

BYLAWS  
FACULTY CONGRESS AND SENATE  
UNIVERSITY OF HAWAII AT MANOA

ARTICLE I.  
ORGANIZATION OF THE FACULTY CONGRESS

Section 1.      Structure.

The Congress of the University of Hawai'i at Manoa consists of faculty of the University of Hawai'i at Manoa. The Senate represents, and, as herein provided, may act for the Congress. The Executive Committee may act, as herein provided, for the Senate.

Section 2.      Membership of the Congress.

All members of the faculty currently designated as I (instructional), R (researcher), S (specialist), A (county extension agent), B (librarian), M (clinical medicine) or J (legal instruction) who serve the University at least halftime, are members of the Congress. Faculty are primarily engaged in instruction, research or public service, or in those activities directly supporting, organizing, or administering instruction, research and public service programs. Included are extension agents, librarians, and specialists as well as instructors and those engaged in research.

Instructional work includes that done by individuals who perform a teaching or research role in direct support of formal teaching and research functions when advising or instructing students outside the classroom in aspects which relate directly to the educational process, or when working with other faculty as peers, such as advising them in their scholarly pursuits. In addition, personnel are classified faculty in other areas where the duties and responsibilities of the position require graduate work beyond the baccalaureate degree, i.e., faculty status, for effective performance. "Excluded" faculty as defined under Hawaii's collective bargaining law (HRS89) are ineligible for membership in the Congress.

Section 3.      Officers.

The officers of the Congress shall be the officers of the Senate of the Congress, as identified in Article III, Sections 1 and 3.

Section 4. Meetings of the Congress.

The Congress shall convene at least once in each semester, on a date set by the Senate.

Section 5. Special Meetings.

Special meetings of the Congress may be held at any time pursuant to call by the Chancellor, President or the Chair of the Senate or by a two-thirds vote of the Senate membership.

Notice of any special meeting shall be given to the members of the Congress at least ten days in advance of the meeting by an announcement in a publication of record.

Section 6. Quorum.

Those members of the Congress present at a Congress meeting shall constitute the quorum.

Section 7. Agenda.

The Senate Executive Committee shall prepare the agenda for each meeting of the Congress and shall announce the agenda in an issue of a publication of record preceding the meeting of the Congress.

Section 8. Voting of the Congress.

Voting of the Congress on matters referred to it by the Senate shall be by secret, auditable ballot, conducted by the Committee on Faculty Service in accordance with the Elections Code of the Rules of Order of the Faculty Congress and Senate, within ten days after the meeting of the Congress at which the matter is presented. Actions shall be adopted when passed by a majority vote of those members of the Congress who cast votes.

Section 9. Procedure and 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 in all cases to which they are applicable, and in which they are not inconsistent with the Charter, Bylaws, or the Rules of Order of the Manoa Faculty Congress and Senate.

ARTICLE II.  
ORGANIZATION OF THE FACULTY SENATE

Section 1.                                      Membership; Qualifications

To be eligible for election to or for service on the Senate, a person must be a member of the Congress. Executive and Administrative/Management personnel are ineligible for election to or service on the Senate. The Manoa Chancellor shall be honorary president of the Senate and shall serve ex-officio without vote. The President of the Associated Students of the University of Hawai'i at Manoa, the President of the Graduate Student Organization of the University of Hawai'i at Manoa, and the immediate past Chair of the Senate, if not an elected senator, shall also be ex-officio members without vote.

Section 2.                                      Electorate; Eligibility, Elections, Terms.

All members of the Congress are eligible to vote for senators. Members of the Senate shall be elected according to procedures set out in Article VI and in the Elections Code of the Rules of Order of the Faculty Congress and Senate. Terms of office are specified in Article VI.

Section 3.                                      Duties of Senators.

Senators are expected to attend all Senate meetings and to remain until the meetings are officially adjourned. Senators are expected to serve on a Standing Committee.

Section 4.                                      Meetings.

During the academic year the Senate shall meet at least once a month at a time agreed upon by the Executive Committee. The Senate can meet outside of the academic year as called for by the SEC. All meetings of the Senate may be attended by any members of the University community. The Secretary of the Senate shall make provisions necessary to ensure that voting is by members of the Senate only.

Section 5.                                      Quorum.

During the academic year one-half of the members of the Senate shall constitute a quorum. During the summer, the number of Senators required for a quorum is the same as in the preceding academic year.

Section 6.                                      Agenda.

The Executive Committee shall prepare the agenda, including those agenda items that are requested by the President or Manoa Chancellor and approved for inclusion on the agenda by the Executive Committee, and shall be distributed to the Senators and disseminated to the University community electronically preceding each meeting of the Senate.

### ARTICLE III ORGANIZATION OF THE EXECUTIVE COMMITTEE

#### Section 1. Purpose.

The Executive Committee serves as an agent to the Congress and of the Senate. Principal officers of the Executive Committee are automatically officers of the Senate and Congress.

#### Section 2. Membership.

Term of office is defined in Article VI. During the period from September 1 to June 1 the Executive Committee will consist of seven members of the faculty who are members of the Senate. During the period from June 1 to September 1, outgoing members will also serve on the Executive Committee.

#### Section 3. Principal Officers.

The Executive Committee shall annually elect its own officers. The Chair of the Executive Committee shall be the Chair of the Senate and the Congress. The Vice-Chair of the Executive Committee shall be Vice-Chair of the Senate and the Congress. There shall be two Secretaries, one for the Executive Committee and another for the Senate and the Congress. The Chair of the Executive Committee shall devote one-half of her or his total service to the University in this duty. Each other elected members of the Executive Committee shall devote one-fourth of her or his total service to the University in this duty.

- a. Chair. The chair of the Executive Committee shall be the presiding officer of the Senate and of the Congress. In the absence of the Chair, the Vice-Chair shall serve as the presiding officer. In the absence of the Chair and the Vice-Chair, the Secretary of the Executive Committee shall serve as the presiding officer of the Senate and of the Congress and the Secretary of the Senate shall serve as the presiding officer of the Executive Committee.
- b. Vice-Chair. The Vice-Chair of the Executive Committee shall assume all duties of the Chair when the latter is absent or incapacitated, and,

additionally, shall perform those duties deemed necessary by the members of the Executive Committee to execute their charge.

- c. Secretaries. The Secretary for the Executive Committee shall keep the minutes of the meetings of the Executive Committee. The Secretary for the Senate and Congress shall keep the minutes of meetings of both bodies, shall prepare a statement of the actions taken by both bodies for inclusion in the next issue of a publication of record, shall record the vote on actions before both bodies, shall forward the minutes of both bodies to the Chair of the Executive Committee for distribution to members of the Senate or of the Congress, and after approval shall file two copies of the minutes and all official Senate and Congress reports with the University Library. The Secretaries shall be instructed in their duties and obligations by the Executive Committee. The secretary of the Senate shall preserve a complete copy of election tallies for at least a year, as specified in Article VI.

#### Section 4. Election.

Members of the Executive Committee shall be elected according to procedures set out in Article VI and in the Elections Code of the Rules of Order of the Senate and Congress. Members of the Executive Committee shall not be eligible for reelection to the Executive Committee until at least two academic years have elapsed after the completion of their terms on the Executive Committee.

#### Section 5. Duties

The Executive Committee, acting on behalf of the Senate and the Congress, shall identify and arrange for consideration and study of all goals, policies, and programs relating to the physical and academic development of the University of Hawai'i at Manoa, including allocation of financial resources, student enrollment, distribution of enrollment among programs and between upper-division and lower-division programs, direction of emphasis in existing programs, the academic effect of administrative organization, quality of scholarship, quality of teaching, quality of research, quality of service, and the relationships between the University of Hawai'i at Manoa and other units of the University System. In addition, the Executive Committee shall:

Make recommendations to the Manoa Chancellor and the President;

Provide that the Congress is informed of its substantive activities;

Certify the results of elections;

Appoint Standing Committee members and coordinate the work of its Committees;

Prepare the agenda of the Senate and of the Congress;

Submit to the Congress actions referred by the Senate;

Transmit germane Senate actions, with a record of the vote, to the Manoa Chancellor and, when appropriate, for further transmittal to the President and/or the Board of Regents, as provided in the Charter, Article I, Sections 2 and 3;

Prepare and disseminate reports on the work of the Senate and of the Congress;

Receive communications from the University Administration and the Board of Regents to the Senate and the Congress; and

(10) Perform such other duties as are specified in other provisions of these Bylaws

Prior to referring matters to the Senate for discussion and deliberation, the Executive Committee shall conduct or provide for Committees to conduct necessary inquiries and studies, including hearings concerning matters, initiated by or referred to it. Between Senate meetings the Executive Committee shall report to the Senate members and to Congress members on its activities. The Executive Committee may act for the Senate when a quorum of the Senate cannot be assembled. The Executive Committee shall report its actions taken in the absence of a quorum at the next meeting of the Senate.

#### Section 6. Meetings.

The Executive Committee shall ordinarily meet at least once a week during the academic year, and as necessary outside the academic year.

#### Section 7. Quorum.

A majority of members of the Executive Committee serving during the academic year shall constitute a quorum.

#### Section 8. Rules and Regulations

The Executive Committee may adopt rules and regulations for itself and for the Standing Committees, consistent with University and Regents' policy, as it deems necessary.

ARTICLE IV.  
COMMITTEES RESPONSIBLE TO THE FACULTY SENATE

Section 1. Standing Committees.

There shall be seven Standing Committees reporting to the Executive Committee: the Committee on Academic Policy and Planning, the Committee on Student Affairs, the Committee on Professional Matters, the Committee on Administration and Budget, the Committee on Faculty Service, the Committee on Athletics, and the Committee on Research.

a. Term of Office.

Term of office for a member of a Standing Committee is specified in Article VI, Section 1. No member of a Standing Committee may serve on another Standing Committee or on the Executive Committee during that member's term of office.

b. Officers.

The Chair and Secretary of each Standing Committee and subcommittee shall be selected, respectively by each Standing Committee and subcommittee.

c. Each Standing Committee may organize itself into subcommittees whose membership may include additional members of the faculty nominated by the Committee on Faculty Service and approved by the Standing Committee.

d. Meetings.

The Standing Committees shall meet regularly during the academic year.

e. Membership and Quorum.

Except during the period from June 1 to September 1 when outgoing members also serve, each Standing Committee and its subcommittees shall consist of the members serving during the academic year. Each Standing Committee shall consist of a minimum of nine members of the faculty (plus outgoing members during the period June 1 to September 1), at least a majority of whom are senators, appointed without regard to rank. Each Committee shall select its chair and secretary from among its senator members. A majority of the membership of any Standing Committee or any of its subcommittees shall constitute a quorum, except during the

period from June 1 to September 1, when the number needed for a quorum is a majority of the number serving in the upcoming academic year.



f. Rules and Regulations.

In addition to those rules and regulations adopted for them by the Executive Committee, each Standing Committee and subcommittee may adopt rules and regulations, consistent with University and Regent policy, as it deems necessary.

g. Duties of the Committee on Academic Policy and Planning

The Committee, acting upon recommendations and findings made by its subcommittees, shall make specific recommendations of either approve, disapprove or recommended action to the Senate Executive Committee on matters of academic goals, policies, and programs with respect to standards of professional ethics; establishment and modification of degree programs and curricula, admissions and graduation requirements, and ways of supporting and encouraging improvements in faculty performance; and planning for changes in academic goals and in academic programs.

In addition, the Committee may provide advice and/or specific suggestions, as requested by or through the Manoa Chancellor or the UH President, on matters of concern to the Committee.

h. Duties of the Committee on Student Affairs

The Committee shall provide oversight of student affairs and make specific recommendations to the Senate Executive Committee on issues related to the improvement of quality educational and co-curricular experiences for students. These include, but are not limited to: registration, advising, dismissal, withdrawal from courses, student government, and both undergraduate and graduate student publications.

i. Duties of the Committee on Professional Matters.

The Committee shall be vigilant in protecting the academic freedom of all scholars, and shall review and evaluate such topics as classified research, sexual harassment, gift giving, and the like which may come before it either as a matter of policy or on a case-by-case basis.

j. Duties of the Committee on Administration and Budget.

The Committee is responsible for matters dealing with administration and budget, at the Manoa campus, and also at the System level, to the extent that the Manoa campus is affected by System actions. The Committee shall review administrative policies and procedures, proposals for

reorganization, the responsibility of major positions, and the procedures for filling positions. The Committee shall review administration's policies and procedures regarding the budget, and other matters relating to the distribution and expenditure of funds. The Committee shall monitor the administration's actions to ensure that they are open and give ample opportunity for faculty consultation and shall review University policies regarding academic decision making and policy development and propose modifications as required. The Committee shall conduct regular reviews of the Charter, Bylaws, and Rules of Order of the Congress and Senate and shall propose amendments as appropriate. The Committee shall review the condition of the physical facilities, the operation of auxiliary services, and proposals for capital improvements and their implementation.

k. Duties of the Committee on Faculty Service.

The Committee shall be responsible for implementing the provisions of the Bylaws, especially Article VI, and of the Elections Code of the Rules of Order of the Faculty Congress and Senate regarding elections and balloting. The Committee shall conduct regular reviews of the Elections Code, including the makeup of constituencies, and shall propose amendments as appropriate.

The Committee is responsible for nominating persons to various Senate and University committees, subcommittees, boards, task forces, etc. as specified in the Bylaws and in the governing documents of committees established by and reporting to the Senate.

Also, during the Spring semester, the Committee on Faculty Service and the Administration will compile a list of all University committees and task forces for which service is needed for the following academic year. This list will be circulated to all faculty so that they can indicate their willingness to serve.

l. Duties of the Committee on Athletics.

The Committee shall provide oversight and make specific recommendations to the Senate Executive Committee on matters regarding University sponsored intercollegiate athletics. These include, but are not limited to: standards for admission, retention, and graduation; the reporting of graduation rates; academic counseling; ethical standards; and ways of supporting and encouraging the academic performances of the student-athletes. In carrying out its responsibilities, the Committee will be guided by the policies and guidelines of the NCAA. It is in the purview of the Committee to recommend to the Manoa Chancellor, through the SEC,

changes in the NCAA policies and guidelines. In addition, the Committee may provide advice and/or specific suggestions, as requested by or through the Manoa Chancellor, on matters of concern to the Committee.

m. Duties of the Committee on Research.

The Committee is responsible for matters relating to the planning, direction, initiation, development, and coordination of faculty research. The Committee shall review policies and procedures for the support of the research enterprise, both for externally funded research and for internally funded/faculty-funded research. The Committee shall review proposals for improvements in research infrastructure and for new research initiatives or the restructuring of existing research programs. The Committee shall review the mechanisms by which funds are allocated in support of research. The Committee shall review policies dealing with compliance with Federal and State regulations.

Section 2. Ad-hoc Committees and Task Forces.

The Executive Committee may establish ad-hoc committees and task forces to explore issues and make written recommendations to the Executive Committee. Ad-hoc committees and task forces shall be temporary and each shall be furnished a deadline for completion of the task assigned to it. Each such deadline shall be not more than one year after the committee or task force is officially created. Any member of the Congress is eligible to serve on an ad-hoc committee or task force.

a. Selection of Members.

Members of ad-hoc committees and task forces shall be selected by the Committee on Faculty Service and confirmed by the Senate.

b. Duties.

The duties of all ad-hoc committees and task forces shall be specified by the Executive Committee.

c. Quorum.

A majority of the members of an ad-hoc committee or a task force shall constitute a quorum.

d. Rules and Regulations.

An ad-hoc committee and a task force may adopt rules and regulations, consistent with University and Regent policy, as it deems necessary.

Section 3. Other Permanent Committees

The Senate may establish other Permanent Committees reporting to the Senate. For each such Committee the Senate will create a document specifying

- (1) the purpose and responsibilities of the committee;
- (2) how the Committee is constituted, organized, and governed;
- (3) that at least one Senator shall be a member;
- (4) how the document can be amended.

The document establishing and governing such a Committee must be read at two meetings of the Senate at least a week apart. It can be voted on and/or amended at the meeting in which the second reading occurs and only then or later.

ARTICLE V.

JOINT UNIVERSITY OF HAWAII AT MANOA FACULTY SENATE  
BARGAINING UNIT COMMITTEE

The Senate shall designate its Executive Committee members who, with representatives of the legal bargaining unit, shall jointly consider matters that involve both organizations and are not clearly designated by contract. The Senate may provide advice to the Manoa Chancellor and/or the President on such matters considered by the Senate to be subject to dual involvement.

ARTICLE VI.  
ELECTIONS, APPOINTMENTS, AND TERMS

Section 1. Terms of Office.

- a. Senate. The term of office for a senator is 28 months beginning on May 1. However, persons elected to membership on the Executive Committee shall remain members of the Senate through the completion of their respective term of office on the Executive Committee, provided that they satisfy the requirements of Article II, Section 1. A person who gains a seat on the Senate as an alternate or through a special election in accordance with Section 2 and who serves at least 12 consecutive months will be considered to have served a full term. No senator shall serve for more than two consecutive terms.
- b. Executive Committee. The term of office for a member of the Executive Committee is 27 months beginning on June 1. A person who gains a seat on the Executive Committee as an alternate or through a special election in accordance with Section 2 and who serves at least 12 consecutive months will be considered to have served a full term. Members of the Executive Committee shall not be eligible for reelection to the Executive Committee until at least two academic years have elapsed after the completion of their terms on the Committee. The terms of office of Executive Committee members shall be staggered so that three members of the Executive Committee shall retire in one academic year and four the next academic year.
- c. Standing Committees. The normal term of office for a member of a Standing Committee is 27 months beginning on June 1. However, the Executive Committee may change which committee a Senator is appointed to as of June 1 in the middle of the senator's term of office as a senator, as the need arises. Terms of office shall be staggered so that approximately half of the members of a Standing Committee retire from it in any one year.
- d. Ad-Hoc Committees and Task Forces. The term of office shall be set by the Executive Committee in accord with Article IV, Section 2.
- e. Other Permanent Committees. The document establishing and governing such a committee shall set forth the term of office for each member.

## Section 2. Elections

### a. Publication and Preservation of Results

After any election required by these Bylaws the Secretary of the Senate shall publish the results and the tally of votes in a publication of record as soon as possible. The Secretary shall preserve the tally of votes of each election until the next time that election is held.

### b. Election of Senators.

(1) Election of senators shall be conducted by the Committee on Faculty Service by secret, auditable ballot, in accordance with the Elections Code of the Rules of Order of the Faculty Congress and Senate.

(2) Approximately one-half of the senators are to be elected each year.

(3) A constituency or group of constituencies that has its own faculty senate with elected members may nominate one of its officers for service on the Manoa Faculty Senate, provided that that officer is otherwise eligible for election to the Senate. If it does so, that officer will be considered to have been elected to the Manoa Faculty Senate and the number of senators remaining to be elected from the constituency of that officer will be reduced by one.

(4) Constituencies.

- (a) Typically a constituency shall consist of the faculty in a school or college, but other groupings are permitted.
- (b) Each constituency shall be entitled to one senator in the Senate for every thirty members of the faculty as defined in Article 1, Section 2 and Article II, Section 2 or fraction thereof.
- (c) The constituencies are laid out in the Elections Code of the Rules of Order of the Faculty Congress and Senate. The Committee on Faculty Service shall review the constituencies and propose amendments as appropriate.

### c. Election of the Executive Committee

The Executive Committee shall be elected by the Senate, by secret, auditable ballot, in accordance with the Elections Code of the Rules of Order of the Faculty Congress and Senate.

d. Alternates Filling Unexpired Terms, Permanent and Temporary.

If a permanent vacancy occurs in the Senate or on the Executive Committee by way of death, retirement, resignation, or termination from the University, an alternate, as specified in the Elections Code of the Rules of Order of the Faculty Congress and Senate, shall be certified to the Senate by the Committee on Faculty Service, and that alternate shall fill the vacancy, serving the remaining term.

If a temporary vacancy occurs in the Senate or on the Executive Committee for a period of less than the unexpired portion of a senator's term by way of sabbatical leave, leave without pay, a regularly scheduled class at the time of Senate meetings, illness, or other justifiable reason for temporary absence, an alternate, as specified in the Elections Code of the Rules of Order of the Faculty Congress and Senate, shall be certified to the Senate by the Committee on Faculty Service, and that alternate shall fill the vacancy only during the time that the elected member is absent.

In the event that the procedures provided in this section fail to fill a vacancy, a special election shall be held, as provided for by Article VI, Section 2e.

e. Special Elections.

Special elections may be held to fill vacancies or for other sufficient reason as determined by the Committee on Faculty Service and approved by the Executive Committee. Procedures for special elections are specified in the Elections Code of the Rules of Order of the Faculty Congress and Senate.

f. Resolving Questions and Disputes.

Any question or dispute concerning a regular or special election, eligibility to vote, appointment, constituency, or other election procedure shall be resolved by the Committee on Faculty Service subject to approval by the Executive Committee.

Section 3. Appointments to Standing Committees.

The incoming Executive Committee for the next academic year shall appoint members of the Standing Committees for the next academic year as soon as the incoming Executive Committee is organized, taking into consideration constituency representation, senator's preference, committee continuity and terms of office as specified in these Bylaws. The Committee on Faculty Service will assist in this by providing nominations and appropriate background information.

Incoming senators shall be notified in writing of their election and will be polled for committee assignment preferences by the Senate Executive Committee by April 15.

Standing Committees for the coming academic year shall select officers and notify the Senate Executive Committee of their selections preferably by June 15, but not later than September 15.

#### Section 4. Selections and Appointments to other Committees

When the Executive Committee and the Standing Committees request selection of faculty for subcommittees, ad-hoc committees, and task forces and other committees responsible to the Senate, the Committee on Faculty Service shall nominate members of the faculty to serve.

Faculty also serve on various continuing non-Senate committees. The Committee on Faculty Service maintains a roster of such committees and of interested faculty. From that roster, CFS nominates persons to serve. The Executive Committee and the University Administration will make the appointments.

Faculty also serve on other non-Senate committees, working groups, and ad-hoc task forces. The Committee on Faculty Service, with input from the administration, will nominate faculty members to serve on these groups. The Executive Committee and the University Administration will make the appointments.

All appointed faculty members are expected to report back to the Senate on the work of their committees and task forces.



ARTICLE VII.  
GENERAL PROVISIONS

Section 1. Senate Meetings.

The regular meeting of the Senate shall be held on the third Wednesday of each month during the academic year unless an alternate date is scheduled by the Executive Committee. The Senate can meet outside of the academic year as called for by the SEC.

Section 2. Procedure and Parliamentary Authority

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

ARTICLE VIII.  
AMENDMENT OF BYLAWS

Section 1. Amendment Proposals.

Amendments to these Bylaws may be proposed by petition signed by twenty-five members of the Congress. Amendments proposed by members of the Congress shall be referred to the Committee on Administration and Budget, which shall report to the Executive Committee within twenty-one days its analysis and recommendations on any proposed amendment. The Executive Committee shall schedule a reading of the proposed amendment at the first appropriate meeting of the Senate following receipt of the Committee on Administration and Budget's report.

Amendments may be proposed by recommendation of the Committee on Administration and Budget. The Executive Committee shall schedule a reading of any amendment so proposed at the first meeting of the Senate following receipt of the recommendation for an amendment.

Section 2. Voting on Amendments.

Voting on a proposed amendment to these Bylaws shall take place at the first meeting of the Senate following the meeting at which the first reading of the proposed amendment took place. The proposed amendment may be amended by action of the Senate on second reading. If the proposed

amendment, and any amendments to it, is approved by the Senate, the proposed amendment shall be referred to the Executive Committee for any needed clarification of language and any needed reconciliation with other sections of these Bylaws. After approval by the Senate, the proposed amendment shall be submitted to a vote of the Congress, allowing the opportunity for debate at a meeting of the Congress. A majority of votes cast by members of the Congress in the ratification election shall be required to give final faculty approval to the amendment. Amendments to those Bylaws shall become effective upon approval by the Congress.

APPROVED BY THE:

(1) Faculty Senate on

(2) Faculty Congress on