

## FACULTY SENATE RESOLUTION 17-03

### Amendments to Article VI of the Louisiana State University Faculty Senate Constitution and By-Laws

*Sponsored by*

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Whereas Robert's Rules of Order Newly Revised 11<sup>th</sup> edition, 2011 states with regard to proxy voting that any questions concerning the correct use of proxies, the extent of the power conferred by a proxy, the duration, revocability, or transferability of proxies, and so forth, must be found in the provisions of the law or bylaws which require or authorize their use<sup>1</sup>;

Whereas Riddick's Rules of Procedure, 1991 has a provision for proxy voting, which provision declares that Proxy voting gives the power of attorney to a member to cast the votes for another legal vote holder<sup>2</sup>;

Whereas the definition for proxy<sup>3</sup> is 1) the agency, function, or office of a deputy who acts as a substitute for another or authority, or 2) the power to act for another; thus per definition when a member of the decision-making body, i.e., a faculty senator gives a proxy, the senator delegates the voting power to another member of the faculty senate to vote in the senator's absence;

Whereas faculty senators are foremost faculty members with teaching, research, and service responsibilities which responsibilities may require them to miss one or more faculty senate meetings;

Whereas a replacement as defined in resolution 10-01<sup>4</sup> and Article VI of the By-Laws of LSU Faculty Senate<sup>5</sup> may not be readily available to attend a faculty senate meeting to act on behalf of the senator unable to attend;

Whereas Article VI of the By-Laws of the LSU Faculty Senate contained a provision to allow proxy votes before February 18, 2010, but that provision was removed by passage of Resolution 10-01 on said date;

Whereas it is not desirable to give a senator undue voting power as result of proxies, thus giving the senator the capability to form a voting bloc using solely proxies;

Therefore, it be resolved that Article VI of the By-Laws of LSU Faculty Senate, which presently reads:

1. By written notice to the President submitted before the meeting, a member of the Senate may choose another faculty member representing the same college or division as a replacement at that Senate meeting. Such a representative must be eligible for election to the Senate.<sup>\*\*\*</sup>

2. Replacement representatives shall be announced by the President at the start of the meeting.
3. If a member of the Senate is absent from the campus for a semester or longer, this position will be taken for that period by the eligible non-elected person who received the next highest number of votes in the last regular election in that college. If there is no person thus qualified, a special election will be held.
4. The seat of a member of the Senate who has been repeatedly absent from Senate meetings can be declared vacant by a three-fourths vote of members of the Senate attending a meeting, if a request for such action has been made in writing by at least five percent of the faculty of the college represented. The motion to remove a member of the Senate shall be voted on at the meeting of the Senate immediately following the request.
5. If for any reason a vacancy occurs, as determined by the Executive Committee, the position will be filled by the eligible nonelected person who received the next highest number of votes during the election of that seat. If there is no such qualified person, then the position will be filled by the eligible nonelected person who received the next highest number of votes in the next most recent regular election in that college. If there is no person thus qualified, a special election will be held.

Be amended to read<sup>6</sup>:

#### Article VI. Alternate Representation

1. By written notice to the President submitted before the meeting, a member of the Senate may choose another faculty member representing the same college or division as a replacement at the Senate meeting. Such a representative must be eligible for the election to the Senate.\*\*\*
2. In lieu of choosing a replacement representative, a member of the Senate may, by written notice to the President, give a proxy vote to another member of the Senate not holding another proxy vote (i.e., only one proxy vote per Senator is allowed).
3. Proxies and alternate representatives shall be announced by the President at the start of the meeting, recorded by signature on the sign-in roster, noted in the minutes, and the proxies will be counted during a second call to vote for proxies when the first call to vote was taken orally.
4. If a member of the Senate is absent from campus for a semester or longer, this position will be taken for that period by the eligible nonelected person who received the next highest number of votes in the last regular election in that college. If there is no person thus qualified, a special election will be held.
5. The seat of a member of the Senate who has been repeatedly absent from Senate meetings can be declared vacant by a three-fourths vote of members of the Senate attending a meeting, if a request for such action has been made in writing by at least five percent of the faculty of the college represented. The motion to remove a member of the Senate shall be voted on the meeting of the Senate immediately following the request.
6. If for any reason a vacancy occurs, as determined by the Executive Committee, the position will be filled by the eligible nonelected person who received the next highest

number of votes during the election of that seat. If there is no such qualified person, then the position will be filled by the eligible nonelected person who received the next highest number of votes in the next most recent regular election in that college. If there is no person thus qualified, a special election will be held.

<sup>1</sup>A “proxy” is a means by which a member who expects to be absent from a meeting authorizes someone else to act in his or her place at the meeting. Proxy voting is not permitted in ordinary deliberative assemblies unless federal, state, or other laws applicable to the society require it, or the bylaws of the organization authorize it, since proxy voting is incompatible with the essential characteristics of a deliberative assembly. As a consequence, the answers to any questions concerning the correct use of proxies, the extent of the power conferred by a proxy, the duration, revocability, or transferability of proxies, and so forth, must be found in the provisions of the law or bylaws which require or authorize their use. [RONR (11th ed.), pp. 428-29.]. Retrieved from <http://www.robertsrules.com/faq.html#10> on 2/23/2017

<sup>2</sup>Riddick, Floyd M.; Butcher, Miriam H. (1991), Riddick's rules of procedure : a modern guide to faster and more efficient meetings, Lanham, Md.: Madison Books.

<sup>3</sup>2017 Merriam-Webster, Incorporated. Retrieved from <https://www.merriam-webster.com/dictionary/proxy> on 2/23/2017

<sup>4</sup>Resolution 10-01, “Amendments to Article VI and Article VII of the LSU Faculty Senate By-Laws”. Adopted February 18, 2010

<sup>5</sup> LSU Faculty Senate Constitution and By-Laws, with footnotes as amended through October 2015. Retrieved from <http://www.lsu.edu/senate/FSCB.pdf> on 2/23/2017

<sup>6</sup>The new inserted text has been underlined.