

## 15-2 Statement on Governance

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1. **Purpose.** The purposes of these policies and procedures are to set forth the manner in which Eastern New Mexico University (the University) is required by law to be governed and to set forth the manner, within those requirements, in which the University has chosen to be governed.
  
2. **Policy.** The policies established in furtherance of the above purposes are as follows:
  - A. **Philosophical Base.** The University seeks to fulfill three (3) broad purposes of education: satisfaction of the intellectual interests of the individual; criticism, revision and perpetuation of scientific and social institutions and renewal and strengthening of culture. The University shall be committed to the promotion of academic freedom, an obligation imposed on academic personnel by society and necessary to the intellectual, moral, artistic and spiritual ground of a free society. In order to accomplish these purposes within a climate of orderly academic freedom, the University shall be governed according to the following principles, policies, procedures and structures.
  
  - B. **General Responsibility in Governance.** The University shall be governed through a system of procedures and structures designed to provide for participation by and/or consultation with the entire University community in the development of institutional policies and procedures. The Board of Regents (the Board) is the legal repository of all authority granted to the University by the people of the state of New Mexico. The development of University policy is a responsibility shared by the administration of the University and representatives of affected constituencies within the University. The consultative process for the development of policy does not preclude the initiation of policy by the Board or of policy recommendations from the various constituencies.
  
  - C. **General Principles of Governance.** The purpose of the consultative process is to insure participation by the internal constituencies of the University in the formulation of University policies and procedures. Success in the consultative governance process requires the acceptance of three (3) governance principles by all University constituencies. These principles are:
    - (1) **Disclosure:** Governance actions dealing with problems concerning community or constituencies shall allow appropriate constituency representatives and administrative units to have an opportunity to provide input, except in emergency situations, which shall be explained below.

- (2) **Responsiveness:** In all governance actions mutual trust requires each constituency and administrative unit to give due and timely consideration to the views of others.
- (3) **Accountability:** Governance actions shall be explained in detail to affected constituencies and administrative units.

The foregoing purposes and policies are implemented by the following.

### **Procedures**

- 3. Administration.** The administration of governance of the University is the responsibility of the president, and the president shall have the authority necessary for such administration. The president may delegate such authority as he or she sees fit in the best interests of the University.
- 4. Governance Structure.**
  - A. Governance organization of the University must be approved by the president or the Board.
  - B. Pursuant to the policy statements above, the president or the Board shall not, except in exigent circumstances, change the governance organization of the University without the completion of the consultative processes set forth herein.
- 5. University Council.** The University Council (the Council) shall be the governance steering committee. It shall meet once a month (or more often if necessary) to review governance processes. It shall coordinate the disposition of actions and resolve appeals relating to governance actions. It shall direct actions to the University standing committees and the constituency senates, or it can create new University and/or constituency senates' standing committees or University standing or *ad hoc* consultative groups as necessary. The Council shall not function as a legislative body.
  - A. The responsibilities of the Council may include but are not limited to:
    - (1) Serving as a clearing house for governance information,
    - (2) Directing governance actions to appropriate consultative groups,
    - (3) Facilitating problem identification and review,
    - (4) Considering changes and innovations in governance program and procedure,
    - (5) Coordinating amendment procedures to governance policies of the University and

(6) Recommending to the president when governance actions have completed the review and approval process.

B. The membership of the Council shall consist of:

- (1) the president (non-voting),
- (2) vice president for Academic Affairs,
- (3) vice president for Business Affairs,
- (4) vice president for Student Affairs,
- (5) vice president for University Relations and Enrollment Services,
- (6) executive director for Planning and Analysis (non-voting),
- (7) six (6) faculty members appointed by the Faculty Senate to include representation of the four (4) colleges of the Portales campus and continuity of faculty representation of the Council,
- (8) the president and vice president of the Professional Employees Senate,
- (9) the president and vice president of the Support Staff Senate and
- (10) the president and vice president of Student Government.

C. The chairperson shall be a faculty member of the Council elected by the Council.

D. The regular time for meetings shall be set at 3:10 p.m. the last Monday of each month except during University holidays or at the discretion of the Council chairperson. Special meetings may be called by the chairperson.

E. A simple majority of the voting membership shall constitute a quorum.

F. With prior notification to the chairperson in writing, members may send persons with proxies for voting privileges.

G. Parliamentary procedure shall be based on Sturgis' *The Standard Code of Parliamentary Procedure*, current edition, and a constituency assembly member shall be elected by the Council as parliamentarian.

H. Any individual or group from the University community may place items on the agenda with written notice to the chairperson at least five (5) working days prior to the meeting.

**6. Governance Responsibilities and Processes.** Committee, council and constituency senate responsibilities are defined in the list of committees (the List) approved by the Council, filed with the OPA and published on the University web site. Where there is a question about the governance process, the appropriate administrator or constituency assembly shall refer the issue to the Council. The Council shall resolve the issue.

A. The Council shall be responsible for maintaining and evaluating the governance process of the University.

- B. The Council shall be responsible for coordinating amendment procedures to the governance process of the University. Any proposed change in governance process or organization must be submitted to the Council at least five (5) working days prior to a regularly scheduled meeting or it shall not be considered for action until the next meeting.
- (1) If the president or a constituency senate approves an amendment that is a change in process only, that is, a change in a council's or committee's process that does not alter its governance function or responsibility, the Council may affirm or deny an individual's proposed amendment.
  - (2) If the president or a constituency senate approves an amendment that involves a change in organization, that is, a change in a council's or committee's name, membership, reporting line or charge, then the Council shall determine which constituency, committee or council it affects. If the amendment affects a University standing committee, the amendment must be sent to all constituency senates for review and such time as any three (3) or more constituencies approve such amendment, the amendment shall become official.

**7. Definition of Constituencies.** The internal constituencies of the University that shall be accorded a legitimate role in the governance of the institution are: administrative, faculty, professional, support and student. Constituency membership for the members of the four (4) employee constituencies shall be determined from employees' Personnel Action Notices or, if their status changes, from their most recent notices. Constituency membership for the members of the student constituency shall be determined from the current registration list. The administration shall maintain an up-to-date list of students registered and employees classified by constituency assignment.

- A. The administrative constituency is defined as including: president, provosts of the branch campuses, vice presidents, associate and assistant vice presidents, deans of the undergraduate and graduate colleges, the director of the library and others as deemed necessary to the administration of the University by the president with the advice of the Council.
- B. The faculty constituency is defined as including all exempt, non-classified University employees who hold academic rank and whose responsibilities are primarily instructional and/or academic research, and not administrative or professional.
- C. The professional constituency is defined as including all University employees who are classified as exempt, but are not primarily administrative, instructional or academic research in assignment.
- D. The support constituency is defined as including all non-exempt classified University employees.

E. The student constituency is defined as including all individuals who are registered for credit at the University who are not classified in any other constituency.

**8. Definition of Consultative Groups.** Consultative groups at the University consist of groups of constituency members who meet to provide input into and discussion of matters of University governance. The consultative groups shall include but not be limited to: standing and *ad hoc* committees, councils, constituency senates and meetings of employees of an administrative unit. Rules common to all University consultative processes include:

A. Meetings of consultative groups and units of the administrative structure in which policy decisions and/or recommendations are reached shall be open to members of the University community.

B. Parliamentary procedures shall be according to Sturgis' *The Standard Code of Parliamentary Procedure*, current edition, and a parliamentarian shall be elected.

C. Consultative groups shall be encouraged to make active use of resource personnel, especially those with defined responsibility or expertise in areas in which governance action is being considered.

D. Consultative groups shall be encouraged to seek broad input from constituencies having responsibilities in an action.

E. The Office for Planning and Analysis (OPA) shall serve as a clearing house for consultative group and administrative unit announcements, agenda and reports according to University policies and procedures and direction of the Council.

**9. Definition of Committees and their Rules.** Committees shall be consultative groups of individuals selected from the constituencies. Committee membership shall be selected by processes described in the committee definition. Committees shall report to the appropriate administrators or consultative groups, and provide minutes of their meetings to the OPA for distribution to the Council and the campus community via web posting. If the report involves matters of general interest to the University or of governance of the University, a report shall be made directly to the Council.

A. Committee rules shall include these provisions:

(1) A quorum shall be a simple majority of the voting membership of the committee.

(2) Members cannot send substitutes; if an individual is unable to participate or fails to participate consistently without good reason, the chairperson may request a replacement from the appointing body.

- (3) *Ex-officio* members of committees shall be non-voting unless otherwise defined in the Council and stated in the List.
  - (4) Chairpersons shall have the right to vote.
  - (5) Meetings and agendas shall be announced to the University community a reasonable time in advance, except when emergencies occur. Emergencies can be declared by the chairperson or a simple majority vote of the committee.
  - (6) Significant proposals (policy change or addition, curricular proposals, etc.) shall be circulated to committee members and affected constituency senates a reasonable time in advance of the time of action.
  - (7) Minutes and reports shall be circulated to the committee membership and to the designated receivers of reports from the committee by paper copy and to the University community by placement on the University web site.
  - (8) Membership and chairpersonship for committees shall be rotated at sufficient intervals to provide for both variety and continuity in participation.
  - (9) Except where inappropriate, membership shall be distributed widely across constituencies.
  - (10) The consultative group or administrator to whom a committee reports shall be responsible for providing the chairperson of the committee with adequate support for committee activities (secretarial services, copying costs, etc.).
  - (11) It is the obligation of each committee chairperson to call the first meeting of the committee in the beginning of a new academic year for the purpose of electing a new chairperson, even though he or she may no longer be a member of the committee. In the event a chairperson is no longer employed or enrolled, the executive director for Planning and Analysis shall appoint a committee convener.
- B. University standing committees, the standing committees of the constituency senates and University-level *ad hoc* committees shall be defined and coordinated by the Council and reflected on the List. Constituency assembly internal committees shall be defined and coordinated by the constituency senates.
- (1) **University Standing Committees** shall be consultative groups with mixed constituency membership responsible for recommendations on designated matters of general University concern.
  - (2) **Standing Committees of the Constituency Senates** shall be consultative groups that may have mixed constituency membership and are responsible for recommendations on designated matters of general University concern. Such

committees shall meet regularly or as needed, and shall send their recommendations to the sponsoring constituency assembly, which may evaluate and amend the recommendations before it shall send them through the Council to the appropriate administrator with dissemination to the other constituency senates.

**10. Definition of Councils.** Councils are consultative groups of administrators, administratively appointed individuals and/or persons serving by designation of their position. The purposes of councils are:

A. To coordinate policy implementation and administration for the administrative area within which they are located. This process may include but not be limited to:

- (1) Serving as a clearing house for administrative information;
- (2) Facilitating problem identification and review and
- (3) Considering innovations in administrative programs and procedures.

B. To evaluate, amend and approve policy proposals and to formulate and initiate policy change affecting their administrative area.

**11. Definition of Constituency Senates.** There shall be constituency senates for the faculty, professional, support and student constituencies. These bodies shall be elected from the constituency membership and shall meet regularly and as needed to act on issues of constituency and University concern. If the administration makes a decision contrary to the recommendations of a constituency assembly and the reasons for the decision are not judged by the constituency assembly to be sufficient to explain the contrary recommendation, then the officers of the constituency assembly shall be able to appeal the decisions to the next higher administrator or consultative level or, if necessary, to the Board. Constituency senates shall have standing committees with specific responsibility for certain University matters. Constituency senates are responsible for the continuing study of their own composition and rules and shall maintain structure and procedures that shall achieve an effective representation for constituency concerns.

**12. Appeals to the Board of Regents.** The Board shall be the ultimate arbiter of matters of University governance. Such matters shall not be referred to the Board until all other appeals have been exhausted.

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