

# Professional Council Constitution

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## Preamble

Whereas the ultimate authority in the governance of Montana State University - Bozeman is vested in the Board of Regents, and whereas the President is the chief executive of Montana State University - Bozeman to whom authority is delegated to administer or execute policies approved by the Board, and whereas recommendations for changes in existing policies or other matters are submitted by the University community to the President and, through that position, to the Board of Regents, we, the professional employees of Montana State University - Bozeman, do hereby establish a Professional Council as our mechanism to facilitate communication and cooperation among professionals, and communication with administration, in the development of general decisions and policies which affect professional employees. This Council is intended to promote collaborative efforts by professionals with others on campus in mutual efforts to effectively and efficiently carry out the land-grant missions at Montana State University - Bozeman.

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# **Article One: Powers of Professional Council**

## **Section One: Powers to Act on Policy**

Subject to the approval of the President and the Board of Regents, and to the right of the professional employees of the University to review or appeal its decisions, Professional Council has the power to:

- A. initiate and review policies and procedures regarding appointment, reappointment, performance evaluations, salary matters, dismissal, as well as related matters concerning benefits, working conditions, and personal freedom and responsibility;
- B. help develop and implement long-range planning for the University; and
- C. review and make recommendations on proposed administrative actions including, but not limited to: the academic calendar; development of budgetary guidelines; selection and review of administrative personnel; and policy regarding publications, public relations, and public service responsibilities.

In the above matters, the administration shall share relevant proposed policies with Professional Council on a timely basis to provide an opportunity for input before the policies are finalized.

## **Section Two: Power to Organize**

Professional Council shall have the power to organize itself and make by-laws and regulations necessary for its own proceedings. This includes the power to elect officers and to establish and organize committees and caucuses.

## **Section Three: Relation of Professional Council to the Faculty Council and University Governance Council**

Professional Council, as the representative body of the professional employees, works with Faculty Senate, Staff Senate, and ASMSU meet to form Association of Shared Governance Leaders (ASGL). Chair and Chair-elect of these groups in addition to the ASMSU President and Vice President are member. Issues for discussion are submitted to the four groups' representatives and the appointed Chair of ASGL.

## **Section Four: Relation of Professional Council to the Board of Regents**

The Board of Regents hold the ultimate authority in governance of Montana State University - Bozeman. Matters can be brought to the attention of the Board of Regents through presentations by University Governance Council officers at Board of Regents meetings, as well as through MSU - Bozeman administrative presentations.

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## **Article Two: Powers of Constituents**

Each individual represented by Professional Council and eligible for election to the body has certain rights and powers.

### **Section One: Election and Recall**

Individuals eligible for Professional Council membership have the right to vote in elections of representatives from their constituency. The recall of elected Professional Council members shall be the responsibility of that constituency.

### **Section Two: Petition**

Any member of the University community may bring any matter of University concern to the attention of the University Governance Council or either appropriate individual Council through a Council member, through a committee chair, or through the officers of the Councils.

A matter of University concern may also be introduced for Professional Council consideration by a petition signed by five percent of the professional employees who are eligible to vote in Professional Council elections. Matters introduced by such petitions shall be considered by Professional Council within thirty (30) calendar days.

### **Section Three: Referendum**

An action of Professional Council or of the University Governance Council may be challenged by referendum. Such actions or decisions shall be submitted to a referendum vote of the employees eligible for election to Professional Council upon submission of a referendum petition signed by one-third of the employees who are eligible for election to Professional Council. Actions of Professional Council shall be rejected by a majority of those voting, provided that the number of voters is at least forty percent (40%) of the employees eligible to vote.

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## **Article Three: Eligibility, Composition and Operation**

### **Section One: Eligibility for Professional Council**

The constituency represented by Professional Council is: non-faculty, non-classified employees appointed on a Montana University System contract or Letter of Appointment to non-instructional positions. Excluded are executives responsible for the direction and management of the institution as a whole or of academic colleges and departments, but included are assistant and associate deans and assistants to a dean.

## **Section Two: Composition of Professional Council**

Professional Council shall consist of members directly elected as representatives by constituencies; an elected Chair and Chair-Elect; and other officers elected or appointed by Professional Council as provided in the by-laws of the organization.

## **Section Three: Quorum and Voting**

A majority of the elected members of the Council shall constitute a quorum for the transaction of business. All actions or recommendations of Professional Council shall be decided by vote. Voting shall be by secret ballot if requested.

## **Section Four: Meetings**

Any special meetings of the Council shall be held at the call of the Chair or by petition of twenty-five percent (25%) of the members of the Council.

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## **Article Four: Ratification**

This constitution, and any changes and/or amendments made thereto, shall be ratified by a simple majority of affirmative votes, provided that at least forty percent (40%) of the eligible professional employees vote in the ratification process.

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## **Article Five: Amendment**

This Constitution may be amended by a majority of the professional employees voting, provided that a copy of any proposed amendment has been submitted by a public notice at least fifteen (15) days prior to the final date by which ballots must be returned.

Council actions on Constitutional amendments are subject to the petition and referendum procedures.

*Last Revised: February 2016*