UNIVERSITY SENATE BYLAWS

(As adopted by University Senate at regular meeting, November 18, 1970, and as amended and restated through November 6, 2024.)

A. Nomination and Election of the University Senate

1. Each school or college of the university shall hold an election of its representatives to the Senate before April 30.
2. Nominations and elections within the various schools and colleges shall be conducted by democratic procedures as prescribed in Article VI, Section 6 (A) of the Faculty Constitution. The Senate shall, by March 15, notify all schools and colleges of the currently valid apportionment of elected members of the Senate in accordance with Article VI, Section 3 (C) of the Faculty Constitution, and call for the election of representatives by April 23.
3. In case an election is challenged on the basis of violation of procedure described in Section 1 and 2 above, the member shall not be seated until the Senate has investigated the validity of the challenge and the previous representative will continue to serve if possible. Any challenge of an election must be filed with the secretary of the Senate no later than two weeks after the election, and the Senate Executive Committee must take action within thirty days of the filing. If no challenge is filed, members will take their seats in the Senate at the next regular meeting.
4. Student representatives elected by the Student Government Association and the Graduate and Professional Student Association are entitled to vote on matters before the Senate.

B. Officers

1. Election of officers. The officers of the University Senate shall be elected in accordance with Article VI, Section 7 (A)(1) of the Faculty Constitution.
    a. Nominations
        1) No senate member may be nominated for a Senate office without his/her prior consent.
        2) At the meeting during which the election is held, nominations shall be made from the floor, subject to the provision stated in (B)(1)b.
    b. Election shall be by secret ballot. If no candidate receives a majority of the votes cast, balloting shall continue between the two candidates receiving the highest number of votes. In the event of a tie vote, balloting shall continue until one candidate receives a majority of the votes cast.
2. Duties of the Officers
    a. The chairperson of the University Senate shall be elected from among the elected faculty representatives of the University Senate, and shall act as the presiding officer. The Chairperson shall serve for a term of two years. In the event the Chairperson shall be elected to his/her first year in his/her fourth year on the University Senate, Article VI, Sec 4, Pt A of the Faculty Constitution shall be suspended to allow the

Chairperson to serve a fifth year to complete his/her term as Chairperson of the University Senate. The Chair shall:

1) Preside at the meetings of the Senate.
2) Be responsible for the preparation of the agenda of Senate meetings with the advice of the Executive Committee of the Senate.
3) Take necessary action to implement the decisions of the Senate.
4) Be Chair of the Executive Committee of the Senate.
5) Serve as the principal spokesperson of the university faculty.
6) Ensure an annual review of the University of South Dakota Faculty Constitution and the University Senate Bylaws.
7) Be granted a $10,000 stipend during their tenure as Chair of the University Senate. The President of the University will be responsible for providing appropriate compensation for this release time to the affected academic unit.

b. The Vice-Chairperson shall be elected from among the elected faculty members of the University Senate. The Vice-Chairperson shall serve for a term of one year. The Vice-Chair shall:

1) Assume the duties of the Chair in his/her absence or incapacity.
2) Serve as a member of the Executive Committee of the Senate.
3) Be granted a $5,000 stipend during their tenure as Chair of the University Senate. The President of the University will be responsible for providing appropriate compensation for this release time to the affected academic unit.

c. The Secretary shall be elected from among the elected faculty members of the University Senate. The Secretary shall serve for a term of one year. The Secretary shall:

1) Give appropriate notice of all meetings of the Senate and make physical arrangements for the effective conduct thereof. In the event of absence, the secretary shall arrange for a competent substitute.
2) Prepare the minutes of the Senate meetings and post them on the University Senate web page in accordance with the provisions of the Faculty Constitution.
3) Shall act as the principal administrative officer in connection with the nomination and election of members of the University Senate.
4) Preserve the minutes and all other documents pertaining to the business of the Senate and submit them annually to the Office of Academic Affairs where they shall be maintained in a manner consistent with the conservation of University documents. If an action of the University Senate does not receive unanimous approval, the secretary shall record and

report in the minutes the number voting for, against, and not voting.
    5) Serve as a member of the Executive Committee of the Senate.
    6) Perform other services consistent with the office of Secretary
    7) Be granted a $10,000 stipend during their tenure as Secretary.
  d. Officers shall continue to serve in office until his/her successor is duly elected.

C. Meetings

1. Regular Meetings. The Senate shall meet on the first Wednesday of each month with these exceptions:
   a. In the month of January the meeting will be held on the third Wednesday to avoid conflict with mid-year recess.
   b. In the month of March the meeting will be held on the second Wednesday to avoid conflict with the spring break recess if spring break should happen to fall on the first Wednesday.
   c. In the months of June, July, and August, no regular meetings will be held.

2. Special Meetings. A special meeting of the Senate may be called by the Chair or by petition of one-third of the members, provided that at least three days' notice of such meeting is given.
3. Emergency Meetings. In case of an emergency, a meeting may be called without prior notice; however, each member shall be notified in sufficient time to be able to reach the place of the meeting or provided an option for virtual participation. A majority of the members present must approve the call of the meeting when it is called to order.

D. Agenda

1. An agenda shall be prepared and distributed to all members at least 72 hours in advance of a meeting. When at all possible materials relating to items on the agenda shall accompany the prepared agenda. In the case of a special meeting, business shall be limited to the specific items on the prepared agenda.

   a. Roll call.
   b. Approval of the minutes.
   c. Approval of the agenda.
   d. Discussion with the Provost/Vice President for Academic Affairs.
   e. For the Good of the University.
   f. Reports of committees.
   g. Unfinished business.
   h. New business.

i. Special orders (announcements, questions).
j. Adjournment.

2. The requirement for advance distribution of an agenda shall not apply in the case of an emergency meeting. However, at such a meeting, no business may be conducted other than that which was specifically the reason for the call.

E. Quorum

Physical presence of at least fifty percent of the members shall constitute a quorum.

F. Substitute Representation

In the event of the absence of a member from the campus or other incapacity to attend a meeting, that member may send a substitute representative from his/her college or school. The individual designated as a substitute shall assume the seat and vote of the member, provided written notice of such substitution be given to the Secretary of the Senate prior to the call to order of the meeting. A regular member of the Senate may have a maximum of one proxy vote in addition to his/her own. A substitute representative may have a maximum of one vote.

G. Procedure

1. Meetings of the Senate shall be conducted in accordance with the current edition of Robert's Rules of Order, except as otherwise provided in the by-laws.
2. The Chair shall cast a vote only when it is necessary to break a tie, except in the case of a secret ballot, when his/her vote shall be tabulated with those of the other members.
3. Written, secret ballot shall be used in all contested elections.
4. A vote on non-substantive matters shall be by majority vote or by general consent.
5. In any case except when the vote is by secret ballot, a roll-call vote shall be mandatory unless there be unanimity.
6. On any matter three-fifths of those members present and voting shall be empowered to end debate.
7. Any interested party may be present at any discussion by the Senate and shall have the right to plead that its interests have not been properly presented.
8. The published minutes of the Senate shall include not only a record of all actions taken by the Senate, but also, where appropriate, a summary of the discussion pertaining both to action and non-action items.

H. Committees—Rules of General Application

1. Each of the committees set forth below shall, in addition to its specific duties:
   a. Meet at least once a year.

b. Elect a Chair and report his/her name to the Chair of the Senate by October 15. It shall be the responsibility of the incumbent Chair of each committee, irrespective of the expiration date of his/her term, to convene the newly constituted committee and to preside over the election of a Chair. If, for any reason, the incumbent Chair is unable to perform said duty, that function shall be assumed by the member first named to the newly constituted committee. The Graduate Council has a separate process for officers as noted below.
c. Hold all meetings open to the public, unless in the opinion of the committee, an executive session is necessary to protect personal rights of privacy and intellectual property rights. The date, place, time, and agenda when possible of each regular meeting shall be publicized to the faculty and student body. Committees shall function as hearing committees, and this fact shall be publicized. Correspondence addressed to the committee shall be deemed open unless the writer specified otherwise.
d. Keep adequate records of committee business including, but not limited to, minutes of each meeting. Such records shall be submitted to the Senate secretary on an annual basis who shall maintain them for a period of 10 years on the Senate webpage. Matters of general importance to the university shall be reported promptly to the Chair of the University Senate.
e. Submit at least an annual report of its activities that have been designated to be in its charge. This rule shall not prohibit the Senate from requesting additional reports at any time. The executive committee will set the schedule for committee reports and disseminate it before the September meeting each year.
f. Make recommendations to the Senate.
g. Make its own bylaws including, but not limited to, appointment of advisory members, and conduct an annual review of those bylaws.

2. Faculty members of committees:
   a. Shall be elected at the May meeting of the Senate, with terms from August 22 to August 21 unless otherwise specified in the committee description.
   b. Must have given their consent to be nominated prior to nomination.
   c. May not be elected to serve more than two consecutive terms. Completion of a term by appointment will not preclude said member from serving two consecutive terms by election.
   d. In the event a vacancy occurs on a committee, the Chair of the Senate shall appoint a replacement within 30 days after the vacancy occurs for the duration of the vacated term.
3. Student members of committees:
   a. Shall be appointed by the Student Government Association or elected by the Graduate and Professional Student Association, in accordance with their by-laws or constitutions. Written notice of appointment shall be submitted to the Chair of the Senate.

   b. Except as otherwise provided in these Bylaws, student members of a University Senate committee shall be entitled to vote on matters before the committee.
4. Ex officio members of committees:
   a. Except as otherwise provided by these Bylaws, shall not have the right to vote in their respective committees.
   b. Except as otherwise provided by these Bylaws, shall not serve as committee Chairs.
5. Advisory committee members:
   a. Shall not have the right to vote in their respective committees.
   b. Shall not serve as committee Chairs.

I. Committees Responsible to the Senate

1. **University Libraries Committee:**
   a. This committee shall consist of faculty members elected by the University Senate, Law School, and Libraries plus student members elected by the Student Government Association and the Graduate and Professional Student Association. The Dean of Libraries shall be a voting ex officio member.
   b. Each faculty member shall serve a term of three years; one-third of the faculty membership shall be elected each year.
   c. The Committee shall be constituted, as follows.
      1. **Membership:** The Committee shall include eight faculty members elected by the University Senate. One member shall be selected from each of the Schools of Business, Education, Medicine, and Health Sciences as well as one from the College of Fine Arts and one from each division of the College of Arts and Sciences. The Dean of the School of Law shall appoint one non-voting, advisory member. The Dean of Libraries shall appoint one non-voting, advisory member of the library faculty. The Student Government Association shall elect one student member and the Graduate and Professional Student Association shall elect one student member. The Dean of Libraries shall serve as an ex-officio member with voting rights.
      2. **Charge:** The Committee shall advise the Dean of Libraries on library operations, facilities, policies, collections, services, plans, hours, security, budget, and assessment. The Committee shall advise and assist in marketing of library initiatives to the campus and the community. The Committee shall participate actively in library policy-setting, planning, and assessment activities.
   d. The election of faculty members to the University Libraries Committee shall be made by the University Senate. The undergraduate student member shall be assigned by the Student Government Association in

consultation with the Dean of Students. The election of one graduate or professional student member shall be made by the Graduate and Professional Student Association. The Committee shall choose its Chair for the following academic year at the last meeting each spring.

e. The Committee will submit a written and oral report reviewing the past year's activities and detailing its goals and objectives for the coming year to the University Senate at a regular meeting.

2. **Athletic Board of Control**- Subject to overall control retained by the Board of Regents and the President, broad powers relative to institutional policy and procedures have been granted by the Regents to the faculty. The University Senate, operating under its Constitution and Bylaws, represents the faculty in exercising these powers. The University Senate may establish committees to function on behalf of the faculty. One such committee is the Athletic Board of Control (ABC) and is subject to the University Senate Bylaws as follows:
   a. The Board shall consist of six faculty members elected by the University Senate, two student members elected by the Student Government Association, one student member elected by the Graduate and Professional Student Association and two alumni members elected by the Alumni Association. The athletic director and senior women's administrator (athletics) shall be non-voting ex officio members. The President may appoint a non-voting liaison representative to the Board. The faculty athletics representative and a representative from the Student Athletic Advisory Committee (SAAC) will also be non-voting ex officio members.
   b. The six members elected by the University Senate shall serve terms of three years, two of which terms shall expire each year. The Board shall elect its own officers and shall meet at least once a month during the regular school year and as agreed upon by the Board during the summer. The Senate's intention is that the Board's membership reflect the diversity of the university faculty.
   c. The Board shall review and recommend intercollegiate athletic policy for all recognized sports at the university with respect to:
      - Budget allocations by sport.
      - Scholarship allocations by sport.
      - Compliance with Title IX requirements
      - Athletic affiliation and conference issues
      - Such other matters as may be specified by the University Senate or such matters as in the judgment of the Board members may be considered pertinent to the mission of the Board.
   d. The Board shall establish and/or review intercollegiate athletic policy for all recognized sports at the university with regards to:
      - Student-athlete graduation rates
      - The granting of awards
      - Academic performance/eligibility of student athletes

- Such other matters as may be specified by the University Senate or such matters as in the judgment of the Board members.

e. The ABC shall submit a report in writing and orally to the University Senate at a regular meeting reviewing the past year's program and into the coming years. The Board shall participate in periodic departmental and institutional reviews and shall approve all reports prepared in response to these reviews.
f. During the spring semester, the President shall, upon the recommendation of the Board, appoint for a term of three years (to assume office July 1) a faculty representative to the athletic conference(s) or other athletic controlling bodies to which the University of South Dakota may belong and charge the representative with the responsibility of representing the consensus of the Board to the bodies stipulated above. This representative will be a non-voting ex-officio member of the Board. The representative will NOT be limited to two consecutive three- year terms.
g. The athletic director shall inform the Board of all matters of action and public information involving the athletic department and intercollegiate athletics to allow the Board to be fully informed in its communications with concerned groups and individuals (i.e., faculty, students, alumni, and other interested parties). Matters pertaining to athletic policy should be made in a timely fashion as to allow for appropriate Board reaction, and before the proposed time for implementation of new policies.
h. The search and screening committees for a vacant athletic director's position shall consist of at least 50% of the voting members of the ABC plus other members (including the chair of the search committee) as appointed by the President. At least one voting faculty member of the ABC (or a proxy selected by said member) shall serve on all senior athletic position search committees (directors and above) and on all vacant head coach search committees. Assistant coach search committees need not include a member of the ABC unless requested by the chair of such search committee. All ABC representatives to search committees shall be appointed by the chair of the ABC.
i. The Board shall serve as an advisory board to the athletic director and the President in matters of the budget for intercollegiate athletics.

3. Student Affairs Committee

a. This committee shall consist of six faculty members elected by the University Senate and two student members elected by the Student Government Association and two student members elected by the Graduate and Professional Student Association. The Dean of Students shall be a non-voting ex officio member. In order to be better informed about student issues, a representative from Student Services will be appointed by the Dean of Students to serve as co-Chair of this committee along with a co-Chair elected from the six faculty members.

b. The members elected by the University Senate shall serve terms of three years, two terms expiring each year. The committee shall meet at least twice during the fall and spring semesters and as agreed upon by the committee at other times. The Student Affairs Committee shall submit a report in writing (and orally if requested) to the University Senate at a regular meeting reviewing the nature of the committee's primary concerns of the past year and projecting its concerns for the coming year.
c. The committee shall formulate and recommend policy to the administration with concerns centered on whatever affects the well-being of all student members of the university community. Normally these concerns focus on matters relating to counseling, residence living, student health, social problems, and the effects of governance relating to student life. Other matters may be deemed of special importance to the committee as the occasion demands or as they come to the committee by referral.

4. **Faculty Affairs Committee**
   a. This committee shall consist of nine elected faculty members. One faculty member will be elected from each of the following faculties: Business, Education, Fine Arts, Law, Library, Medicine, Health Sciences, and one member from each division of the College of Arts and Sciences. In addition, one faculty member shall be elected to serve at large by the University Senate.
   b. The members shall serve terms of three years, with no more than four terms expiring each year. The committee shall meet at least twice during the fall and spring semesters and as agreed upon by the committee at other times. The Faculty Affairs Committee shall submit a report in writing (and orally if requested) to the University Senate at a regular meeting reviewing the nature of the committee's primary concerns of the past year and projecting its concerns for the coming year. In addition the University Senate may assign the committee to address specific faculty issues or request additional reports on specific issues relating to faculty.
   c. The committee shall formulate and recommend policy to the University Senate with concerns centered on whatever affects the well-being of all university faculty and their ability to carry out their professional responsibilities. Normally these concerns focus on matters relating to faculty development, morale, procedures and policies for equal opportunity, retirement, academic freedom, and workload. Other matters may be deemed of special importance to the committee as the occasion demands or as they come to the committee by referral.
   d. Each year the committee shall be responsible for reviewing and presenting the results of the faculty exit survey conducted by human resources to the University Senate. The committee will also be responsible for surveying faculty on issues of importance as assigned by the University Senate.

5. **University Curriculum and Instruction Committee (USDCI)**
   a. The University Curriculum and Instruction Committee shall consist of nine faculty members, one undergraduate, and one graduate or professional student. One faculty member will be elected from each of the following faculties: Business, Education, Fine Arts, Law, Medicine, Health Sciences, and one member from each division of the College of Arts and Sciences. The

University Libraries Dean/designee, Registrar, Associate Provost, Academic and Career Planning Center Director/designee, Assistant Provost/Accreditation Liaison Officer (HLC), USD-Sioux Falls Academic and Student Support, and Continuing and Distance Education Director will serve as "ex officio" non-voting members. The student members will be elected by the Student Government Association and Graduate and Professional Student Association.

b. Faculty members shall be elected by the University Senate for terms for three years with no more than three terms expiring each year. The USDCI committee shall meet at least once a month during the regular school year and as agreed upon by the committee during the summer; it shall submit a report in writing (and orally if requested) of each of its actions to the University Senate at the next Senate meeting following such action.
c. The University Curriculum and Instruction Committee shall act as a reviewing committee of all curriculum and instructional matters of the university; and may initiate discussion of matters that do not involve the functional autonomy or independence of the colleges and their academic programs. A record of curricular proposals and actions shall be maintained in the Curriculum Repository in the Office of Academic Affairs, and the Registrar shall maintain a current master list of all courses offered by the university.
d. The Committee shall recommend to the Senate for acceptance:
    1) Undergraduate curricular course additions and changes that it has approved.
    2) Policies with respect to undergraduate grading and awarding of academic credit and all matters related thereto.
    3) All other policies relating to university curricular matters working in concert with the Graduate Council whenever such policies include graduate level education.
    4) Modifications, additions, deletions, and other issues related to the Board of Regent's system-wide General Education Requirements.
e. Curricular course additions or changes from the Knudson School of Law and the Sanford School of Medicine (M.D. program) are submitted to the University Curriculum and Instruction Committee and Senate for informational purposes only.

6. Graduate Council

a. The Graduate Council exercises authority over all matters specific to graduate education, except for medical and law coursework. Membership, apportionment, practices and procedures of the Graduate Council are contained in its bylaws.
b. The distribution of the elected Graduate Faculty representatives on the Graduate Council will be determined by a representative formula based on total graduate faculty. No affiliate shall be assigned fewer than two

representatives and the College of Arts and Sciences will have no fewer than three to allow representation from each of the three areas (humanities, social sciences and sciences).

c. Whenever reorganization occurs between divisions, colleges or schools, or if a new college or school is established, the Graduate Council shall reapportion its elected members on the basis of the formula.
d. The Graduate Council shall act as a reviewing committee of all graduate curriculum and instructional matters of the university; and may initiate discussion of matters that do not involve the functional autonomy or independence of the colleges and their academic programs. A record of curricular proposals and actions shall be maintained in the Curriculum Repository in the Office of Academic Affairs, and the Registrar shall maintain a current master list of all courses offered by the university.
e. The Graduate Council shall recommend to the Senate for acceptance:
    i. Graduate curricular course additions and changes that it has approved.
    ii. Policies with respect to graduate grading and awarding of academic credit and all matters related thereto.
    iii. All other policies relating to university curricular matters working in concert with the Curriculum and Instruction Committee whenever such policies include undergraduate level education.
    iv. Recommendations to adopt or abolish graduate degrees.
f. The Graduate Council shall report annually to the Senate:
    i. A summary of other actions taken and any updates that are relevant to the larger university including any changes to graduate faculty status and new rules governing graduate education.

7. University Assessment Committee

a. To fulfill its responsibility for the promotion of academic improvement through assessment at The University of South Dakota, the University Assessment Committee shall:
    i. Stimulate ongoing institutional dialogue that enhances the understanding of the role of assessment and its relation to program improvement.
    ii. Coordinate implementation of the university assessment plan through the development of policies, guidelines, and procedures relative to assessment activities.
    iii. Monitor the effectiveness of the university assessment program, including assessment of the general education and other university wide programs.
    iv. Advise the Provost/Vice President for Academic Affairs and the University Senate on matters related to assessment and academic integrity, including recommendations for changes as necessary.
    v. Assist individual academic units in the development and implementation of their program plans.

vi. Ensure that assessment results are communicated to faculty, students, and other relevant constituencies.
vii. Report annually to the University Senate (in writing and orally if requested), on the status of assessment activities at USD.

b. The membership of the University Assessment Committee shall be determined as follows: one faculty member will be chosen from each of the following faculties: Business, Education, Fine Arts, Law, Health Sciences, Medicine, and one member from each division of the College of Arts and Sciences. In addition, the membership shall include one undergraduate student who will be elected by the Student Government Association and one graduate or professional student who will be elected by the Graduate and Professional Student Association. The Office of Academic Affairs and the Dean of Students shall each appoint an ex officio voting member.
c. Faculty members shall be elected by the University Senate for a term of three years, with no more than four terms expiring each year.

8. University Honors Committee

a. The University Honors Committee shall consist of nine faculty members and three student members. The Director and Associate Director of the Honors Program shall serve as non-voting ex officio members. One faculty member shall be elected from each of the following faculties: Arts & Sciences Math/Science Division, Arts & Sciences Social Science Division, Arts & Sciences Humanities Division, Business, Education, Fine Arts, Health Sciences, Law, and Medicine. Student members shall be the Vice President of the Honors Association and two additional students in the Honors Program elected by the Student Government Association.
b. The faculty members shall be elected by the University Senate for terms of three years with three terms expiring each year.
c. The committee shall advise and help direct the University Honors Program. It shall submit a report in writing (and orally if requested) to the University Senate at a regular meeting.

9. Honorary Degrees

a. Committee Procedures and Criteria for Awarding of Honorary Degrees- It is the philosophy of the committee to avoid the onerous distinction of being a diploma mill for Honorary Degrees and to maintain the spirit of the 1937 agreement among accrediting bodies not to grant the honorary Ph.D., M.D., J.D., Ed.D. degrees that can be confused with an earned doctorate in the professions. The committee therefore requests only the nominee and supporting data with no specific degree recommendation. If the candidate is deemed worthy of the highly deserved recognition for an honorary degree, the committee will select the appropriate honorary degree from among the following traditional degrees granted by Liberal Arts Universities:

- Doctor of Humane Letters

- L.H. Honoris Causa Doctor of Laws
- LL. Honoris Causa Doctor of Science
- Sc. Honoris Causa Doctor of Letters and Literature
- Litt. Honoris Causa Doctor of Public Service
- P.S. Honoris Causa

While the committee does not rule out the possibility of bestowing other designated honorary degrees, it does wish to strictly avoid any possibility of the recipient representing his or her degree to be anything but an honorary degree. Moreover, the committee also disavows the surreptitious practice of creating degrees for candidates. Upon selection by the Committee, candidates for Honorary Degrees are presented to the University Senate for final action.

b. Committee members shall serve a term of three years. Composition of the Honorary Degrees Committee includes:
    i. One representative from each school or college on campus (Arts and Sciences, Business, Education, Fine Arts, Graduate, Health Sciences, Law, Medicine). The member representing the Graduate School shall be elected by the Graduate Council.
    ii. One member at large elected by the University Senate.
    iii. One member appointed by the President to represent the Administration. This appointment should be rotated among administrative offices of the university.
    iv. Nominations for honorary degrees should be forwarded to the Committee through the representative from the appropriate academic unit. Nominations should include general information of a professional and personal nature indicating personal accomplishments and contributions. These accomplishments and contributions should be consistent with criteria found in the Board of Regents policy as to honorary degree eligibility requirements. The Committee recommends that the practice of solicitation of vitae from potential candidates be discouraged and urges guarded confidentiality in the nomination and review process to avoid unnecessary embarrassment to the person or USD.

c. Criteria for Nomination - According to the present rules, Colleges, Schools, Divisions, Departments, Committees, and Individuals of the University of South Dakota may nominate candidates for honorary degrees.
    i. Requirements for eligibility for honorary degrees approved by the general faculty are as follows:

1. The person shall have acquired considerable stature in his/her field and/or have been of great service to the university, state or nation.
2. The recipient must be present at the convocation at which the degree is conferred.
3. Not eligible for consideration are active faculty members and administrators of the institutions governed by the Board of Regents, or holders of federal, public or party office as a representative of South Dakota; and persons running for such public offices.

ii. Honorary degrees granted by the university should genuinely award specific and deserved honor to the recipient and at the same time enhance the university by such action.

iii. In order to obtain Board of Regents approval before commencement, an official letter of nomination and support information should be sent to the Chair of the University Honorary Degrees Committee at least 6 months prior to the commencement at which the presentation will be made.

iv. The University Honorary Degrees Committee will make recommendations to the University Senate for action.

10. **Committee on Intellectual Property** - An advisory Committee on Intellectual Property (CIP) shall be elected by the University Senate and shall have responsibilities to:

a. Make recommendations to the university Vice President for Research regarding Intellectual property (IP) as follows:
   i. Which IP should be processed in accordance with Board of Regents and University patent and copyright policies,
   ii. Which IP should be referred to the Vice President for Research on behalf of the creator,
   iii. Which IP should be returned to the creator for his/her own disposition, and
   iv. Which IP should be processed in other ways.

b. Determine, when necessary, whether a given invention or material subject to copyright or trademark registration, by a staff member or a student resulted from work carried out in connection with a project entirely or largely by university resources or whether it was a product of personal research and made little or no use of university resources. In the event an agreement cannot be reached by the Committee, an arbitration board shall be established by the administration of the university acting in consultation with the departmental Chair, dean or director of the department or School in which the inventor or writer serves.

c. Make recommendations in regard to exceptional patent, copyright, or other IP arrangements requested by outside sponsors.

d. Act in an advisory capacity with regard to IP assigned to the university.

e. Act in an advisory capacity with regard to university policies on intellectual property.

The committee shall meet at least once a month during the regular school year and as agreed upon by the committee during the summer and holiday breaks. Should meetings be necessary and scheduled during the summer or holiday breaks, the Committee's responsibilities are delegated to available committee members and the Vice President for Research who shall provide to the CIP at its next regularly scheduled meeting a report of the action taken. Due to the confidential and proprietary subject matter, portions of CIP meetings relating to confidential matters will be held in executive session. Minutes shall be kept of all meetings. The Committee shall report annually to the University Senate (in writing and orally if requested) on activity of the committee and general issues encountered; the report should not contain confidential information. Minutes provided to the Senate and publicly available shall not contain confidential information. The Committee on Intellectual Property shall consist of nine voting members. One member shall be elected by the University Senate from each of the following faculties: Business, Education, Fine Arts, Law, Library, Medicine, Biomedical Engineering, Health Sciences, and Arts and Sciences. The voting faculty members shall serve terms of three years. A graduate student voting member elected by the Graduate and Professional Student Association shall serve a one year term. The graduate student shall be engaged in research, creative, or scholarly works. Non - voting ex officio and advisory members shall include the Vice President for Research and other non-voting ex- officio and advisory members, as needed.

11. **Committee on Financial Conflicts of Interest** - An advisory Committee on Financial Conflicts of Interest shall be elected by the University Senate. The responsibilities of the Committee will be to receive disclosures with real or perceived financial conflicts of interest, and to review these disclosures in a face-to-face meeting of a quorum of the Committee within 30 days of receiving the disclosure. By written or electronic memo, the Committee Chair will inform the President, Vice President for Research, and cognate dean or supervisor of the Committee's opinion as to whether there is a reasonable expectation that a significant financial interest will influence conduct of research. The memo will include recommendations on management, reduction, or elimination of the conflict of interest. The President will accept or modify the recommendations, and communicate the decision and any required actions in writing to the investigator. Recommendations of the Committee for management, reduction or elimination of the conflict of interest may include but are not limited to:
    - i. public disclosure of significant financial interests;
    - ii. monitoring of research by independent reviewers;
    - iii. modification of the research plan;
    - iv. disqualification from participation in all or a portion of the research;
    - v. divestiture of significant financial interests; and/or
    - vi. severance of relationships that create actual or potential conflicts

The Committee on Financial Conflicts of Interest shall consist of nine voting members; one member shall be elected by the University Senate from each of the following faculties: Business, Education, Fine Arts, Law, Library, Medicine, Health Sciences, Arts and Sciences, and Biomedical Engineering. The Vice President for Research shall be a non-voting ex officio member. The elected members of the Committee shall serve terms of three years.

J. Internal Committees of the University Senate

1. Executive Committee

a. The Executive Committee of the Senate shall consist of the Chair, Vice-Chair, and Secretary of the Senate, and the Provost/Vice President for Academic Affairs of the University. The immediate past Chair shall serve as an advisory member for the term following his/her successor's election. The Chair of the Senate shall serve as Chair of the Executive Committee.

b. The Executive Committee shall meet at the call of the Chair. It shall have the responsibility of preparing the agenda for meetings of the Senate, of implementing and expediting the actions and policies of the Senate, and of assuming all other duties designated to it by the Senate. Between meetings of the Senate it shall represent that body and be responsible for the affairs of the Senate within the limits ofestablished policy. The Executive Committee shall report to the Senate at the next regular meeting any actions taken by the Committee as the representative of the Senate.

c. The Executive Committee shall report to the Senate for further action recommendations for Honorary Marshals to serve at Spring and Winter Commencement ceremonies. Colleges, schools, divisions, departments, committees, and individuals of The University of South Dakota may nominate emeritus faculty as candidates for Honorary Marshals. Nominations should be forwarded in writing to a member of the Executive Committee by November 1 and March 1. Two Honorary Marshals are selected for each Commencement ceremony. The Chair of the Executive Committee shall notify the recipient and the Registrar of the selection in writing.

2. Rules Committee

a. The Rules Committee shall consist of five faculty members who are members of the University Senate at the time of their election to the Committee.

b. The members shall be elected by the University Senate for terms of two years with no more than three terms expiring each year.

c. The Rules Committee shall:

    1) In collaboration with the Chairs of the Senate Committees, conduct an annual review of the University of South Dakota Faculty Constitution and the University Senate Bylaws.

2) Review all matters pertaining to the Constitution of the University Faculty and the Bylaws of the University Senate, and make recommendations on all such matters to the Senate. It shall be bound to submit to the Senate any proposal for amendment of the Constitution or Bylaws referred to it, together with such commentary, revision, or recommendation it sees fit.
3) The Rules Committee shall advise the Senate with respect to any constitutional or procedural issue or point of order which may be referred by the Senate to the Committee.

3. Nominating Committee

a. The Nominating Committee shall consist of ten faculty members of the University Senate, with one selected from each of the following faculties: Business, Education, Fine Arts, Law, Library, Health Sciences, Medicine, and one from each division of the College of Arts and Sciences. The terms shall be for one year.
b. The committee shall seek out eligible faculty members of their colleges to make nominations for election or appointment to all standing committees of the university, the faculty and the Senate, and to Presidential or student committees, where not otherwise provided for by by-law or regulation. Nothing in this by-law shall preclude additional nominations being made from the floor. The list of nominees to be presented by the committee shall be distributed with the agenda for the meeting at which their election is scheduled for consideration by the Senate.
c. **Two Presidential/Provost Committees have specific nomination requirements:**
   i. **Chair of the Belbas Larson Award Selection Committee**: Upon the Provost's request, the committee will have the duty to nominate a candidate to serve as the Chair of the Belbas Larson Selection Committee ("Selection Committee"). A majority vote of the University Senate is required to confirm the nomination. If accepted by the Provost, this nominee will be appointed by the Provost's office to fulfill the role. If not acceptable, the Provost will return the nomination to the Senate. The Chair's duties include the facilitation of the application process and the management of the selection meeting. The Chair will follow established guidelines in the selection of the winners and present final results to the President's and Provost's offices. The Chair is a non-voting member of the Selection Committee and is appointed to inform the Selection Committee members of the selection criteria and clarify questions regarding these criteria. The Chair will be appointed for a three-year renewable term. During service, the Chair is eligible to receive nominations for the Belbas Larson award, but is ineligible to apply for the award itself during those years. The Chair nominee need not be a member of the University Senate; rather, the nominee must have served on a previous Belbas Larson Selection Committee. A

list of previous members should be available from the Provost's office. Due to the ineligibility of receiving the award, an ideal Chair nominee would have previously received the award, preferably in the tenured category.

ii. **Academic Misconduct Review Committee**:

Upon the request of the Director of Student Rights and Responsibilities ("SRR Director") or the University Student Conduct Officer, the committee will have the duty to nominate faculty candidates (nominees do not have to be members of the Senate) to serve as members of the Academic Misconduct Review Committee ("Academic Misconduct Committee"). Members will constitute a pool to appear, as needed, on three-member panels facilitated by the University Student Conduct Officer to conduct formal hearings regarding student academic misconduct per Regental policy. Faculty representation on the Academic Misconduct Committee will include nominations from each of the following faculties: Business, Education, Fine Arts, Health Sciences and one from each division of the College of Arts and Sciences. A majority vote of the Senate is required to confirm the nominations. If approved by the Provost, the nominees will be appointed for a three-year renewable term. Appointments will be staggered so that one third of the faculty membership is replaced each election cycle (annually in April).

4. Special Committees

a. Committees for specially designated purposes appropriate for the business of the Senate may be appointed from time to time. These committees may be appointed by the Senate or by the Chair of the Senate, and shall report to the appointing authority.

b. The powers and responsibilities of any special committee shall be limited solely to the matters with which it is specifically charged and it shall cease to exist when that charge has been duly executed. In no case shall a special committee have more power than the appointing authority that created it.

K. Amendment of the Bylaws

These bylaws may be amended in any meeting of the Senate by a majority of all the members of the Senate provided that the proposed change has been submitted to the members of the Senate at least 72 hours in advance of the meeting.