

CONSTITUTION OF THE PROFESSIONAL STAFF

STATE UNIVERSITY OF NEW YORK AT BUFFALO

Effective date - 7/1/99

Article I: Name and Responsibilities

1. This body shall be known as the Professional Staff of the State University of New York at Buffalo.
2. The general membership elects officers and senators; participates in the election of the SUNY-wide senators; and proposes and approves amendments to the *Constitution of the Professional Staff*, *Bylaws of the Professional Staff Senate* and also the *Code of Ethics of the Professional Staff*.
3. All other rights and responsibilities of the general membership shall be discharged through the elected Professional Staff Senate.

Article II: Definitions

Unless otherwise specified the terms used in this Constitution shall have the meaning ascribed to them in the *Policies of the Board of Trustees*.

1. "University" - State University of New York at Buffalo.
2. "Exempt staff" - As defined by the U.S. *Fair Labor Standards Act*.
(<http://www.dol.gov/whd/regs/compliance/hrg.htm>)
3. "Professional staff" - As defined in Article III: Membership.
4. "Business days" - Excludes weekends and all days the University is officially closed.
5. "SUNY-wide Senate" - The state-wide organization known as the University Faculty Senate of the State University of New York. (www.suny.edu/facultysenate.html)
6. "Executive Committee" - As defined in the *Bylaws of the Professional Staff Senate*, Article VI.

Article III: Membership

1. Membership shall include all state employees who are professional staff (as defined in the *Policies of the Board of Trustees* http://www.suny.edu/board_of_trustees/pdf/policies.pdf) not holding academic rank and the exempt staff of the Research Foundation, the Faculty Student Association and UB Foundation.
2. Interpretation of the above definition of membership is to be provided by the Executive Committee.

Article IV: Officers of the General Membership

Section A - Officers and Their Duties

1. President

The President of the University shall be the President of the general membership.

2. Chairperson

The elected official who:

- a. Serves as liaison between the Professional Staff and the President of the University.
- b. Maintains liaison with offices both internal and external to the University deemed necessary and appropriate to Professional Staff matters.
- c. Convenes meetings of the Executive Committee, the Senate, and the general membership and who presides at these meetings.
- d. Is an *ex officio* member of all Senate committees.
- e. Nominates individuals, for Executive Committee approval, who will represent the Professional Staff in dealings with other organizations.
- f. May assume additional duties as designated by the Executive Committee.

3. Vice Chairperson

The elected official who:

- a. Undertakes prescribed tasks for the Chairperson in his or her absence.
- b. Coordinates committee activities and is an *ex officio* member of all Senate committees.

4. Secretary

The elected official who:

- a. Notifies participants, at least ten business days in advance, of the date, place and time of the meetings of the general membership, Senate and Executive Committee.
- b. Prepares the agenda for meetings of the general membership, Senate and Executive Committee. These agendas are to be distributed to the senators and made available to the general membership five business days prior to the next scheduled meeting.
- c. Prepares the minutes of meetings of the general membership, Senate and Executive Committee. These minutes are to be distributed to the senators and made available to the general membership within ten business days after each meeting.
- d. Prepares periodic summaries of Senate activities, special reports and Senate correspondence as required by the Chairperson or Executive Committee.
- e. Records attendance of officers and senators at all meetings of the general membership, Senate and Executive Committee.

Section B - Terms of Office

1. Elected officers shall assume office on July 1 of odd numbered calendar years.
2. They shall serve a two year term.
3. After two consecutive two year terms, an officer shall be ineligible for re-election to that same office for a period of two years.

Section C - Election of Officers

1. The Elections Committee will exercise overall supervision of election of officers.
2. A nomination ballot shall be sent to each general member.
3. Each member may nominate one individual for each office.
4. To appear on the elections ballot a nominee must accept nomination and provide a brief written statement of no more than 150 words to be distributed with the election ballot.
5. All elections shall be conducted by secret ballot.
6. The candidate for each office who receives the largest number of votes shall be elected.
7. The election of all officers shall be completed by April 1.

Section D - Replacement of Elected Officers

1. If the Chairperson is unable to complete the term, the procedure for replacement shall be as follows:
 - a. Six months or less remaining in the term - the Vice Chairperson becomes the Chairperson for the remainder of the term
 - b. More than six months remaining in the term - a special election shall be held.
2. If the Vice Chairperson or Secretary is unable to complete the term, the procedure for replacement shall be as follows:
 - a. Six months or less remaining in the term - Executive Committee shall appoint.
 - b. More than six months remaining in the term - a special election shall be held.

Article V: Meetings of the General Membership

Section A - General Membership Meetings

1. There shall be at least two general membership meetings each year; a Fall and a Spring meeting.
2. The Spring meeting shall, among other items, be devoted to the reports of the elections of new officers and senators.

Section B - Special Meetings

A special meeting may be called by:

1. The Chairperson.
2. A majority vote of the entire Executive Committee.
3. A majority vote of the Senate.
4. By petition of at least ten percent of the membership.
 - a. A petition for a special meeting shall be in writing, signed by each of the petitioning members.
 - b. A petition for a special meeting shall set forth the matters to be presented at the special meeting.

Section C - Distribution Deadlines

Distribution deadlines for meeting-related documents can be found in the *Constitution*, Article IV, Section 4, a-c.

Article VI: Amendment Procedures

Section A - Amendment Proposals

Proposals to amend the *Constitution* may be presented as motions to be considered by the general membership by one of the following:

1. A signed petition of at least ten percent of the general membership.
2. A majority vote of the Professional Staff Senate.
3. A majority vote of the entire Executive Committee.

Section B - Deadlines

Such proposed amendments must be submitted to the elected Secretary at least 20 business days prior to a regular or special meeting of the general membership. They will be circulated to the members at least 15 business days prior to the scheduled meeting.

Section C - Voting

Within ten business days after the meeting at which amendments were proposed, all general members will be mailed ballots. All ballots must be returned within 15 business days of mailing and shall be counted within two business days from the date the ballots were due.

Section D - Implementation

Amendments shall become a part of this *Constitution* if approved by two-thirds of the members voting. Amendments shall take effect immediately after ballots are counted unless a specific effective date is provided with the amendment.

Ratified - May 5, 1972

Revised - 1974, 1976, 1982, June 1987, 1992, July 1, 1999

BYLAWS OF THE PROFESSIONAL STAFF SENATE

STATE UNIVERSITY OF NEW YORK AT BUFFALO

Effective date - 7/1/99

Effective Revision date – 11/28/04

Article I: Name

This organization shall be known as the Professional Staff Senate of the State University of New York at Buffalo.

Article II: Definitions

Unless otherwise specified, terms used shall have the same meaning in these Bylaws as are ascribed to them in Article II of the *Constitution of the Professional Staff*.

Article III: Purpose and Functions

To promote the general welfare of its members and of the University, the Professional Staff Senate shall:

1. Actively participate in the policy decisions of the University.
2. Provide a forum for exchange of information, discussion of ideas, and consideration of matters related to the administration of the University.
3. Promote the professional development of individuals committed to careers in higher education.
4. Cultivate collegiality among all members of the University community.
5. Maintain liaison with other organizations concerned with University affairs.

Article IV: Membership of the Senate

Section A - Membership

The membership of the Senate shall consist of the following:

1. The President of the University who shall serve *ex officio* without vote.
2. The Chairperson, Vice Chairperson, and Secretary of the general membership **who shall have identical roles in the Senate.**
3. The representatives elected by and from the general membership according to election procedures described in Article IV, Section D, hereafter called "senators".
4. The Parliamentarian, who, if not a senator, shall serve *ex officio* without vote.
5. Professional Staff elected as senators or alternates to the SUNY-wide Senate.
6. The immediate past chairperson of the Senate who shall serve *ex officio* without vote for two years.

Section B - Allocation of Senators Among Areas

1. Senate representation shall be allocated to each of five major electoral areas:
 - Area I - Health Sciences Academic units
 - Area II - Core Campus Academic units
 - Area III - Student Support Service units
 - Area IV -University Support Service units
 - Area V -University Administration and Operations units
2. Final determination of assignments of functional units to electoral areas shall be made by the Executive Committee on the advice of the appropriate Senate committee.
3. Professional staff shall be assigned to electoral areas through the functional unit in which they hold their primary appointment. Professional staff holding joint appointments in two or more functional units located in different electoral areas may choose the single electoral area to which they will be assigned. If such professional staff do not make this selection they will be assigned to an appropriate electoral unit by the Executive Committee on the advice of the appropriate Senate committee.
4. Representation from the five areas shall be according to the ratio of one senator for every 30 members of each electoral area. Only a full multiple of 30 will entitle an area to an additional senator.

Section C - Terms of Office

1. Senators shall serve for two years and shall assume office on July 1.
2. After two consecutive two-year terms, a senator shall be ineligible for re-election for a period of one year.

Section D - Election of Senators

1. Senatorial terms for each senator will be staggered so that each year an area elects one-half of its senators or the closest applicable whole number thereof.
2. All senators shall be responsible for selecting their own alternates to fulfill all the duties and responsibilities of Senate membership at meetings of the Senate in the absence of the senator.
 - a. Alternates must be Professional Staff from the same electoral area as the senators for whom they substitute.
 - b. No person shall serve as an alternate concurrently to more than one senator nor shall any senator serve as an alternate.
 - c. Senators shall forward to the Senate Office by July 1 the names of their alternates.

Section E - Attendance

1. If senators cannot attend a meeting of the Senate or of the general membership, it shall be their responsibility to notify their alternates that they need to attend.
2. If both a senator and that senator's chosen alternate are absent from any two consecutive meetings, or three meetings all year, that senator shall be dropped automatically from the Senate. This would terminate the service of the alternate.

Section F - Resignations

1. When senators are unable to complete their term of office they must notify the Secretary of the Senate in writing.
2. Senators must resign as representatives to the Senate, as well as their membership on the Executive Committee of the Senate, when they no longer hold a position within the University in the same Professional Staff Senate area in which they were elected or selected.

Section G - Vacancies

1. Senators from an area in which a vacancy has occurred shall, acting jointly, forward at least one nomination per vacancy to the Executive Committee for approval.
2. The approved individual shall serve for the remainder of the vacated term.

Article V: Meetings of the Senate

1. The Senate shall hold at least 4 meetings between September and June of each year. These may be concurrent with meetings of the general membership of the Professional Staff.
2. A special meeting of the Senate may be called by:
 - a. The Chairperson.
 - b. A majority vote of the Executive Committee.
 - c. Petition of ten members of the Senate.
 - i. A petition for a special meeting shall be in writing, signed by each of the petitioning senators.
 - ii. A petition for a special meeting shall set forth the matters to be presented at the special meeting.
3. A majority of the voting members shall constitute a quorum.
4. Distribution deadlines can be found in the Constitution, Article IV, Section 4, a-c.

Article VI: Executive Committee of the Senate

Section A - Function

There shall be an Executive Committee of the Senate, which shall represent and act on behalf of the Senate, subject to Senate approval, in all matters within the jurisdiction of the Senate.

Section B - Membership

The Executive Committee shall be composed of the following:

1. The President of the University who shall serve *ex officio* without a vote.
2. The Chairperson, Vice-Chairperson, and Secretary of the general membership who shall have identical roles in the Executive Committee.
3. Two senators elected by and from the senators representing each area. Their terms shall be one year. They cannot serve more than two consecutive terms without an intervening year.
4. One senator, elected by and from the senators representing each area, who shall serve as a non-voting standby member of the Executive Committee except when serving as substitute for one of the area senators described in the preceding paragraph.
5. The immediate past Chairperson of the Professional Staff Senate who shall serve *ex officio* without a vote for two years.
6. The Parliamentarian of the Senate who shall serve as the Parliamentarian to the Executive Committee without a vote.

Section C - Powers and Duties

The Executive Committee shall:

1. Act as the representative of the Senate between Senate meetings in all matters within the jurisdiction of the Senate under any of the following conditions:
 - a. When the action involves implementation of existing Senate policy.
 - b. When there is insufficient time to bring a matter before the Senate. Such actions shall be reviewed by the Senate at its next regularly scheduled meeting.
 - c. Pursuant to such delegation and direction as the Senate shall provide.
2. Advise and consult with the University President on any matters of University policy.
3. Have the power to consider and advise the Senate regarding all matters within the jurisdiction of the Senate.
4. Set the agenda for meetings of the Senate and general membership.
5. Submit reports through its Chair on all its non-procedural decisions to the Senate at all regular Senate meetings.
6. Serve as the Senate's Committee on Committees.
7. Establish ad hoc committees as necessary.
8. Determine the charges for all Senate committees.
9. Receive reports from Senate committees and promptly transmit them to the Senate whether with or without endorsement or comment, reserving the right first to recommit reports to committee for further work.
10. Nominate individuals to serve on external committees.
11. Define the duties and responsibilities of senators.

Section D - Meetings of the Executive Committee of the Senate

1. Meetings of the Executive Committee shall be held at regular intervals, not less frequently than once a month September through June.
2. A majority of the voting members shall constitute a quorum.
3. Special meetings of the Executive Committee may be called by the Chairperson or by a majority vote of the Executive Committee.
4. Distribution deadlines for meeting-related documents can be found in the *Constitution*, Article IV, Section 4, a-c.

Article VII: Senate Committees

Section A - Membership

1. Members of committees shall be selected by the Executive Committee, and shall serve for such terms and shall perform such duties as the Executive Committee shall determine.
2. The Executive Committee shall designate the Chairperson of all committees.
3. Voting membership on every committee, except the Executive Committee, may include other members of the university community.
4. Committee members who are nonmembers of the general membership have the privileges of the floor of the Senate, so long as such committee membership continues.

Section B - Powers and Duties

1. The Senate and its standing committees are the policy-recommending bodies of the general members.
2. It shall be the duty of each committee to consider questions and policies within the committee's charge and to initiate investigations of any questions germane to its area of interest.
3. All committees shall report in writing to the Senate by submitting their reports to the Executive Committee.

Article VIII: Parliamentary Authority

1. *Roberts Rules of Order* shall govern the Professional Staff Senate in all cases which are not in conflict with these Bylaws.
2. The Chairperson may nominate and, with Executive Committee approval, appoint a Parliamentarian.
3. The Parliamentarian shall have the responsibility for ruling on matters of procedure at Executive Committee, Senate and general membership meetings.

Article IX: SUNY Senators

Section A - Function

In accordance with Article VII, Title B, of the *Policies of the Board of Trustees*, and the rules and regulations of the SUNY-wide Senate, the professional staff in conjunction with the faculty shall elect from their memberships representatives to serve in the SUNY-wide Senate.

Section B - Nominations and Elections

1. The Elections Committee shall issue a call for candidates.
2. Each member of the professional staff may suggest no more than one name for each of the available positions.
3. The Elections Committee will run a primary to select one nominee for each available position.
4. The Elections Committee shall conduct elections in collaboration with the Elections Committee of the University Faculty Senate.
5. Voting shall be by a secret ballot with the nominees receiving the highest number of votes being elected.
6. To appear on the elections ballot, a nominee must provide a brief written statement (no more than 1-single typewritten page) to be distributed with the elections ballot.
7. Each professional staff member who is elected to the SUNY-wide Senate shall also serve in the Professional Staff Senate and on the Professional Staff Executive Committee.

Section C - Alternates

1. For every N vacancy to be filled the N nominees with the highest numbers of votes will be elected as senators to the SUNY-wide Senate and the N nominees with the next highest number of votes will be appointed as alternates.
2. The alternate with the highest number of votes shall become the alternate to the senator who received the highest number of votes, the alternate with the second highest number of votes shall become the alternate to the senator with the second highest number of votes, etc.
3. If there are insufficient nominees to fill all the alternate positions the remaining senators shall appoint their own alternates.
4. Alternate representatives shall serve in the SUNY-wide Senate in the absence or inability to act for the senators for whom they are alternates. Such alternate representatives shall have and exercise all the powers and duties of the senators for whom they are alternates.

Section D - Terms

1. Senators shall assume office on July 1.
2. Each senator or alternate shall normally serve for a term of three years provided, however, that no such representative shall serve as a member of the SUNY-wide Senate after severing employment with the University.

Section E - Re-election

1. A senator or alternate who has served a full three-year term or major fraction thereof shall be eligible to serve a second consecutive three-year term.
2. He or she shall not be eligible to serve again as member of the SUNY-wide Senate until the expiration of one year from the end of the last preceding term.
3. Representatives who have served only a minor fraction of one three-year term may serve for two additional consecutive three-year terms.

Section F - Vacancies

1. In the event of a vacancy resulting from the death, resignation, or termination of the service of either a senator or an alternate, an election will be held, as soon as practicable, to fill the unexpired term in the same manner as the original election.
2. Any person currently serving as an alternate is eligible, if otherwise qualified, to be elected senator.
3. If a senator or an alternate is to be on leave of absence for a period of one academic year or longer, the rest of their term shall be vacated, and an election shall be held, as soon as practicable, to fill the unexpired term in the same manner as the original election.
4. If both a senator and the alternate are simultaneously unable to represent the campus for a period in excess of four months, the rest of their terms shall be vacated, and elections shall be held, as soon as practicable, to fill the unexpired terms in the same manner as the original elections.

Article X: Amendment Procedures

Section A - Amendment Proposals

Proposals to amend the *Bylaws* may be presented as motions to be considered by the general membership by one of the following:

1. A signed petition of at least 10% of the general membership.
2. A majority vote of the Professional Staff Senate.
3. A majority vote of the entire Executive Committee of the Professional Staff Senate.

Section B - Deadlines

Such proposed amendments must be submitted to the elected Secretary at least 20 business days prior to a regular or special meeting of the general membership. They will be placed on the agenda and circulated to the members at least 15 business days prior to the scheduled meeting.

Section C - Voting

Within 10 business days after the meeting at which amendments were proposed, all general members will be mailed ballots. All ballots must be returned within 15 business days of mailing and shall be counted within 2 business days from the date the ballots were due.

Section D - Implementation

Amendments shall become a part of these *Bylaws* if approved by two-thirds of the members voting. Amendments shall take effect immediately after ballots are counted unless a specific effective date is provided with the amendment.

Ratified - May 5, 1972

Revised - July 1, 1999

Revised – October 15, 2004