The Board of Governors for Truman State University met on Friday, October 3, 2008, on the University campus in Kirksville, Missouri. The meeting was held in the Conference Room of the Student Union, and the open session of the meeting was called to order shortly after 1:30 p.m. by the Chair of the Board of Governors, Mark S. Wasinger.

A quorum was present with all seven voting members in attendance: Cheryl J. Cozette, Mike Greenwell, Karen Haber, Matthew W. Potter, Kenneth L. Read, John W. Siscel, III, and Mark S. Wasinger.

Also in attendance for the meeting were all three of the non-voting members: Cody Sumter, the student representative, and John Hilton and Peter T. Ewell, the two out-of-state members.

Call to Order
Mr. Wasinger opened the meeting by extending a welcome to all in attendance.

Mr. Wasinger introduced Dr. Darrell W. Krueger and his wife Nancy, noting that Dr. Krueger will officially take over the position of President on October 16, 2008.

Minutes for Open Sessions of Meetings on August 16, 2008 and September 3, 2008
Dr. Siscel moved the adoption of the following resolution:

> BE IT RESOLVED that the minutes for the open sessions of the meetings on August 16, 2008 and September 3, 2008, be approved.

The motion was seconded by Mr. Greenwell and carried by a unanimous vote of 7 to 0. Mr. Wasinger then declared the motion to be duly adopted.

Campus Update
Mr. Wasinger noted that President Barbara Dixon was absent from the meeting due to another commitment. In her absence, Dr. Troy Paino, Provost and Vice President for Academic Affairs, provided a report on several items of current interest. Dr. Paino noted that residence halls are full for the 2008-09 Academic Year, and he provided an update on enrollment for the 2009-10 Academic Year. Dr. Paino also provided updates on the Pershing Building Project, the Stokes Stadium Turf Replacement Project, and the Pershing Arena Floor Replacement Project.

Audit Report
Representatives of RubinBrown LLP accounting firm reviewed a draft of the annual audit of the University. In attendance were Jeff Winter (Partner), Brent Stevens (Manager), and Kaleb Lilly (Manager). It was also noted that the Board of Governors Audit Committee met with representatives of RubinBrown prior to the Board of Governors meeting at 11:30 a.m.

Academic Affairs/Assessment Report
Dr. Troy Paino and Dr. Martin Eisenberg, Associate Provost, provided a report on the University's assessment efforts.

Mr. Greenwell left the meeting at approximately 2:30 p.m. due to another commitment. The absence of Mr. Greenwell was recorded as excused.

Strategic Planning Report
The University Dean for Planning and Institutional Development, Dr. Michael A. McManis, provided a report on the University's strategic plan.

Advancement Report
The Vice President for University Advancement, Mark Gambaiana, provided an update on advancement activities.

Financial Report
The Controller, Judy Mullins, provided a review of the financial report.

Technology Project – Student Union Building
Mr. Read moved the adoption of the following resolution:

> BE IT RESOLVED that the budgeted amount for the following technology project be approved:
>
> | Project Name | Project Budget |
> |---|---|
> | Student Union Building Technology | $235,000 |
>
> BE IT FURTHER RESOLVED that the President of the University, or her designee, be authorized to accept the lowest and best bid for the project; and
>
> BE IT FURTHER RESOLVED that a description of the project, as reviewed at the meeting, be attached to the minutes as an exhibit.

The motion was seconded by Mr. Potter and carried by a unanimous vote of 6 to 0. Mr. Wasinger then declared the motion to be duly adopted, and the Secretary designated a copy of the document as Exhibit A.

External Audit Scope Revision
Dr. Cozette moved the adoption of the following resolution:

> WHEREAS, an audit scope change is necessary under the provisions of Office of Management and Budget, Circular A-133, "*Audits of States, Local Governments and Non-Profit organizations,*" that requires additional audit steps for the National Science and TRIO programs; and
>
> WHEREAS, an evaluation of RubinBrown's proposal has been completed and the staff recommends its adoption;
>
> NOW, THEREFORE, BE IT RESOLVED, that the proposal from RubinBrown L.L.P of St. Louis, Missouri be accepted and that the President of the University be authorized to execute an agreement with the firm; and
>
> BE IT FURTHER RESOLVED that a copy of the proposal be attached to and made a part of the minutes for this meeting.

The motion was seconded by Ms. Haber and carried by a unanimous vote of 6 to 0. Mr. Wasinger then declared the motion to be duly adopted, and the Secretary designated a copy of the document as Exhibit B.

Construction Projects Report
David R. Rector, the Executive Director of Institutional Research and Budgets, reviewed a status report on construction projects previously approved by the Board.

Contracts for Construction/Technology Projects Report
It was noted that there were no construction/technology projects totaling $25,000 to $50,000 which had been approved since the last meeting of the Board.

Auxiliary Facilities Update
Mr. Rector also provided an update on the Auxiliary Facilities Initiative.

Architectural Services for Magruder Hall Follow-up Project
Dr. Siscel moved the adoption of the following resolution:

> BE IT RESOLVED that Hastings and Chivetta, which has submitted a proposal to provide professional services for the Magruder Hall Follow-up Project, with the fees and work for such services to be within the guidelines of the proposal, be approved as the project architects; and
>
> BE IT FURTHER RESOLVED that the President of the University, or her designee, be authorized to execute a contract with the firm for the project; and
>
> BE IT FURTHER RESOLVED that a copy of the proposal be attached to and made a part of the minutes for this meeting.

The motion was seconded by Mr. Read and carried by a unanimous vote of 6 to 0. Mr. Wasinger then declared the motion to be duly adopted, and the Secretary designated a copy of the document as Exhibit C.

Faculty Senate Bylaws
Dr. Siscel moved the adoption of the following resolution:

> BE IT RESOLVED that the amendments to the Bylaws of the Faculty Senate, as set out in the attached document; and as approved by the Faculty Senate on August 28, 2008; and as approved in an election of eligible voters on October 1, 2008, be now approved and accepted, effective immediately, and that they be incorporated into the Bylaws of the Faculty Senate of Truman State University; and
>
> BE IT FURTHER RESOLVED that a copy of the amendments be attached to and made a part of the minutes for this meeting.

The motion was seconded by Ms. Haber and carried by a unanimous vote of 6 to 0. Mr. Wasinger then declared the motion to be duly adopted, and the Secretary designated a copy of the document as Exhibit D.

Agenda Items for Future Meetings
Mr. Wasinger reviewed the agenda items currently scheduled for the next regular meeting of the Board of Governors.

Dates for Future Meetings
Dr. Siscel moved the adoption of the following resolution:

> BE IT RESOLVED that the next regular meeting of the Board of Governors be scheduled for Saturday, December 6, 2008, on the University campus in Kirksville, beginning at 8:30 a.m., with the understanding that the Chair may alter the starting time and/or place for the meeting by giving due notice of such change; and

BE IT FURTHER RESOLVED that other regular meetings of the Board during the next year be tentatively scheduled for the following dates:

Saturday, February 7, 2009;
Saturday, April 4, 2009;
Friday and Saturday, June 19-20, 2009;
August 15, 2009; and
Friday, October 9, 2009.

The motion was seconded by Dr. Cozette and carried by a unanimous vote of 6 to 0. Mr. Wasinger then declared the motion to be duly adopted.

Agenda Items for Closed Session

Mr. Read moved the adoption of the following resolution:

BE IT RESOLVED that this meeting be continued in closed session, with closed records and closed votes as permitted by law, for consideration of the following items as authorized by Section 610.021, Revised Statutes of Missouri:

1) Approval of minutes for the closed session of the last meeting under Subsection 14 of the statute for "Records which are protected from disclosure by law";
2) Individual personnel actions under Subsection 3 of the statute for "Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded"; and
3) Confidential communications with the General Counsel.

BE IT FURTHER RESOLVED that if any business not covered by the stated reasons for the closed session is raised during the closed session, then this meeting shall be reopened to the public and an announcement about a resumption of the open session shall be made in the hallway outside of the meeting room.

The motion was seconded by Mr. Potter and carried by a unanimous vote of 6 to 0. Mr. Wasinger then declared the motion to be duly adopted.

The closed session of the meeting began shortly after 4:00 p.m.

Matthew W. Potter
Secretary of the Board of Governors

I hereby certify that the foregoing minutes were approved by the Board of Governors on the 6th day of December, 2008.

Mark S. Wasinger
Chair of the Board of Governors

EXHIBIT A

ITEM H.1
Technology Project – Student Union Building

BACKGROUND

The Student Union serves as the center for university life and houses the components of student activities, student governance, leadership and volunteerism all with the basic premise of allowing students to develop to their fullest potential. This building also serves the many needs of student organizations. The Student Union renovation has focused on creating a physical environment that can serve as the center of student life and provide a comfortable and inviting venue to host alumni, prospective students and donors, and other guests. We also hope that the renovated Student Union may assist Kirksville in its quest to attract visitors and businesses to our community. The renovation of the Student Union Building is near completion. This past fiscal year, the Student Union played host to 675 student events and had a total event load of 2,991 including student, faculty, administrative, staff and community events. Technology equipment and installation were not included in the original scope of the renovation project.

The Student Union currently utilizes dated, portable audio-visual equipment that is inadequate to meet the current demand. Requests for audio visual equipment have more than doubled since 2005. The Student Union often serves as the "first impression" of our campus to prospective students, community members, donors, and other visitors to campus. In order to make the best impression possible, we need to improve the availability and quality of our technology options.

DESCRIPTION

This project will supplement equipment already utilized in the building and will include equipment, installation, and training. Specifically, the project will include improved equipment for the sound systems in the Georgian Room, Down Under, and Activities Room. In addition, upgraded data projectors and motorized drop down screens are planned in the Georgian Room, Activities Room, Down Under, Conference Room and meeting rooms. The project includes stage lighting for the Down Under as well. Project specifications are structured for vendors to allow them to provide turnkey systems including all equipment, installation, testing and on-site training or to provide some equipment to be installed and tested along with University provided equipment (data projectors, lifts, speakers, amps and screens) as well as providing on-site training.

Funds for the technology project are available from the Student Union funds ($150,000). The Parents Council has designated $85,000 to this project. The total funding available is $235,000. It is anticipated the enhancements will be complete by Spring 2009 Semester.

RECOMMENDED ACTION

Approval of the following resolution to approve the Student Union Building Technology Project is recommended.

> BE IT RESOLVED that the budgeted amount for the following technology project be approved:

Project Name	Project Budget
Student Union Building Technology	$235,000

BE IT FURTHER RESOLVED that the President of the University, or her designee, be authorized to accept the lowest and best bid for the project; and

BE IT FURTHER RESOLVED that a description of the project, as reviewed at the meeting, be attached to the minutes as an exhibit.

Moved by _____
Seconded by _____
Vote: Aye _____
Nay _____

EXHIBIT B

RubinBrown

RubinBrown LLP
Certified Public Accountants
& Business Consultants

One North Brentwood
Saint Louis, MO 63105

T 314.290.3300
F 314.290.3400

W rubinbrown.com
E info@rubinbrown.com

September 12, 2008

Ms. Judy Mullins, Controller
Truman State University
McClain Hall
100 East Normal Street
Kirksville, MO 63501

Dear Judy:

We have determined that the University's expenditures for two federal programs have reached the threshold to be classified as major programs, and thus are subject to audit for the year ended June 30, 2008 under the provisions of the OMB Circular A-133 single audit act.

The University's original Request for Proposal (RFP) included the scope for one major federal program (student financial assistance), however, due to increased federal expenditures, the scope needs to be expanded.

Therefore we are submitting an amendment to our engagement letter to include the additional time, effort and travel required to complete the single audit for 2008 for additional fees as follows:

TRIO program	$8,000
National Science Foundation program	7,500
Total additional fees	$15,500
Plus out-of-pocket expenses not to exceed	$1,200

We appreciate the opportunity to be of continued service to Truman State University and believe this letter accurately summarizes the scope of the additional work to be performed.

Sincerely,

RubinBrown LLP

Jeffrey B. Winter

Jeffrey B. Winter, CPA
Partner
Direct Dial Number: 314.290.3408
E-mail: jeff.winter@rubinbrown.com

JBW:jgc

EXHIBIT C

Hastings+Chivetta

mp

Christopher Chivetta, P.E. | Erik J. Kocher, A.I.A.
James R. Capps, A.I.A. | James B. Favier, A.I.A.

September 16, 2008

Mr. Mark Schultz
University Architect
Truman State University
Campus Planning Office MC 201
100 East Normal
Kirksville, MO 63501

Re: Proposal for Architectural and Engineering Services for Truman State University Magruder Hall Building Assessment

Dear Mark:

Hastings and Chivetta and McClure Engineering are pleased to submit the following work scope for architectural and engineering services for the assessment of Magruder Hall. Since the information shared with Hastings & Chivetta/McClure Engineering does not necessarily constitute the entire scope of repairs, we would suggest splitting the assessment and bid document phase into distinct phases of work.

The assessment phase would involve a two day on campus workshop to tour Magruder, review as built drawings, meet with appropriate campus representatives, and perform field tests and observation. McClure Engineering would remain on campus an additional two days to complete the MEP operational check out of the facility. McClure would additionally develop computer acoustic models.

Both firms would complete a report that would outline the extent of remediation work to be accomplished, the cost of the work, and architectural and engineering fees associated with developing the bid documents, specifications, and field observation to complete the project.

Because the scope of work is still not entirely resolved, both firms agree this is the best and most cost effective means to approach the project.

After the report is completed, final design fees will be negotiated and not exceed 10% of total cost of construction.

Hastings & Chivetta proposes to perform the above scope of work for a fixed fee of $9,800 (nine thousand, eight hundred dollars.) McClure Engineering proposes to perform the above scope of work for a fixed fee of $17,850 (seventeen thousand, eight hundred fifty dollars.) See attached McClure proposal dated August 1, 2008. Reimbursable for both firms would be billed at direct cost.

Thank you for the opportunity to submit on this scope of work. If you have any questions please feel free to give me at 314-863-5717 or Peter McDonnell at 314-645-6232 at McClure a call.

Sincerely,

Erik J. Kocher, AIA, LEED
Principal

Attachment

Cc: Jim Gabel, Peter McDonnell

McCLURE ENGINEERING

August 1, 2008

Via email: ekocher@hcarchitects.com

Mr. Erik Kocher
Hastings + Chivetta
700 Corporate Park Drive
Suite 400
St. Louis, MO 63105

Re: Proposal for Engineering Services
for Truman State University
Magruder Hall Building Assessment

Dear Erik:

We are pleased to present you with this proposal to provide professional engineering services for the Truman State University Magruder Hall Building Assessment. Below is our understanding of the project along with our Scope of Work and Fee.

Description of Project

We understand that the facility is to be a three (3) story building, 60,000 square feet with classrooms, science labs, a lecture hall and office spaces.

Scope of Work

We propose the following Scope of Work:

a. Perform field investigations as necessary to develop a design load analysis for the facility and to review current systems. We would plan on an operational check-out of the mechanical systems especially the lab hood exhaust and lab supply air systems. This is anticipated to take three to four days and will need assistance from the facility maintenance group to perform the testing.

b. Consultation with key staff for operations input.

c. Provide acoustic analysis of the HVAC generated noise in each space (4-6) of concern will be computer modeled. Design or as-built drawings as well as shop drawings will be required to accurately model the systems.

4545 Oleatha Avenue Saint Louis Missouri 63116 T 314-645-6232 F 314-645-4128 www.mcclureeng.com

Engineering for Building and Campus Systems: Mechanical Electrical Plumbing Fire Protection Lighting Telecommunications Audio-Visual Theatrical Security Acoustics Commissioning

- The sound pressure and "Noise Criteria" (NC) levels will be field measured for each space of concern. The levels will be compared against both the ASHRAE guidelines and our computer model. Once the computer model is calibrated to the actual conditions it will be used to identify the potential improvements to each recommendation.
- A report will be generated which will include measured data, observations, and recommendations.

d. Prepare a report and recommendation including prepare a construction cost opinion for project appropriation, including fees to document and MEP/FP work required (for Bid).

e. Participate in review meetings to review progress, discuss options, and clarify report findings.

Additional Services

Additional Services include all services that are not part of the Scope of Work as described above. This includes those services that arise as a result of unforeseen circumstances and will require an additional fee. Typical items included in Additional Services are as follows:

a. Services resulting from changes in scope or magnitude of the project as described and agreed to under the Scope of Work.

b. Services in connection with a public hearing, arbitration, or legal proceedings.

c. Services in connection with providing construction documents for corrective work identified from the report, as directed by the Owner.

Fee

We propose to perform the above Scope of Work for a **Fixed Fee of $17,850 (Seventeen Thousand, Eight Hundred Fifty Dollars)**. In addition, reimbursable expenses will be billed for the actual amount for direct costs that are directly attributable to the performance of the work such as subconsultants, drawing reproduction, express deliveries, photo development, rental cars for travel, meals, travel miles to site and meetings. Additional services and reimbursable expenses will be billed based on the attached rate schedule (dated January 15, 2008).

The above fee is valid for a period of 90 days from the date of this proposal, after which McClure Engineering reserves the right to retain or modify it to reflect changing economic conditions. Attached is a copy of our standard Terms and Conditions. We will invoice for our services on a monthly basis as the work progresses, and invoices are payable net 30 days.

Please sign below and return one copy of this letter proposal to acknowledge your understanding of our Fee and Terms and Conditions and to authorize us to proceed. Please call me if you have any questions regarding this proposal.

Yours Very Truly,

Peter W. McDonnell

Peter W. McDonnell, P.E.

Accepted for Hastings + Chivetta

By: _____

Title: PRINCIPAL

Date: 9/12/08

PWM:kam

Enclosure: Terms and Conditions

EXHIBIT D

FACULTY SENATE BYLAWS
FOR TRUMAN STATE UNIVERSITY

BYLAWS

I. Meetings

a. The Faculty Senate shall meet at least once per month during the academic year. ~~. In May, the outgoing Senate shall meet to conclude that year's academic business. Immediately following that meeting, the new Senate shall meet to elect officers~~.

b. Special meetings of Faculty Senate may be called upon:

i. the request of the University President or the Provost;

ii. the request of the President of the Senate, or in his/her absence from the University campus, the President Pro Tempore of the Senate;

iii. the petition of a majority of the membership of Faculty Senate;

iv. the petition of at least 10 percent of the ~~collective~~ number of persons eligible to vote on amendments to the Constitution and Bylaws.

c. The Faculty Senate may call a meeting of the whole faculty by rank, tenure status, or as an open meeting by petition of one-quarter of the faculty in the respective group wishing to call a meeting.

d. Minutes of all meetings called by Faculty Senate shall be transcribed and distributed by the Senate Secretary to all Senate members and shall also be made available to all faculty. The President's Office shall distribute the minutes to the Board of Governors.

II. Membership

a. In accordance with Article V ~~and VI~~ of the Constitution, the membership of Faculty Senate shall be:

~~1.two representatives, excluding division heads, of each academic division in which degrees are awarded;~~

~~2.one representative, excluding division heads, of each academic division in which degrees are not awarded;~~

~~3.one academic division head;~~

~~4.ex-officio, voting: the President of the University, or his/her designee;~~

~~5.ex-officio nonvoting: the Vice President for Academic Affairs; and~~

~~6.non-voting: two Student Senate representatives.~~

~~ii.~~i. one representative from each academic department;

~~iii.~~ii. one representative from the School of Business in lieu of a representative for an academic department;

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~~iv.~~iii. one representative for the faculty-status librarians at Pickler Memorial Library;

~~v.~~iv. ex-officio, voting: the President of the University or designee;

~~vi.~~v. ex-officio, non-voting: the Provost;

~~vii.~~vi. ex-officio, non-voting: two Student Senate representatives; and

~~viii.~~vii. invited guests, non-voting: the Chair of Undergraduate Council, the Chair of Graduate Council; Dean of Students, Registrar, and Director of Interdisciplinary Studies and one department chair (representing all chairs, to be elected by department chairs).

b. Any two departments may have the option of combining for the purpose of electing a single representative to Faculty Senate. When this option is selected, the entities involved will be responsible for assuring that communication between the elected representative and the electorate for that representative is sufficient. This combined representative will carry one vote for each department. If this option is selected, it will remain in place until the next scheduled election of representatives for Faculty Senate.

~~2.The Dean of Student Affairs shall be invited to all Faculty Senate meetings and sent all agendas, bills, and other relevant documents.~~

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~~3.The structure of the Faculty Senate may be altered by an amendment to the bylaws as specified in Article VII.~~

~~4.The term of office of the division head shall be for one year.~~

~~5.The term of office of academic division representatives shall be for two years. The terms shall start and end at the regular May meeting.~~

~~1.The terms of office for representatives in divisions in which degrees are granted shall be staggered, so that the term of one representative starts in even-numbered years and the term of the other representative starts in odd-numbered years.~~

~~2.The Faculty Senate shall set the terms of representatives in divisions in which degrees are not granted, so that roughly half start on even-numbered years and the others start on odd-numbered years.~~

~~3.Before the end of April, each division shall complete the election of its representative for the ensuing term. A division shall also elect an alternate representative.~~

~~4.The qualifications of a representative from an academic division and the procedures for nomination and selection shall be determined by each division individually.~~

~~5.In the event of a vacancy or absence of a division representative and alternate, the division head shall appoint a temporary representative for no more than 30 calendar days. In the case of vacancy, the division shall elect a replacement to serve the rest of the term.~~

~~6.An academic division may institute its individual procedures for recall of its representatives and/or alternates.~~

c. Elections shall be held by the end of April of each year; elected representatives will take office in May. At the time of election, an alternate shall be elected for each representative. The alternate will serve in the temporary absence of the elected representative or when the elected representative is unable to serve.

d. Special elections: If the representative and the alternate are both unavailable, the department chair or equivalent will appoint a temporary representative for no more than 30 days.

e. The term of office for each representative will be for two years, with staggered terms so that approximately half of the body stands for election each year. There are no term limits for representatives.

f. The term of office for Student Senate representatives shall be for one year. The qualifications of the Student Senate representatives and the procedures for nomination and selection of those representatives and their alternates shall be determined by Student Senate.

~~6. (b) Student senate may designate alternate representatives.~~
~~(c) In the event of a vacancy or absence of a Student Senate representative or alternate, a temporary representative for no more than 30 calendar days shall be appointed by Student Senate in a manner determined by Student Senate.~~
~~(d) Student Senate may change its representatives under procedures determined by Student Senate.~~

g. Qualifications of Faculty Senate members may be largely determined by departments. During the time of service, representatives should have at least an average of a one-third teaching assignment to be calculated by the department, with the exception of faculty-status librarians at Pickler Memorial Library.

~~7. All voting members of Faculty Senate shall have faculty status. For Faculty Senate purposes those teaching in the Division of Military Science and those with advanced degrees in the Division of Libraries and Museums shall be deemed to have faculty status.~~

h. A Faculty Senate member may be recalled by a two-thirds majority vote of the group that elected that member.

III. Councils and Committees

a. Faculty Senate shall have four standing councils and committees: Graduate Council, Undergraduate Council, Budget Committee, and Personnel Policies Committee. The charge of each standing council or committee shall be approved by a simple majority of the voting

membership of Faculty Senate. Faculty Senate may create additional standing councils or committees as needed.

b. Each standing council or committee shall formulate its own individual bylaws and rules of order if needed, subject to approval of a simple majority of the voting membership of their own members and of Faculty Senate.

c. Each standing council or committee shall appoint standing and/or ad hoc subcommittees as warranted by their charge.

d. Each standing council or committee shall report elections and/or membership changes to Faculty Senate at its September meeting, along with a proposed calendar for council or committee meetings for each semester.

e. Minutes and meeting calendars for standing councils and committees shall be available on the Faculty Senate website.

f. The members of each standing committee, other than Undergraduate Council and Graduate Council, will be appointed by Faculty Senate. Faculty Senate will determine the appropriate number of members.

g. Ad hoc committees for Faculty Senate may be formed by the simple majority vote of the Faculty Senate.

IV. Senate Officers and Executive Committee

a. The President of Faculty Senate shall be a ~~division~~ department representative elected by a majority vote, by secret ballot, of the departmental representatives of the new Senate in May of each year. If no candidate receives a majority vote, a runoff vote of the two candidates with the highest number of votes shall be held. The President Pro Tempore shall be similarly elected. The term of office for these positions is for one year. ~~The President and President Pro Tempore may succeed himself or herself in office for, at most, four consecutive terms.~~ The term limits are four years out of any consecutive six years. The President and/or President Pro Tempore may be recalled by a two-thirds vote of the departmental representatives of the Senate.

b. The President shall convene and preside at regular and special meetings of the Senate. The President may call a meeting of only the faculty caucus as he/she determines appropriate. ~~**The President may call a meeting of the faculty caucus composed of the Faculty Senate representatives of each division.**~~

c. The President shall attend meetings of the Board of Governors and, if directed by the Senate, shall communicate faculty concerns to the Board of Governors, through channels approved by the Board.

d. The President shall be available for consultation with the faculty and shall communicate to the faculty how and when consultation may take place. The academic workload of the President shall be adjusted by the ~~**Vice President for Academic Affairs**~~ Provost commensurate with the demands and responsibilities of the office.

i. The President Pro Tempore shall assume the chair in the absence of the President. The President Pro Tempore may represent the faculty and the Senate at University activities and shall assist the Senate President.

ii. If the President steps down from the chair to address the Senate on the merits of a bill, the President Pro Tempore shall preside.

e. If the office of the President or President Pro Tempore should become vacant, the Senate, at its next meeting, shall elect a replacement to complete the unexpired term (as provided in this section).

f. Secretarial support for Faculty Senate will be provided by the ~~**Vice President for Academic Affairs**~~ Provost. The Secretary shall prepare reports at the discretion of the President and transcribe minutes of each regular and special meeting. If the Secretary is not a member of the Senate, he or she shall be without voice or vote.

g. The President shall appoint a parliamentarian who shall be a member of the Senate. Rules of order shall follow Sturgis' Standard Code of Parliamentary Procedures.

h. The Executive Committee of Faculty Senate shall consist of the officers of Senate, the chair of Undergraduate Council, the chair of Graduate Council, the Provost, the Dean of Graduate Studies, the president of Student Senate, and others as determined by Senate. The Executive Committee sets the agenda for Senate meetings, assigns tasks to appropriate standing councils and committees, and consults as appropriate with various committees and administrators in order to efficiently conduct Senate business.

V. Voting

a. A permanent voting record shall be maintained by the Secretary. With the exception of consent items and unanimous votes, all votes shall be recorded individually.

2~~. **A division may elect to have one of its representatives cast both of its votes. Divisions shall inform Faculty Senate before meetings who is authorized to cast votes.**~~

b. The following votes are required:

i. To present an amendment to the Constitution or Bylaws to the University ~~**constituency**~~ electorate – a two-thirds vote of the Senate's voting membership.

ii. To approve any other Senate action – a simple majority of votes cast with the number of votes in the affirmative at least equal to two-thirds of a quorum; abstentions do not count as votes cast.

c. A quorum exists if there are representatives present who can cast a majority of all votes possible.

d. Student Senate representatives shall have the right to have Student Senate's support of or opposition to a motion recorded in the minutes of Faculty Senate.

VI. Enactment of Bills

a. ~~In meeting the provision of Article II, a, b, and c, of the constitution~~ All recommendations shall be in the form of a bill.

b. ~~A bill may be presented to the President by any Senate member prior to the next meeting.~~ Bills may be submitted to the Executive Committee by any Senate member prior to the meeting of Faculty Senate to be placed on the agenda for that meeting.

~~The executive Committee of the Senate, whose membership and rules shall be determined by the Senate, shall set the agenda for Senate meetings and report to the Senate on actions taken.~~

c. A bill may be assigned to a council, committee, or subcommittee for review before Senate action. If an assigned bill fails to receive the approval of the council, committee, or subcommittee, it will not normally come back to Senate. Senate may, however, override the decision of its council, committee, or subcommittee, ~~and of its Executive Committee~~ and consider the bill directly.

d. A bill that Senate members determine does not fall within the purview of Senate shall be referred to an appropriate ~~division~~ body for deliberation.

~~A bill that involves the curriculum requirements of only one division and that is not of University-wide significance may be adopted by approval of that division and the Vice President for Academic Affairs.~~

e. Bills passed by the Senate require final approval by the President of the University or by the President's designee. A decision not to approve shall be communicated to the Senate within 40 days of Senate approval.

VII. Amendments to the Constitution and Bylaws

a. Proposed amendments may be submitted in writing by any member of the University community eligible to vote on amendments.

~~Proposed amendments shall be in writing.~~

b. A two-thirds vote of the Senate membership or a petition of one-quarter of the electorate is required for presentation of an amendment to the electorate.

~~i.VII b. shall be waived when a petition of 20 percent of the electorate proposes an amendment.~~

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c. Amendments shall be distributed in written form to all eligible voters at least 10 calendar days before the election.

d. Article VII of the Constitution stipulates the required vote for passage of an amendment.

e. The President of the Senate shall certify the election results and the text of any amendment. That certification shall be forwarded to the office of the University President for the consideration and action of the Board of Governors.

f. If the Board of Governors approves the amendment, the Office of the President of the University shall distribute an amended constitution and/or bylaws to each academic unit and all administrative offices within 21 calendar days of the Board of Governors' action.

g. The structure of faculty governance should be reviewed at least every five years by Faculty Senate and appropriate amendments to the Constitution and bylaws recommended.

VIII. Severability

a. If any article, section, or subsection of the Constitution or Bylaws is determined not to be in compliance with Missouri statutes, the Missouri constitution or the policies of the Board of Governors, the remaining subsections, sections, and articles shall remain in full force and effect.

DRAFT

Additional information sheet:

Suggestions for the composition of Graduate Council:

Representation:

- One representative from each degree-granting graduate program;
- One representative from Pickler Memorial Library professional staff;
- Graduate Dean (ex officio);
- Two graduate students, non-voting, from Student Senate;
- Invited guests: One nonvoting from each inactive graduate program (at this time this include counseling, math and history)

Suggestions for the composition of Undergraduate Council:

Representation is proportional, based on numbers of faculty in each department as certified by the Provost's office in the previous fall and approved by department chairs, the Dean of the School of Business, the Dean of the School of Health Sciences and Education, and the Dean of the College of Arts and Sciences. For example, representation elected in Spring 2008 would reflect numbers certified in Fall 2007.

Voting members:

- One representative from each academic department with less than 25 faculty members;
- One representative from the faculty-status librarians at Pickler Memorial Library;
- Two representatives from each department with 25 or more faculty, including the School of Business;
- Nonvoting: Provost, two representatives from Student Senate;
- Invited Guests: Registrar, Dean of Students, Director of Interdisciplinary Studies.