

**BY-LAWS
SENATE OF THE FACULTY OF ARTS AND SCIENCES
YALE UNIVERSITY**

[As amended March 26, 2020]

1. Purpose

As an elected body created by and representative of the Faculty of Arts and Sciences (FAS) faculty, the FAS Senate (FASS) is intended to facilitate faculty input into FAS policies and practices. The FAS Senate provides a clear voice for FAS faculty and serves as a forum and deliberative body for the discussion of FAS issues. It also creates a formal conduit between the administration and the Faculty of Arts and Sciences. The FAS Senate serves as a forum for the president, provost, the dean of the FAS, and other deans to present on issues that affect the FAS, with the intention of improving transparency, communication, and the quality of decision-making. The FAS Senate operates with the assumption that major initiatives and policies affecting FAS faculty will be brought for discussion to the FAS Senate in a timely manner.

The FAS Senate should fully represent the FAS faculty in terms of divisional distribution, gender and ethnicity, as well as other important aspects of diversity. Divisional and rank representation is built into the FASS seat allocation, while the nomination committee for the FASS should also consider other aspects of diversity in encouraging faculty to run for election.

The FAS senate speaks only for the FAS, not for Yale's other schools, though the FAS Senate may consider university policies to the extent that they affect FAS members.

2. Constituency

The FAS Senate is the representative body of the FAS faculty. Those eligible to vote in Senate elections include all ladder faculty with primary or fully joint appointments in the Faculty of Arts and Sciences, as well as full-time adjuncts in all ranks, full-time senior lecturers and senior lecturers and senior lecturers, full time lecturers and lecturers with appointments of more than one year, and full time FAS research scientists and senior research scientists who also hold multi-year teaching appointments as lecturer or senior lecturer.

3. Membership

The FAS Senate consists of 22 members, with six at-large representatives and the other sixteen members distributed according to the proportion of ladder faculty in each division:

- 6 senators elected from the Division of Humanities.

- 6 senators elected from the Division of Biological Sciences, Physical Sciences, and Engineering.
- 4 senators elected from the Division of Social Sciences.
- 6 senators elected at-large.

The president, provost, and deans of the FAS, Yale College, the Graduate School of Arts and Sciences and the School of Engineering and Applied Science may attend as ex officio non-voting members of the FASS. Ordinary members of the FAS ladder and non-ladder faculty eligible to vote in FASS elections may also attend in a non-voting capacity. The FASS may, however, choose to meet in closed session at the discretion of its executive council or by the majority vote of its elected members.

Recognizing that the size and distribution of the FAS faculty may change over time, the committee on elections (see below) shall review and if necessary recommend adjustments to the proportional representation across divisions and the size of the Senate every five years. Such decisions shall be subject to the approval of the FAS faculty.

Tenured faculty as well as untenured and non-ladder faculty members with a current appointment longer than one year are eligible for election to the FAS Senate. There shall be one seat reserved for an untenured member of the ladder faculty in each of the three divisions, and one such seat for a non-ladder faculty member reserved in the at-large category. This does not preclude the election of additional untenured and non-ladder faculty through the normal election process. When one of these seats falls vacant, the highest polling untenured faculty member in each division and the highest polling non-ladder faculty in the at-large category, as required will be elected to fill the vacancy.

4. Nomination process

The nominations committee is responsible for soliciting and selecting candidates to run in the Senate election. It consists of five members, including: one member of the FASS not in the final year of his or her term; one tenured non-FASS member of the faculty from each division; and one FAS member of the Women Faculty Forum. The nominations committee shall be recommended by the executive council and approved by the Senate each year. **In order to ensure continuity, the past chair should also serve on the subsequent nominations committee.**

Candidates who wish to stand for election to the FASS may petition the committee directly or they may be nominated by departments. Additionally, the nominating committee may recruit nominees. For all such nominations, the nominations shall be supported by the signatures of the candidate and eight other people eligible to vote in the FASS elections, or roughly 1% of the voters for the FASS. To ensure a broad slate, no person may nominate more than five candidates.

All faculty eligible to vote in Senate elections, as described in Section 2, may serve as members of the FAS Senate, with the exception of faculty appointed to a central or full-time administrative role [i.e. the president, provost, deans, and divisional directors]. Chairs and others serving in part-time administrative roles may also serve as members of the FASS.

5. Term of FASS members and timing of elections

Terms are for two years, with no representative able to serve more than three consecutive terms. Elections for the FASS are held each spring, with nominations being solicited and gathered in March, the elections being held in April, and internal Senate leadership elections held in late April/early May. Electors for the following year's executive council will consist of members of the FASS with continuing terms plus any newly elected Senators who have not yet taken office. The newly elected executive council and senate takes office on July 1, while the new senators take office on August 15. The elections will be by secure electronic ballot. The elections committee shall oversee elections.



6. Conduct of elections for the FASS

The FASS maintains a standing elections committee, charged with administering both FAS-wide and executive council elections. The elections committee consists of three members of the FASS who are not in the final year of their term and two outside members.

Voting for the FASS is by electronic secure ballot. The voting is conducted over the course of no more than fifteen days, with provision for electronic reminders. To encourage people to stand, and in accordance with practice elsewhere, the FASS announces the names of those elected, but not the names or vote counts of those who were unsuccessful. This system is described in Appendix B of the Implementation Report, available on the Senate website.

Vote-counting should proceed in the order of filling the most restricted open seats first and the least restricted last. Hence (a) the reserved seats for each division and for the at-large election are filled first from among the qualified candidates in their respective candidate lists; (b) the unfilled divisional seats are filled next from among the eligible candidates in the corresponding division who remain after removing successful candidates from step (a); (c) the at-large seats are filled last from among the at-large candidates remaining after removing successful candidates from steps (a) and (b).

The results will be transmitted to the FASS Secretary. The full elections results shall be available for consultation by any voter who wishes to examine them in the office of the FASS secretary. The FASS uses the single transferable vote system (STV), for the election of both divisional representatives and at-large representatives. In the event that the election fails to fill all open seats with qualified candidates, the unfilled seats are left vacant and eligible to be filled according to the rules for filling vacancies.

Filling Vacancies: The Executive Committee will nominate a candidate for the vacant seat from the pool of past Senators and previous nominations, or if necessary in order to find a qualified candidate, from the full FAS. This candidate must then be ratified by the full Senate. The replacement Senator will fill the seat until the next election. A side-effect of this rule might be an imbalance in the number of open seats during an election. We defer the question of maintaining balance to a full review of the FASS election procedures proposed in Item 5.

7. Executive council

The executive council calls meetings, determines the agenda of the FAS Senate, appoints committees to assist with the FASS's work, and organizes elections in consultation with the elections and nominations committee. The executive council serves as liaison to the administration, and has the power to act on behalf of the Senate in matters arising between meetings. It also acts as the Senate's by-laws committee, examining and reviewing Senate rules, procedures, and by-laws at least once per year, and recommending changes to the full Senate. The executive council meets approximately once per month, roughly two weeks in advance of Senate meetings, though may meet more often or at other times as necessary.

The executive council includes seven members of the FASS, six of whom are tenured faculty members (two from each of the three divisions) and one of whom is an untenured or non-ladder faculty member. If no untenured or non-ladder member agrees to serve following election, the executive council may consist of six tenured members. The executive council is elected by the FASS members directly, from among the elected FASS members. Vacancies created by outgoing members will be voted on after the yearly FASS elections, and as vacancies arise during the year. The executive council shall consist of the chair, secretary/deputy chair, and four or five others. Executive council members serve for a term of one year, renewable by re-election up to a total of four consecutive one-year terms. The executive council changes each year on July 1.

The chair and deputy chair/secretary must represent different divisions. The chair and secretary/deputy chair are elected for one year, with the possibility of re-election to a second year in the position. No senator may serve as chair or deputy chair/secretary for more than two consecutive years.

The chair of the executive council runs the meetings of the Senate and is an ex officio member of all the Senate's committees. The secretary/deputy chair prepares minutes of meetings, made available in electronic form for all members of the FAS. If the chair is absent, the secretary/deputy chair assumes the duties of the chair.

In the summer recess the FASS will not be in session but the executive council of the FASS may continue to consult with the administration on behalf of the FASS.

8. Faculty leave

A recognized off-campus university leave (triennial faculty leave, medical leave, etc.) or teaching relief for childcare not exceeding one semester will not invalidate the term of a FASS member. However FASS members will be expected to attend monthly meetings during the semester on which they are on leave when they are in

be chosen from a list of alternates, the runner-up vote-getters for the divisional or at-large seats in the previous FASS election or, if the number of candidates on the list is insufficient, from the previous two FASS elections. If the number of such previous candidate alternates is still insufficient to fill the vacancies, members may be nominated by the executive council from among the FAS faculty subject to the approval of the Senate.

10. Committees

The Senate maintains the following standing committees, in addition to other ad hoc and standing committees that may be appointed by the executive council or created by majority vote of the FASS.

a) Committee on Yale Committees

This committee will consult with the administration to help identify potential FAS faculty to serve on committees with the aim of ensuring that FAS members appointed to FAS-relevant committees by the provost and deans are broadly representative of the FAS faculty, for example in the case of newly arrived faculty who may not yet be widely known on campus. This committee will also consult with the administration to help select the FAS faculty representatives to the Faculty Resource Committee, the Committee on the Economic Status of the Faculty, and other key FAS committees.

b) Elections Committee

As described in section 4, this committee oversees the annual elections of the Senate and the executive council, as well as periodically making recommendations to the FAS that it approve changes to the divisional representation and size of the body, if required. Senate members of this committee should not be in the final year of their term.

c) Nominations Committee

This committee will nominate candidates to run for election each year. The composition and operations of this committee were described in section 4 (above). In its search for good candidates the committee will try to ensure appropriate diversity in divisional distribution and the intellectual interests of the faculty, and also in terms of gender, ethnicity, and other important aspects of diversity.

d) Faculty Advancement Committee

e) Peer Advisory Committee

The Peer Advisory Committee will be an impartial, independent service committee

designed to uphold fair practices in FAS, promote transparency, and contribute to the welfare of the faculty by providing advice and counsel in response to individual faculty members' concerns.

11. Staffing and budget

The annual operating budget of the FAS Senate is allotted from the FAS budget, in consultation with the FAS Dean. The operating budget does not include salary, wages, and benefits for the FAS staff director, who is paid directly through FAS funds. The FAS Senate is afforded sufficient dedicated staff support to help plan and administer Senate meetings, coordinate the activities of the executive council, maintain the Senate web site, communicate with members, provide accurate and timely minutes of Senate meetings, plan and administer Senate-sponsored events, assist with Senate research, and run the elections and other activities of the Senate.

12. Schedule of meetings

The FAS Senate meets once per month during the academic year, usually on Thursday afternoons, 4-6 p.m., during the designated time slot for university meetings. All members of the FASS, as well as those eligible to vote for the FASS shall receive a written notice of the FAS meeting schedule at the beginning of each semester. The agenda for each meeting, as well as relevant supporting documents, is sent out and posted online to all FAS faculty eligible to vote in Senate elections at least one week before each meeting.

The Senate also sponsors two annual events outside of regular Senate meetings: an address, discussion, and reception with the university president and a "State of the FAS" address, discussion, and reception with the FAS Dean. In addition, the executive council or full Senate also meets at least once per academic year with designated members of the Yale Corporation. Finally, once per academic year, the FAS Senate meets for a retreat to discuss the Senate's overall direction and strategy. Additional meetings of the Senate may be scheduled at the discretion of the executive council or by a vote of the Senate.

By a majority vote of the FASS, the executive council may call for a meeting of the FAS as a whole. This meeting will be presided over by the dean of the FAS. Additionally, when unforeseen and critical issues arise, the executive council may also call an "Extraordinary Meeting of the FASS" with at least two days' notice to Senate members. For an Extraordinary Meeting to proceed, the executive council must confirm in advance that at least 13 members of the Senate (the organization's quorum) will be present. An agenda for an Extraordinary Meeting should be presented to Senate members at least 24 hours in advance of the meeting.

13. Voting in FASS meetings

Motions and votes of the FASS are decided by a majority, provided that at least 13

senators are present. Changes to FASS rules require a two-thirds majority. Voting in FASS meetings is by voice or hand vote. A vote will be by secret ballot at the request of any senator. In the case of a secret ballot vote, the minutes will note that the vote was conducted by secret ballot, but will not identify which senator requested the secret ballot in order to protect the discretion inherent in the secret ballot process. Electronic attendance through Skype (or similar means) is not permitted at Senate meetings. However all senators who cannot attend meetings are encouraged to express their views in writing to the Senate chair at least two days in advance of Senate meetings. The chair will convey the views of absent senators during the meetings, where appropriate.

14. Minutes and recording

The Senate staff director will be responsible for minutes at all Senate meetings, under the supervision of the secretary/deputy chair. Detailed written minutes will be posted on the Senate web site no more than one week after they are approved. Meetings will not be recorded or live-streamed in order to assure full and frank discussion among those present in the room. The Senate staff director may audio-record meetings for purposes of accuracy, but these will not be distributed. For a trial period of the calendar year 2019, audio recordings will be retained for archival purposes; FAS faculty members may arrange to consult the recordings by application to the FASS Executive Council.

15. Conduct of FAS Senate meetings

Unless otherwise determined prior to meetings, all meetings of the FASS are conducted in accordance with Robert's Rules of Order. The chair and/or deputy chair/secretary of the executive council presides over the meeting and sets the agenda for the meeting, in consultation with the executive council. FASS members as well as non-members may submit a written request for new agenda items to the executive council no later than ten days before a regular business meeting. In addition, a FASS member may request the inclusion of an agenda item for future discussion by making a motion under new business at any regular meeting. Such a motion requires majority vote of the FASS members. Eligible faculty members who are not senators may request an item for inclusion on the agenda simply by contacting one or more members of the Senate, who will use their own discretion in making a recommendation to the Chair.

Meetings are normally open to any individual who is qualified to vote in FASS elections. For major items of discussion, the chair first recognizes senators who wish to speak, then opens discussion to all faculty in attendance. Non-senators may be asked to attend and/or speak with the permission of the chair, secretary or (in their absence) the council member serving as chair. The president, provost, and deans of the FAS, Yale College, Graduate School of Arts and Sciences, and the School of Engineering and Applied Science may attend all regular meetings of the FASS without invitation.

Faculty members who wish to address the Senate concerning subjects not on the

agenda may register to do so by signing up in advance, either by email or at the start of a Senate meeting. The Senate reserves a ten-minute period at each meeting in which to hear faculty comments. Up to five faculty members may address the Senate at any meeting, with slots accorded on a first-come, first-served basis. At the discretion of the executive council, or by vote of the FASS, the FASS may declare a closed session open only to elected FASS members.

16. Distribution of reports

The full text of all documents scheduled for discussion, motions, or a vote at Senate meetings (including draft reports, minutes, committee proposals, etc.) are distributed by email to senators at least one week in advance of Senate meetings. Draft documents—clearly labeled as preliminary drafts—are normally posted online at the Senate’s web site at least one week in advance of meetings, at the discretion of the executive council as well as the Senate committee in question. Where desirable, the Senate may choose to allow online comments by eligible FAS members on draft reports.

Once the Senate has voted to adopt a report or motion, the full text will be distributed to all members of the FAS eligible to vote in Senate elections, and will be posted on the Senate web site. This should occur no later than one week after the Senate meeting at which the report was adopted.

17. Ongoing communication with the FAS faculty

One of the most important jobs of the FAS Senate is to communicate regularly with the full FAS faculty. Approximately one week after each Senate meeting, the FASS chair should distribute a newsletter describing the Senate’s activities and providing updates on Senate activities. At least one week before each meeting, the chair distributes the meeting agenda and posts supporting documents on the Senate web site. At least two days before each meeting, the chair sends an email reminder to all faculty, along with a redistribution of the agenda. At the beginning of each academic year, the FAS Dean’s office provides the Senate with an updated email list of FAS faculty eligible to vote in Senate elections. That list should be updated periodically as necessary.

18. Major changes to the FASS constitution

The FASS has been created by the FAS faculty. Changes to the FASS in terms of its divisional distribution, total number of FASS members, and the FASS electoral system, should be referred to the FAS faculty for approval, hopefully by electronic means. All other changes to FASS rules may be approved by a 2/3 majority in the FAS Senate itself unless there is a deadlock, in which case changes shall be referred back to the FAS.