty Senates](#)

MSU Operating Policies:

[OP 06.01: Faculty](#)

[OP 06.02: Faculty Senate Purpose](#)

Related Attachment:

[Faculty Senate Bylaws](#)

Responsible Office

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Revision History

- 10 Nov. 1989: Adopted and approved by the MSU Board of Regents as MSU Policy/Procedure 2.392: Faculty Senate Constitution.
- 11 Feb. 2000: Following an academic reorganization, the Faculty Senate thoroughly reviewed and revised the Faculty Senate Constitution to better explain, define, and reflect operation of the Senate. Specific sections revised include Articles I through VI; Article VII is the only article not revised.
- 5 Aug. 2021: Revised into the new operating policy/procedure (OP) format and renumbered as MSU OP 06.03 by the MSU Board of Regents, effective 1 Sept. 2021.
- 19 April 2022: Effective this date, amendments to the Faculty Senate Constitution include: adding subject matter headings for each article and numbered sections; replacing the Board of Regents with the President of the University in establishing, with the faculty, the Faculty Senate; eliminating the requirement for approval of amendments to the Constitution by the Board of Regents; adding a requirement that should the President of the University choose to not follow a recommendation of the Faculty Senate, the President shall inform the Senate in writing of the reasons for therefore and, upon request of the Senate, the President shall meet with the Senate for discussion of the matter; and faculty members appointed to ad hoc or standing committees or councils of the University by the President of the University shall come from a list of nominees for each committee or council provided by the Faculty Senate.

The vote approving the revisions was finalized on 31 Jan. 2022 by the full-time faculty on continuing contract (by more than the two-thirds required vote) and adopted and approved by Interim President James Johnston on 19 April 2022.

26 Aug. 2025: Revised to comply with the provisions of SB 37 passed by the 89th Texas Legislature and approved by MSU President Stacia Haynie.