

## RULES OF ORDER OF THE MĀNOA FACULTY CONGRESS AND SENATE

### ARTICLE I. PARLIAMENTARY PROCEDURE.

#### Section 1. Primacy of Charter and Bylaws; Parliamentary Authority

The principles of the latest edition of the Rules of Order Newly Revised (commonly known as Robert's Rules of Order) shall govern the Congress and the Senate in all cases to which they are applicable, and in which they are not inconsistent with the Charter, Bylaws, or these Rules of Order. If these Rules of Order conflict with the Charter and Bylaws, the Charter and Bylaws shall prevail.

#### Section 2. Regular Business

Regular business is that which is voted out of a Standing Committee and placed on a meeting agenda by the Senate Executive Committee. Such business is considered to have been moved and seconded and may be voted on at the Congress or Senate meeting for which it is on the agenda.

#### Section 3. Introduction of Business.

Matters not on the agenda for a given meeting may be introduced from the floor under "New Business" only. A resolution introduced from the floor shall not be voted upon at the meeting at which it is introduced unless the Senate by a two-thirds majority of those present agree to vote upon it. If an action introduced as new business is not voted upon at the meeting when it is introduced, it shall be discussed and voted upon at the next meeting of the Senate, unless withdrawn by its introducer; provided that at least one week shall elapse between the meeting at which the matter is introduced and the meeting at which it is voted on.

#### Section 4. Minutes

The draft minutes must accurately reflect the Congress and Senate's deliberations and actions. The minutes shall contain summaries of statements and remarks made, not verbatim accounts, and a report of actions rejected as well as actions approved, with a record of the vote. All printed or digital material presented at a Senate Meeting and that are provided to the MFS office will be appended to the minutes.

At the Congress and Senate meetings, the Mānoa Faculty Senate secretary may use an electronic recording device for the purpose of ensuring the accuracy of the minutes. Once minutes have been approved, it is not necessary to maintain the recording.

#### Section 5. Visitors at Meetings.

All members of the University community are entitled to attend meetings of the Senate and the Congress and are allowed to participate in debate. They may not, however, introduce actions, nor

may they vote. If, in the opinion of the presiding officer, there is insufficient time available to conduct the business of the Senate, the presiding officer may restrict participation by non-senators; provided that the presiding officer may be overruled by a majority vote of the Senate.

#### Section 6. Electronic Decision-Making in Committees.

When a committee has discussed a resolution or report at a meeting with a quorum, the final wording may be approved electronically, if no one objects (within a specified period of time of reasonable length). If there is an objection, such a previously discussed item can still be approved electronically provided the chair receives (and saves in some fashion) messages supporting the action from a majority of all the members of the committee.

When a committee has not discussed a resolution or report at a meeting with a quorum, the resolution or report may not be approved electronically unless: (1) no one objects to deciding the matter; and (2) the chair has received (and saved in some fashion) messages supporting the action from a majority of all the members of the committee.

### ARTICLE II. ELECTIONS CODE.

#### Section 1. Primacy of Charter and Bylaws; Parliamentary Authority

The principles governing elections are set forth in the Charter and in the Bylaws (especially Article VI) of the Faculty Congress and Senate and in this Elections Code. In all cases of conflict between this Elections Code and the provisions of the Charter and Bylaws, then the Charter and Bylaws shall prevail. The principles of the latest edition of the Rules of Order Newly Revised (commonly known as Robert's Rules of Order) shall govern elections and voting of the Congress and the Senate in all cases to which they are applicable, and in which they are not inconsistent with the Charter, Bylaws, or these Rules of Order.

#### Section 2. Secure Auditable Ballots

When the Charter and Bylaws of the Congress and Senate, or the Rules of Order require a secure auditable ballot, then the following requirements must be met: (1) Voters must be able to cast their ballot without disclosing their vote. In the case of electronic voting, the channel must be secure. Even when the system is audited, all voters must have their privacy protected, and; (2) After the election is completed, the election results must be verifiable by independent observers. That is, it must be possible to determine with reasonable confidence whether the votes were tallied accurately.

### Section 3. Voting on Actions Referred to the Congress.

In the case of resolutions, amendments to the Charter or Bylaws, or other matters referred to the Congress, voting shall be conducted by secret auditable ballot by the Committee on Faculty Service.

### Section 4. Constituencies.

The constituencies entitled to have voting representatives in the Senate shall be as follows:

- i. College of Arts, Languages and Letters
- ii. Shidler College of Business
- iii. College of Education
- iv. College of Engineering
- v. College of Natural Sciences
- vi. College of Social Sciences
- vii. College of Tropical Agriculture and Human Resources
- viii. School of Architecture
- ix. Hawai‘inuiākea School of Hawaiian Knowledge
- x. William S. Richardson School of Law
- xi. John A. Burns School of Medicine
- xii. Nancy Atmospera-Walch School of Nursing
- xiii. School of Ocean and Earth Science and Technology
- xiv. Myron B. Thompson School of Social Work and Public Health
- xv. Academic Affairs and A & S Advising
- xvi. Library Services
- xvii. Office of Student Affairs
- xviii. Organized Research Units
- xix. Outreach College

For purposes of representation in the Senate and of eligibility for election, a member of the faculty shall be considered as belonging to that constituency to which the greater part of the member's base salary is charged. Faculty members whose salary is charged equally to two or more constituencies shall file with the Committee on Faculty Service a statement declaring to which constituency they wish to belong for purposes of voting and eligibility for election.

### Section 5. Elections for the Senate.

#### a. Willingness to serve on the Senate.

By February 28 of each year the Committee on Faculty Service shall poll members of the faculty to determine if the member would be willing to serve on the Senate if elected. All faculty

members who express a willingness to serve shall be candidates for election in their constituency.

b. Final Elections for the Senate.

Final elections shall be conducted by the Committee on Faculty Service for each constituency.

The number of senators to be elected in each constituency is set by the Committee on Faculty Service, in accordance with the provisions of the Bylaws.

In each constituency, a number of alternates may also be elected. The number of alternates to be elected in each constituency shall be determined for each election by the Committee on Faculty Service, taking into account the size of the constituency, the number of seats to fill, and the availability of nominees. The number of alternates to be elected may be zero.

Voting shall be conducted by secret auditable ballot.

Each voter shall be permitted to rank in order of preference as many of the candidates as the voter wishes.

Voting shall be completed one week before the March Senate meeting.

Candidates will be elected senators by counting the preferential votes using the Instant Runoff method of counting in the Single Transferable Vote (STV) system. Alternates for each constituency shall be determined by the Instant Runoff rankings as determined by the Committee on Faculty Service.

The Committee on Faculty Service shall forward the complete election tally to the Senate Secretary as soon as the tellers' report is completed. The results of the election must be certified by the Senate Executive Committee per the Senate Bylaws.

The Senate Secretary shall publish the list of elected senators and the tally of votes in a publication of record as soon as reasonably possible after the election, but no later than the third week of March.

The Senate Secretary shall preserve a complete copy of the election tally for the length of time required by the Bylaws.

c. Filling vacancies on the Senate.

If a vacancy arises in the Senate, the qualified and available alternate with the highest rank shall fill the vacancy. If there are no alternates left, then a special election shall be held to fill the vacancy. The procedures for a special election shall be the same as those for a regular election, except that the Committee on Faculty Service may propose a modification of the procedures; such modified procedures must be approved by the Senate Executive Committee.

## Section 6. Election of the Senate Executive Committee.

### a. Nominations for the Senate Executive Committee.

After the Senate for the following year has been elected, the Committee on Faculty Service shall solicit nominations for the Senate Executive Committee. Members can nominate themselves.

The names of the nominees shall be determined by the first week of April. Each nominee will be asked to indicate in writing a willingness to serve and will be asked to submit a brief biography and statement of priorities by the second week of April. Each nominee who agrees to serve and turns in the requested material will be placed on the ballot.

### b. Final Elections for the Senate Executive Committee

Members of the Senate Executive Committee shall be elected by secret auditable ballot from and by the Senate. Those eligible to vote are those senators who are newly elected, continuing, or outgoing during the next academic year.

The Committee on Faculty Service shall conduct the election. The election is to be completed before May 7.

Each voter shall be permitted to rank in order of preference as many of the candidates as the voter wishes.

Candidates will be elected to the Senate Executive Committee by counting the preferential votes using the Meek method of counting in the Single Transferable Vote (STV) system. At least one alternate (more at the discretion of the Committee on Faculty Service) shall be determined by repeating the vote count with a larger number of elected positions.

The Committee on Faculty Service shall forward the complete election tally to the Senate Secretary as soon as the tellers' report is completed. The results of the election must be certified by the Senate Executive Committee. The Secretary shall publish the list of elected Senate Executive Committee members and the tally of votes in a publication of record as soon as reasonably possible after the election is completed.

The Secretary of the Senate shall preserve a complete copy of the election tally for the length of time required by the Mānoa Faculty Senate Bylaws Section VI, 2(a).

### c. Filling Vacancies on the Senate Executive Committee.

If a vacancy arises in the Senate Executive Committee, the alternate(s), if qualified and available, shall fill the vacancy. If there is no qualified and available alternate, then a special election shall be held to fill the vacancy. The procedures for a special election shall be the same as those for a regular election, except that the Committee on Faculty Service may propose a modification of

the procedures; such modified procedures must be approved by the Senate Executive Committee.

### ARTICLE III. AMENDMENTS.

Amendments to the Rules of Order may be introduced by the Senate Executive Committee, or by a Standing Committee of the Senate, or by a senator. Amendments must be submitted in writing to the Senate Executive Committee for placement on the Senate agenda. Debate and voting on amendments to the Rules of Order takes place at the first meeting of the Senate following the meeting at which the amendment was introduced. Amendments are adopted by a two-thirds vote of those voting, a quorum being present.

#### *APPROVED BY THE:*

*Mānoa Faculty Senate on April 20, 2022 with 41 votes (91.11%) in support; 4 votes (8.89%) opposed; and 7 abstentions.*