

# SUNY Fredonia Faculty and University Senate Bylaws

## Preamble

The Faculty of the State University of New York at Fredonia enacts the following bylaws to provide for the organization and procedures by which this faculty may effectively exercise its rights and fulfill its responsibilities within the framework established by the Policies of the Board of Trustees of the State University of New York (Policies, Article X, Sections 4 and 5).

### Article I: Definitions

As used in these bylaws, unless otherwise specified, the following shall mean:

- a. "Trustees" refers to the Board of Trustees of the State University of New York.
- b. "Policies" refers to the *Policies of the Board of Trustees*, 2006 (and/or subsequent revisions).
- c. "Chancellor" refers to the Chancellor of the State University of New York.
- d. "University" refers to the State University of New York at Fredonia.
- e. "President" refers to the Chief Administrative Officer of the University.
- f. "Academic Staff" refers to those members of the Staff holding academic rank.
- g. "Professional Staff" refers to those members in the Professional Services Negotiating Unit other than members of the Academic Staff, and those members of the Professional and Academic Staff holding Management Confidential appointments.
- h. "Faculty" refers to (1) the Chancellor; (2) the President; (3) the Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents, Academic Deans, and (4) Directors; (5) the Academic Staff; (6) the Professional Staff; and (7) those members of the Professional and Academic staff holding Management Confidential appointments.
- i. "Senator" refers to the voting constituency of the University Senate: Academic Staff, Professional Staff, and Student representatives.
- j. For the University Senate and its standing committees, "*ex officio*" refers to a non-voting member who is a member due to the position or office held by that member.
- k. "Consultation" refers to a mutual, public process of deliberation between the President and/or his or her official designee and the faculty through the University Senate, which may be initiated by either party and is concluded when the President, as a matter of record, either approves the Senate's formal recommendation (thereby making it official policy), or vetoes it and gives a substantial explanation of his or her reason(s) for overruling it, normally within ten instructional days of receiving written notification by the University Senate Secretary.

### Article II: Powers and Functions

The faculty "shall have the obligation to participate significantly in the initiation, development, and implementation of the educational program" (Policies, Article X, Section 4) of the University; they will be responsible for the conduct of the University's "instruction, research, and service programs" (Policies, Article VI, Section 3). The faculty shall exercise their powers and functions through Faculty Meetings (see Article III below), the University Senate (see Article IV below) and through committees (see Articles V and VI.)

In a statement by the Chancellor on 9 April 1973, SUNY reaffirmed the "validity of governance as the appropriate and organic process for the involvement of constituent groups in campus decision-making" (UFS Governance Handbook, June 2008, Appendix 6). This statement, which has been reaffirmed by the current Chancellor, explains that

Article X of the Policies, among other provisions, empowers and directs the faculty to develop Bylaws for the conduct of its affairs. Substantive actions taken in the course of that conduct are advisory upon the campus President and are a recognition of his [or her] legal authority. Furthermore, those provisions of Bylaws concerning consultation—how, when, and where the campus President consults with his [or her] faculty—are subject to his [or her] approval....

When the campus President accepts provisions of local bylaws concerning consultation, the Trustees, through Article X, and the Chancellor respect this endorsement and these provisions become, thereby, part of local policy and must provide a reliable framework for campus governance. In this regard, a campus President is expected to adhere to policies which he [or she] has accepted for his [or her] administration. Since governance must remain responsive to changing conditions on each campus, the validity of the Bylaws rests firmly upon the continuing confidence in which they are held. Bylaws, once approved, should not be used to require adherence to outmoded or bad practices by either the faculty or the campus President. The campus community must remain ready to recognize legitimate objections to practices or procedures which no longer adequately meet the needs for which they were designed. (63-64)

At SUNY Fredonia, the President and the faculty agree that recommendations from committees, task forces, working groups, and any other bodies charged solely by an administrator or administrators neither constitute nor substitute for consultation via normal governance channels (see Articles IV through VI) or actions taken by the faculty in stated or special faculty meetings (see Article III). We follow the recommendations on shared governance offered by the Middle States Commission on Higher Education:

The primary goal of governance is to enable an educational entity to realize fully its stated mission and goals and to achieve these in the most effective and efficient manner that benefits the institution and its students. Institutional governance provides the means through which authority and responsibility are assigned, delegated, and shared in a climate of mutual support and respect.

The Commission on Higher Education expects a climate of shared collegial governance in which all constituencies (such as faculty, administration, staff, students and governing board members, as determined by each institution) involved in carrying out the institution's mission and goals participate in the governance function in a manner appropriate to that institution. Institutions should seek to create a governance environment in which issues concerning mission, vision, program planning, resource allocation, and others, as appropriate, can be discussed openly by those who are responsible for each activity. Within any system of shared governance, each major constituency must carry out its separate but complementary roles and responsibilities.

Each must contribute to an appropriate degree so that decision-makers and goal-setters consider information from all relevant constituencies. (*Characteristics of Excellence in Higher Education*, 12th ed. [2006], p. 12)

We also recognize "On the Relationship of Faculty Governance to Academic Freedom" by the American Association of University Professors, which argues that "since the faculty has primary responsibility for the teaching and research done in an institution, the faculty's voice on matters having to do with teaching and research should be given the greatest weight" and holds that even for decisions that "bear less directly on the teaching and research conducted in the institution" but "plainly can have a powerful impact on the institution's teaching and research, "the decision-making process "must include the faculty" and "its voice on these matters must be accorded great respect" (*Policy Documents and Reports*, 9th ed. [2001], p. 225).

At SUNY Fredonia, then, the President and the faculty agree that consultation can occur only when there is direct communication on a matter that meets MSCHE and/or AAUP criteria between the President and/or his or her designee and the University Senate or the entire faculty. This communication should take place as soon as an issue is identified. The President and the Executive Committee shall then identify the appropriate consultation process. When initiated by the President or his/her designee, the Senate or faculty should have a reasonable amount of time to provide a meaningful response. Normally a minimum of 30 days should be allowed. In special circumstances, a shorter time for response may be required. In emergencies, the Executive Committee shall act on behalf of the Senate (see Article IV, Section 6).

Our normal consultation process may vary, depending on the joint judgment of the President and Executive Committee as to best practices. For example, the President may invite a recommendation from the Senate and respond to it, or the President may make a recommendation and invite a response from the Senate. In all such normal processes, the Executive Committee shall determine which committee(s), if any, are to be charged to make a recommendation to the Senate. Upon receiving such recommendation, the Senate shall deliberate and vote on its formal recommendation to the President. In response, the President either approves the Senate's recommendation (thereby making it official policy), or vetoes it and gives a substantial explanation of his or her reasons for overruling it, normally within ten instructional days of receiving written notification by the University Senate Secretary (see Article I, Section k, and Article IV, Section 5c). For any Senate recommendation that touches on terms and conditions of employment as defined in the current Agreement between United University Professions and the State of New York, however, the University Senate Secretary shall simultaneously transmit it to the President of SUNY Fredonia and the President of the Fredonia Chapter of UUP, who will normally use local labor-management meetings to decide what course of action should be taken in response to it.

### **Article III: Faculty Meetings**

#### **Section 1: Stated Faculty Meetings**

a. At the discretion of the Executive Committee of the University Senate, there shall be two stated meetings of the faculty, the first toward the beginning of the Fall semester and the second toward the beginning of the Spring semester. The Executive Committee shall set the dates for

these meetings. A written agenda shall be distributed to the faculty no fewer than five days prior to each meeting by the President's Office.

**b. Quorum.** A quorum shall consist of a simple majority of the faculty. If such a majority is not present, members may vote to suspend the quorum provisions by a two thirds vote of those present.

**c. Voting.** Adoption of any motion shall require an affirmative vote of a majority of those present and voting. A written ballot shall be used when requested by at least ten members of the faculty.

**d. Presiding Officer.** The Chair of the University Senate, or in the absence of the Chair, the Vice Chair of the University Senate, shall preside at stated faculty meetings.

## **Section 2: Special Faculty Meetings**

**a.** Special faculty meetings shall be called by the President when he/she deems them necessary. The President shall also call a special faculty meeting within two weeks of a request for such a meeting by the University Senate or by a petition signed by at least ten percent of the faculty. A written agenda shall be prepared by (1) the President, or (2) the University Senate, or (3) the petitioners and submitted to the President with the request. Such an agenda shall be distributed to the faculty at least five days prior to the meeting unless such advance notification is precluded by emergency conditions.

**b. Quorum.** A quorum shall consist of a simple majority of the faculty. If such a majority is not present, members may vote to suspend the quorum provisions by a two-thirds vote of those present.

**c. Voting.** Adoption of any motion shall require an affirmative vote of a majority of those present and voting. A written ballot shall be used when requested by at least ten members of the faculty.

**d. Presiding Officer.** The Chancellor or the President shall preside over those meetings called by the President and those meetings in which a petition by the faculty challenges a resolution passed by the University Senate (Article IV, Section 12). The Chairperson of the University Senate shall preside over those meetings requested by the University Senate and those meetings which have been petitioned by the faculty except as noted above.

## **Section 3: Conduct of Meetings**

Faculty meetings shall be conducted according to *Robert's Rules of Order*.

## **Article IV: University Senate**

### **Section 1: Composition, Function, and Responsibilities**

**a.** The University Senate shall be composed of representatives of the Academic staff, the Professional staff, and the Students, as well as *ex officio* members.

**b.** The University Senate functions as the representative body of the faculty acting on behalf of the faculty in carrying out the responsibilities of the faculty as specified in Article II of these bylaws. Members of the University Senate and of all faculty committees, even when selected as delegates of their representational areas, shall act in the interests of the University as a whole. Senators are to attend all Senate meetings, to report Senate business and issues to their constituents, and to solicit Senate business and issues from their constituents.

**c.** In exercising its general powers and responsibilities, the University Senate shall, among other things, monitor the responsibilities of all committees specified under these bylaws and be informed of the operations of all such committees, receive policy change recommendations from such committees and act on them, and initiate recommendations to such committees where appropriate.

**d.** In its capacity as the governance body for the institution, the University Senate shall also be kept informed of the proceedings of all other University-wide committees (except Labor-Management Committees) and shall receive from such committees notice of actions and recommended changes prior to their implementation.

## **Section 2: Representation**

**a.** All faculty (full-time or part-time) are eligible to serve as representatives. Any member of the University Senate whose campus duties change, involving at least half that person's time, shall be reviewed by the Executive Committee to determine the appropriate constituency of that member, and may be relieved of his/her seat on the University Senate because of change of constituency.

**b.** Within the Academic Area, there shall be seven electoral units: (1) Arts, (2) Business, (3) Education, (4) Humanities, (5) Music, (6) Natural Sciences, and (7) Social Sciences. In elections to be held annually in May, each academic electoral unit that would otherwise have an open seat on July 1 shall elect one at-large representative from among its members. In addition, all faculty in the Academic Area shall elect seven at-large representatives from among their members as terms of sitting representatives are due to expire. Each department may field a maximum of three candidates per at-large election and each school may field a maximum of six. Furthermore, there shall be one Senator per academic department, except for the School of Music, which shall have 3 representatives. By May 15 each year, the chair of every academic department that would otherwise have an open seat on July 1 shall report to the Governance Officer his or her department's representative and election or selection procedure. Similarly, when a seat would otherwise be open on July 1, the Director of Reed Library shall report the Library faculty's representative and election or selection procedure, the Associate Vice President for Academic Affairs shall report the Interdisciplinary Studies representative and election or selection procedure, and the Vice President for Academic Affairs shall report the adjunct faculty representative and election or selection procedure to the Governance Officer by May 15.

Within the Professional Staff/Management Area, there shall be four electoral units: (1) Academic Affairs, (2) Administration, (3) Student Affairs, and (4) University Advancement. In elections to be held annually in May, all personnel in the Professional Staff/Management Area shall elect three at-large representatives from among their members as terms of sitting representatives are due to expire. Furthermore, there shall be one Senator from each professional electoral unit. By May 15 each year, the Vice President of every division that would otherwise have an open seat on July 1 shall report to the Governance Officer his or her division's representative and election or selection procedure.

Each February, the Executive Committee shall report to the Senate the current assignment of departments, schools, and administrative divisions to the various electoral units, and may propose changes to this assignment, subject to amendment and approval by the University Senate. See Appendix A for the current Senate membership template based on this system of representation.

**c.** There shall be six undergraduate student members, including the President of the Student Association.

**d.** *Ex officio* members of the University Senate are:

1. President
2. Vice President for Academic Affairs
3. Vice President for Administration
4. Vice President for Student Affairs

5. Vice President for University Advancement
6. Associate Vice President and FSA Executive Director
7. Associate Vice President for Academic Affairs
8. Associate Vice President for Administration
9. Associate Vice President for Enrollment Services
10. Associate Vice President for Graduate Studies & Research
11. Associate Vice President for Information Technology
12. Associate Vice President for University Development
13. Dean of the College of Arts & Sciences
14. Dean of the College of Education
15. Dean of the School of Business
16. Registrar
17. Chairperson of the University Senate
18. Vice Chairperson of the University Senate
19. University Senate Secretary
20. University Faculty Senator
21. Governance Officer

e. If and when administrative changes alter an electoral unit or a component of an electoral unit (i.e., a new department is created, departments merge, departments split, etc.), the Executive Committee of the Senate will recommend to the Senate a representational plan and appropriate language to alter this section to reflect those changes. The Senate shall approve a plan and appropriate language for this section. A two-thirds affirmative vote shall be required to pass the plan and to revise the language. These changes shall not require a separate vote by the faculty as a whole.

### **Section 3: Elections**

a. As vacancies on the Senate occur within the departments of the academic electoral units or within the Professional Staff/Management electoral units, each of those departments/electoral units shall be responsible for choosing the senator(s) who will represent it.

b. Each Spring semester, the Governance Officer shall determine the number of at large positions open for the subsequent academic year and shall conduct the necessary elections in those electoral units in May to assure full at large representation. If an at large vacancy occurs during the elected term of a senator, the candidate with the next largest number of votes in the most recent election for that area shall represent that area, completing the term of elected senator.

c. The six student representatives on the University Senate shall consist of the President of the Student Association and five full-time registered undergraduate students to be chosen for a term of one year by the Student Association.

d. The Faculty-Student Association bylaws (Article III, Section 3) require that

Three (3) faculty directors, at least two (2) of whom shall be instructional/teaching faculty members, shall be selected by a method determined by the faculty and written in its bylaws. The faculty directors shall hold office for two-year terms beginning September 1 of the year of their selection and ending August 31 two years hence, or until their successors have been duly selected and qualified. The Chair of the University Senate shall certify the selection of the faculty directors to the president of the Corporation with a copy to the Executive Director of the Corporation who shall thereupon immediately notify said persons in writing of their selection.

The University Senate Governance Officer shall be responsible for running elections in May for any FSA Faculty Director seats that the FSA President or Executive Director informs him or her would otherwise be vacant on September 1. The entire voting faculty is eligible to vote in these elections. The Chair of the University Senate shall certify the election results to the President and Executive Director of FSA.

#### **Section 4: Terms of Office**

- a.** The normal term of office of all Senators, except student representatives and *ex officio* members, shall be three years. Terms begin on July 1 and end on June 30. Each Senator shall be limited to two consecutive terms.
- b.** When on leave of at least a semester's duration, an elected member of the University Senate shall be considered to have resigned from the University Senate unless that senator has indicated in writing to the Governance Officer that he/she will continue to meet the obligations of the University Senate during the leave. The vacancy will be filled as described in Article IV, Section 3 (elections).
- c.** Academic or professional staff who are on leave are eligible to be nominated for and elected to service on the University Senate provided that their term of service would normally begin at or after the time of their expected return from leave.
- d.** In the event an elected member of University Senate shall be absent from regularly scheduled University Senate deliberations for two consecutive meetings or a total of three meetings for the academic year, the Executive Committee, after holding a prompt review to determine if any extenuating circumstances exist, shall be empowered to declare the seat vacant and to order a replacement.

#### **Section 5: Officers**

- a. *Chairperson.*** The Chairperson shall be elected to a one year term. Written ballots may be used for this election. A serving Chair is eligible for re-election up to three more consecutive years, for a total of up to four consecutive years, after which the Chair shall not serve as Chair again until an academic year has passed. The current Chair must state at the first Spring semester meeting of the Senate whether or not he or she intends to pursue re-election. The Executive Committee or any senator may nominate any professor or professional or librarian to run for Chair no later than the March Senate meeting. At that meeting, if there is more than one nominee, all nominees must give a brief campaign statement to the Senate. The Senate shall vote on the next year's Chair at the April meeting. At the discretion of the Governance officer, these deadlines may be extended, but the next year's Chair should be voted in by the May Senate meeting.

The Chairperson shall assume office on July 1. The Chairperson calls University Senate meetings, presides at the meetings, and appoints the Parliamentarian. The Chairperson represents the faculty and the University Senate in regular meetings with the President and represents the faculty at University Council Faculty Senate meetings. The Chairperson also chairs the University Senate's Executive Committee (see Section 6 below) and presides at its meetings. The Chairperson shall monitor the disposition of actions taken by the University Senate. (See current Governance Compensation policy.)

- b. *Vice Chairperson.*** The Vice Chairperson shall be elected by the University Senate during a meeting in May for a one-year term, and shall be allowed to stand for reelection in following years without any term limit, on the same schedule as the Governance Officer and Faculty Secretary. Candidates for the position may be nominated at any time prior to the election by any

member of University Senate or by the Executive Committee. Written ballots may be used for this election. The Vice Chairperson shall assume office on July 1. The Vice Chairperson may serve as a non-voting *ex officio* member of any University Senate committee or subcommittee at the discretion of the Executive Committee. The Vice Chairperson substitutes for the Chairperson when necessary.

**c. University Senate Secretary.** As a member of the University Senate, the University Senate Secretary shall:

1. Be a member of the faculty. When more than one candidate has been nominated, the Secretary shall be elected by the University Senate during a meeting in May and assume office on July 1.
2. Distribute summaries of the minutes promptly to all voting and *ex officio* members of the Senate, and shall post minutes on the University Senate official electronic sites.
3. Send to the University Archives two copies of all senate standing committee minutes and two copies of the minutes of all University Senate and all stated and special Faculty meetings.
4. Prepare a listing of formal recommendations made and substantive actions taken by the University Senate after each meeting for the campus President and, when any touch on terms and conditions of employment as defined in the current Agreement between United University Professions and the State of New York, to the President of the Fredonia Chapter of UUP, as well. Add copies of this list to the official electronic site(s) of the Senate and send two hard copies to the Archives and Special Collections in Reed Library. Once a signed approval or veto (with substantive explanation) has been received from the campus President, add a copy to the official electronic site(s) of the Senate and send two hard copies to the Archives and Special Collections in Reed Library.
5. Be responsible for informing all appropriate parties of actions taken by the University Senate.
6. Act as teller when secret ballots are called for, designating assistant tellers as necessary.
7. In the Secretary's absence, the presiding officer shall appoint a secretary *pro tempore*. The term of office of the University Senate Secretary shall be one year with eligibility for re-election.

**d. University Faculty Senator.** The University Faculty Senator shall serve as the faculty's representative on the SUNY Faculty Senate and, as such, serves as a liaison between the University and the SUNY Faculty Senate. The University Faculty Senator shall be elected to a three-year term in an election conducted by the Governance Officer, and assume office as of July 1. The University Faculty Senator shall be eligible for re-election to a second consecutive term, but will then not be eligible to serve again as a member of the SUNY Faculty Senate until the expiration of one year from the end of the last preceding term. In the event that the University Faculty Senator shall be unable to meet the duties of that position, the University Faculty Senator Alternate shall serve in his/her stead.

**e. Governance Officer.** The Governance Officer is an *ex officio* member of the Executive Committee of the University Senate. The Governance Officer shall be nominated by the Executive Committee of the University Senate and shall be elected by the University Senate during its meeting in May and assume office July 1. The Governance Officer shall serve a one-year term ending June 30 of the subsequent year. The Governance Officer is not required to be a member of the University Senate.

*Responsibilities.* The Governance Officer shall be responsible for reviewing the operations of these bylaws and for accepting and initiating proposed amendments to these bylaws.

■ The Governance Officer shall prepare slates of candidates and conduct elections for at large senators, the University Faculty Senator, the University Faculty Senator Alternate, the faculty representatives to the Faculty Student Association, and representatives on various standing

committees. An election for University Faculty Senator and University Faculty Senator Alternate shall be conducted on one ballot, with the University Faculty Senator Alternate being the individual with the second highest number of votes.

■The Governance Officer shall notify all candidates and the appropriate electorate of the election results.

■The Governance Officer shall regularly review the responsibilities and actions, or lack thereof, of Senate Standing Committees.

**f. *Parliamentarian.*** A Parliamentarian, not necessarily a member of the University Senate, shall be appointed by the University Senate Chairperson at the first meeting of each academic year. The Parliamentarian shall be prepared to advise the University Senate or any senator. The Parliamentarian shall also be prepared to advise the presiding officer or any faculty member at stated and special faculty meetings

### **Section 6: Executive Committee**

The Executive Committee is composed of the University Senate's Chairperson (who presides at its meetings), Vice Chairperson (who substitutes for the Chairperson as necessary), Secretary, University Faculty Senator, and Governance Officer. The Committee shall be responsible for coordinating University Senate activities, shall meet regularly with the President and/or his designees, and shall act on behalf of the University Senate in emergency situations (see Article I, Section k and Article II above). The Committee shall serve as the nominating committee for the election of the University Senate Chairperson, Vice Chairperson, Governance Officer, and Secretary. It shall prepare a list of at least one candidate for each position and shall report its slate to the University Senate in time for election of officers. The Committee shall conduct an orientation for Senators, give advice and feedback to each officer as requested (see Section 5 above), work collaboratively with Standing Committees, and formulate the agenda for University Senate meetings (see Section 11 below).

As needed, the Committee shall call stated faculty meetings (see Article III, Section 1), initiate bylaws revision processes (see Article VII, Section 2 below), and serve as a nominating committee if any University Senate officers are unable to perform the duties of their offices (see Section 7 below).

After consultation with the President and/or his or her designee(s), the committee shall nominate the members of the Planning and Budget Advisory Committee as vacancies arise and nominate the members and chairperson of selection committees for certain administrative positions as vacancies arise (see Article VI, Section 1, Part b). The committee shall consult with the President of SUNY Fredonia and Chair of the University Senate as they jointly appoint and charge the members of administrative review committees (see Article VI, Section 1, Part c).

### **Section 7: By-Election of Officers**

**a.** If the University Senate Chairperson is unable to perform the duties of that office, the Vice Chairperson shall complete the Chairperson's term of office. In such a case the Executive Committee shall serve as a nominating committee for Vice Chairperson *pro tempore*. The Vice Chairperson *pro tempore* shall complete the remainder of the former Vice Chairperson's term. Until a Vice Chairperson *pro tempore* is elected, the Governance Officer shall serve as Vice Chairperson of the University Senate.

**b.** If the University Senate Vice Chairperson is unable to perform the duties of that office (except as indicated in paragraph A above), the Executive Committee shall serve as a nominating committee and shall report its slate for Vice Chairperson no later than the University Senate meeting after the inability of the former Vice Chairperson to perform the duties of that office has

been determined. The newly elected Vice Chairperson shall complete the term of the former Vice Chairperson. Until a Vice Chairperson is elected, the Governance Officer shall serve as Vice Chairperson of the University Senate.

c. If the University Senate Secretary is unable to perform the duties of that office, the Executive Committee shall serve as a nominating committee and report its slate for University Senate Secretary no later than the University Senate meeting after the inability of the former Secretary has been determined. The newly elected University Senate Secretary shall complete the term of the former Secretary.

d. If the University Senate Governance Officer is unable to perform the duties of that office, the Executive Committee shall serve as a nominating committee and report its slate for University Senate Governance Officer no later than the University Senate meeting after the inability of the former Governance Officer has been determined. The newly elected University Senate Governance Officer shall complete the term of the former Governance Officer.

### **Section 8: Meetings**

The University Senate shall have monthly meetings during the academic year. Meetings shall be conducted in accordance with Robert's Rules of Order, unless explicitly stated otherwise in these bylaws. Meetings need not be held when the University is not in regular session. The Chairperson of the University Senate may call special meetings and shall call a special meeting at the written request of five University Senate members. All meetings of the University Senate shall be open to all members of the campus community.

### **Section 9: Quorum**

A quorum shall consist of a simple majority of the voting members of the University Senate.

### **Section 10: Voting**

Adoption of any main motion shall require an affirmative vote of a majority of those present and voting. A written ballot shall be used when required by the bylaws or when requested by at least five members.

### **Section 11: Agenda**

The agenda for the University Senate shall be formulated by the Executive Committee. It shall include all items requested by the President, the University Senate, and the Standing Committees of the University Senate; and those matters stated in a petition signed by ten or more of the voting Academic or Professional Staff. Requests for inclusion of items on the agenda shall be in the hands of the Executive Committee not less than one week prior to the meeting. The agenda shall be posted to the faculty no fewer than three days prior to the meeting.

### **Section 12: Decision and Challenge**

University Senate minutes shall be distributed to each senator and *ex officio* member by the University Senate Secretary as soon as possible after each University Senate meeting. During the ten instructional days after the date of posting of the minutes of the University Senate meeting, a special faculty meeting to challenge a University Senate decision may be called (see Article III, Section 2). If the stipulated petition is not received by the President during that time period, the action of the University Senate becomes the official action of the faculty.

## **Article V: Standing Committees of the Faculty**

### **Section 1: Responsibility**

a. There shall be standing committees of the faculty whose functions are to recommend policies or policy changes to the University Senate in a timely manner and perform such other functions

as specified by these bylaws and/or further delineated by the University Senate. Standing committees appoint *ad hoc* subcommittees as working committees on an as needed basis.

**b.** Each standing committee is responsible for keeping the University Senate informed of the committee's activities by:

1. Submitting a copy of the minutes of each meeting of the committee to the Secretary of the University Senate.
2. Posting their minutes in their Committee folder on the University Senate electronic site.
3. Submitting an annual report of all activities to the University Senate according to a schedule established by the Executive Committee.
4. Preparing and following its own Policies and Procedures Manual. Changes and additions to such manuals shall be sent to the Governance Officer for his/her records. The Governance Officer shall give new members of standing committees a copy of the appropriate manual upon election.

## **Section 2: Service on Standing Committees**

**a.** Members of all standing committees, although selected as delegates of their representational areas, shall act in the interests of the University as a whole.

**b.** Except where divisional representation limits standing committee membership, all faculty members are eligible to serve on any standing committee or subcommittee.

**c.** Student members of standing committees and their subcommittees shall be chosen according to procedures developed by the Student Association and approved by the University Senate. Except where otherwise noted, student terms on all standing committees and subcommittees shall be one year.

**d.** If a committee member fails to attend two consecutive meetings without due excuse, the Chairperson of that committee shall report the absences to the Governance Officer, who, after holding a prompt review to determine if any extenuating circumstances exist, shall be empowered to declare the seat vacant and to order a replacement.

**e.** When on a leave of at least a semester's duration, an elected member of a standing committee shall be considered to have resigned from the standing committee unless the member has indicated to the Governance Officer in writing that the member will continue to meet the obligations of membership on the standing committee during the leave. If the member has indicated the desire to continue service but does not meet the obligations of membership on the standing committee during the leave, the Governance Officer is empowered to rule the member's seat vacant and order a replacement.

**f.** Faculty members who are on leave are eligible to be nominated for and elected to or appointed to service provided that their term of service would normally begin at or after the time of the return from leave.

**g.** Any committee member whose campus duties change, involving at least half that person's time, shall be reviewed by the Executive Committee to determine the appropriate constituency of that member and may be relieved of his/her seat on the committee because of change of constituency.

**h.** A standing committee vacancy occurring due to death, retirement, resignation, or the occurrence of situations as described in paragraphs *d* and *e* of this section, shall be filled by the runner-up in the most recent election in the appropriate representational area. If there is no runner-up of record, the Governance Officer may appoint a replacement from that representational area. The length of term for such a replacement shall be the completion of the original term.

### **Section 3: Standing Committees**

#### **a. Academic Affairs Committee**

1. *Membership and Terms.* This Committee shall have one representative elected by and from the Professional staff, by and from the Library Faculty, and by and from the following areas: Arts, Business, Education, Humanities, Music, Natural Sciences, and Social Sciences. These representatives shall serve staggered three-year terms. Members of the Committee shall be elected in the spring of the academic year. The Committee shall have two student representatives, and the Vice President for Academic Affairs or his or her designee shall be an *ex officio* member of the Committee. These latter members shall serve one-year terms.

2. *Officers.* By the end of the Spring semester of each academic year, there shall have been elections for officers as deemed appropriate by the committee. Such officers will be reported to the Governance Officer, the Faculty Secretary and the Chairperson of the University Senate. Officers may be re-elected.

3. *Responsibilities.* The Academic Affairs Committee is responsible for policy development and oversight of all academic matters on campus such as curricula and the establishment and scrutiny of procedures for course and program changes. It recommends programs, program changes, and policies and policy changes to the University Senate. The Academic Affairs Committee serves as the Senate's liaison to the administration on Academic matters. The committee also serves as an advisory board for the Vice President for Academic Affairs, who shall be informed of all forthcoming agenda items.

4. *Subcommittees.* In order to discharge its responsibilities more effectively, the Committee may establish subcommittees by its own procedures. The responsibilities, size and composition of subcommittees are left to the discretion of the Academic Affairs Committee subject to review and consultation with the University Senate Executive Committee. The Committee shall cause an adequate record of each subcommittee's activities to be included with the Committee's annual report to University Senate as provided in Article V, Section 1, Paragraph B, part 3.

5. *Report.* Following each meeting of the Committee, a report of all (1) actions taken (2) policies recommended, and (3) future agenda items, shall be sent to the University Senate Executive Committee, the President of the Student Association, and such others as the Committee may designate.

#### **b. General Education Committee**

1. *Membership and Terms.* There shall be one representative elected from each of the Senate's academic electoral units (Arts, Business, Education, Humanities, Music, Natural Sciences, and Social Sciences) and one elected from the Library faculty. Members of the Committee shall serve staggered three-year terms. Representatives may serve for only two consecutive three-year terms (6 years), but may seek re-election in the future. Members of the Committee shall be elected in the spring of the academic year. The Committee shall also include the following non-voting members appointed annually by their group: the Chair (or designate) from the University Assessment Committee, and a student representative. Further, the Committee shall include the Director of the College Core Curriculum as an *ex officio* member.

2. *Officers.* All voting Committee members shall be eligible to serve as an officer. Each academic year, the Committee shall elect the officers of Chairperson and Secretary by the end of the Spring semester. The duties of the Chair and Secretary shall be those normally associated with such titles, with the exception that the Secretary shall also serve as Vice-Chair in the absence of the Chair. Each officer will serve a one-year academic term and may be re-elected. The slate of elected officers shall be reported to the Governance Officer, the University Senate

Secretary, and the Chairperson of the University Senate. The Director of the CCC shall not serve as an officer of the Committee.

3. *Responsibilities.* The Committee is responsible for the integrity of the General Education Program and its implementation. The Committee shall receive, consider and approve courses proposed for inclusion in the College Core Curriculum. The Committee shall also be responsible for recommending to the University Senate any changes to the requirements of the College Core Curriculum. Further, the Committee shall engage in and actively share in assessment of the General Education Program.

4. *Subcommittees.* In order to discharge its responsibilities more effectively, the Committee may establish subcommittees by its own procedures. The responsibilities, size and composition of subcommittees shall be left to the discretion of the General Education Committee, subject to review and consultation with the University Senate Executive Committee. The Committee shall cause an adequate record of each subcommittee's activities to be included with the Committee's annual report to University Senate as provided in Article V, Section 1, Paragraph B, part 3.

5. *Report.* The Chair of the Committee shall submit an annual report to the University Senate for the Senate's May meeting.

**c. Faculty and Professional Affairs Committee**

1. *Membership and Terms.* The Committee shall be composed of one Faculty member elected from each of the Senate's seven academic electoral units (Arts, Business, Education, Humanities, Music, Natural Sciences, and Social Sciences) as well as one elected from the Library faculty, one Professional member elected from each of the Senate's four Professional Staff/Management electoral units (Academic Affairs, Administration, Student Affairs, and University Advancement), and one Non-Tenure-Track Faculty representative elected from any one of the seven academic electoral units. There shall be no student members. Members of the Committee shall serve staggered three-year terms and shall be elected in the spring of the academic year. If a position becomes vacant, either through a lack of candidates from an electoral unit or because a Committee member is unable to complete his or her term, the Governance Officer may appoint a representative from that electoral unit to fill that vacancy. If no one from that electoral unit is able to serve, the Governance Officer may appoint a representative from any other electoral unit. However, no electoral unit shall have more than two members on the Committee.

2. *Officers.* By the end of the Spring semester of each academic year, there shall have been elections for officers as deemed appropriate by the committee. Such officers will be reported to the Governance Officer, the Faculty Secretary, and the Chairperson of the University Senate. Officers may be re-elected.

3. *Responsibilities.* The Faculty and Professional Affairs Committee is responsible for recommending policy on all matters on campus relating to the welfare of the faculty and professional staff except for those matters which contractually are the responsibility of the union representing the faculty and professional staff. This committee also serves as an advisory board for the President of the University.

4. *Subcommittees.* In order to discharge its responsibilities more effectively, the Committee may establish subcommittees by its own procedures. The responsibilities, size and composition of the subcommittees are left to the discretion of the Faculty and Professional Affairs Committee, subject to review by and consultation with the University Senate Executive Committee. The Committee shall cause an adequate record of each subcommittee's activities to be included with the Committee's annual report as provided in Article V, Section 1, Paragraph B, part 3.

**d. Graduate Council**

1. *Membership and Terms.* The Graduate Council shall consist of one appointed faculty member representing each department with a graduate program; two elected members from the faculty-at-large; one graduate student recommended by the Council members and appointed by the Student Association; and the Associate Vice President for Research and Graduate Studies. Appointed members serve at the discretion of their departments. Elected representatives shall serve three-year terms.

2. *Officers.* The presiding officer of the Council is the Associate Vice President for Research and Graduate Studies, and the Graduate secretary will attend meetings and prepare reports on proceedings. The Associate Vice President of Research and Graduate Studies will organize an agenda for each meeting, and each member may propose agenda items for the Council's consideration. All members will cast equal votes whenever decisions are made.

3. *Responsibilities.* The Graduate Council is charged to act as an advisory body to the Associate Vice President for Research and Graduate Studies responsible for overseeing program quality and support Master's degree programs that provide a sound education for graduate students, lead to advanced qualification in the professions and disciplines, and generate new knowledge through the research and publication of its faculty and students. The Council's primary functions are to approve graduate course additions and deletions, to develop standards for admission, to oversee matriculation and graduation standards, and to recommend new and/or revised graduate programs and policies to the Vice President for Academic Affairs and the University Senate.

4. *Subcommittees.* In order to discharge its responsibilities more effectively, the Council may establish subcommittees by its own procedures. The responsibilities, size and composition of subcommittees are left to the discretion of the Graduate Council subject to review and consultation with the University Senate Executive Committee. The Council shall cause an adequate record of each subcommittee's activities to be included with the Council's annual report to University Senate as provided in Article V, Section 1, Paragraph B, part 3.

5. *Reports.* Following each meeting of the Council, a report of all actions taken and policies recommended shall be sent to the Vice President for Academic Affairs and the Executive Committee of University Senate.

#### e. Student Affairs Committee

1. *Membership and Terms.* The Committee shall be comprised of seven members of the faculty and professional staff and seven student members. The seven faculty and professional staff (three faculty, three professional staff, and one member of the library faculty) shall be elected by the faculty, staff, and library faculty and serve staggered three-year terms. The seven student members shall be as follows: the President and Vice President of the Student Association, the Freshman, Sophomore, Junior and Senior Class Presidents, and the Graduate Student Representative. If for some reason the elected officers, class presidents, or representative cannot serve, the Student Association will appoint their replacements to serve on the Committee. The student members will become committee members at the start of the semester of their election or upon their appointment. Non-student members of the Committee shall be elected in the spring of the academic year. The Vice President for Student Affairs and the Assistant Vice President for Student Affairs will serve as *ex-officio* members.

2. *Officers.* By the end of the Spring semester of each academic year, there shall have been elections for a Chairperson, a Vice Chairperson, and a Secretary. Such officers will be reported to the Governance Officer, the Faculty Secretary, and the Chairperson of the University Senate. Officers may be re-elected.

3. *Responsibilities.* The Committee shall act as an advisory committee to the Vice President for Student Affairs upon matters related to Student Affairs, student governance, campus life and student welfare. In many cases, the Committee recommendations can be considered and addressed administratively by the Student Affairs Division. More formal Committee recommendations may be advanced to University Senate or to the President of the University by the Committee Chairperson or the Vice President for Student Affairs.

4. *Functions.* The Committee is responsible for recommending policy to the University Senate on all campus matters related to student welfare. This committee also serves as an advisory board for the Vice President for Student Affairs, who shall be informed of all forthcoming agenda items. The Vice President may also bring forward agenda items for committee consideration.

5. *Subcommittees.* In order to discharge its responsibilities more efficiently, the Committee may establish subcommittees by its own procedures. The responsibilities, size and composition of the subcommittees are left to the discretion of the Committee, subject to review and consultation with the University Senate Executive Committee. Subcommittees shall report to the parent committee at its regular meetings. The Committee shall cause an adequate record of each subcommittee's activities to be included with the Committee's annual report to University Senate as provided in Article V, Section 1, Paragraph B, part 3.

6. *Reports.* The committee shall send reports on its activities and proposals to the University Senate. A summary of each meeting shall be posted on the University Senate website. The Committee shall present a written annual report to the University Senate at the end of the academic year and an oral report during the fall semester.

#### **Section 4: Advisory Committee**

##### **a. Planning and Budget Advisory Committee**

1. *Membership and Terms.* The Executive Committee shall nominate and the University Senate shall approve the membership of a Planning and Budget Advisory Committee. The Committee shall have one representative each from the Arts, the Humanities, the Natural Sciences, the Social Sciences, and Education. There shall further be one representative of the Professional Staff and one of the Library Faculty. Committee members shall serve staggered three-year terms. Members of the Committee shall be appointed in the spring of the academic year. They may be re-nominated and re-appointed. The Executive Committee shall nominate its slate of members on the basis of their leadership experience and/or expertise in fiscal matters.

2. *Officers.* By the end of the Spring semester of each academic year, there shall have been elections for a Chairperson, a Vice Chairperson, and a Secretary. Such officers will be reported to the Governance Officer, the Faculty Secretary, and the Chairperson of the University Senate. Officers may be re-elected.

3. *Responsibilities.* The Committee shall act as an advisory committee to the President upon matters relating to the long-range plans and budget of the University. The Committee shall assist the President or his/her designees in preparing the annual University budget and shall be consulted regarding all major resource decisions. The Committee shall initiate and develop goals and long-range plans for the University, as embodied in the University Mission and Vision Statements. These shall be submitted to the University Senate for consideration. Confidential matters shall be excluded from the minutes of the Committee.

4. *Functions.* The Committee shall monitor and make recommendations on budget decisions during the decision-making process in accordance with the calendar of the University budget processes. The Committee shall recommend changes in budget formulation and allocation

procedures necessary to achieve the short- and long-term goals of the academic programs of the University. The Committee shall provide systematic thought about the evolving educational mission and educational needs of the University, and their present and future budgetary implications, as well as useful early warnings of potential problems and early information on potential opportunities. The Committee shall consult on an *ad hoc* basis with the Strategic Planning Committee, Enrollment Management Committee, the Professional Development Center, the Graduate Council, Deans, Directors and Chairs, and appropriate University Senate committees as needed to prepare for regular meetings of the Long Range Planning Subcommittee.

5. *Subcommittees.* In order to discharge its responsibilities more effectively, the Committee may establish subcommittees by its own procedures. The responsibilities, size and composition of subcommittees are left to the discretion of the Committee, subject to review and consultation with the University Senate Executive Committee. Subcommittees shall report to the parent committee at its regular meetings. The Committee shall cause an adequate record of each subcommittee's activities to be included with the Committee's annual report to University Senate as provided in Article V, Section 1, Paragraph B, part 3.

6. *Reports.* The Committee shall send reports of its activities and proposals for action to the University Senate. The Committee shall present a written annual report to the University Senate at the end of the academic year and an oral report at the end of the fall semester.

## **Article VI: *Ad Hoc* Committees of the Faculty**

### **Section 1: Ad Hoc Committees**

#### **a. Selection of the President**

Representatives and/or committees of the academic and professional staff to participate in the selection and recommendation of a candidate for President shall be elected by their respective constituencies in an election to be supervised by the Governance Officer.

#### **b. Committees for the Selection of Certain Administrative Officers**

Committees to participate in the recruitment and selection of a Vice President, Associate Vice President or Dean shall be established by the University Senate as soon as its normal meeting schedule permits after the announcement of an impending vacancy, or the existence of a vacancy in any of these offices, or after the announcement that such an office is newly established.

In the case of all other administrative offices at the level of director or above, the Executive Committee shall be informed immediately by the President or divisional Vice President of an impending vacancy or the existence of a vacancy or after the decision that such an office is to be newly established. Upon such notification, the Executive Committee shall consult with the President regarding the vacancy. If the Executive Committee recommends to the University Senate that there be a selection committee appointed by the University Senate and if the Senate approves that recommendation, a selection committee shall be appointed. Such committees are not necessary when the position in question is a temporary, faculty-development position.

After consulting with the President, the Executive Committee of the University Senate shall nominate the members and the chairperson of such committees with the approval of the University Senate. Committee representation shall be appropriate for the area of responsibility of the office in question.

These Selection committees shall function in accordance with guidelines adopted by the University Senate and published in the Faculty Handbook.

These selection committees shall have the opportunity to:

1. Suggest candidates;
2. Have access to all candidates' papers;
3. Request that invitations to visit be extended to selected candidates;
4. Interview all appropriate candidates;
5. Transmit their recommendations to the appropriate authority.

**c. Administrative Review Policy**

Each Vice President and his or her division shall be reviewed by an Evaluation Committee whose members are jointly appointed and charged by the Chair of the University Senate and the President of the University, in consultation with the Executive Committee, after joint review of any previous Evaluation Committee reports on that Vice President and division. Both the composition and charge of the Evaluation Committee shall be subject to an up-or-down vote by the Senate. These reviews shall occur in the spring semesters of the second and fifth years of every Vice President's service, and every five years thereafter. The University Senate Secretary shall keep a schedule of the aforementioned reviews, and shall have the responsibility of reminding all concerned parties of upcoming reviews near the start of the preceding fall semester.

Each Evaluation Committee shall review the activities of the Vice President and his or her division since the last review, the problems, challenges, and current issues they face, and their immediate future needs. These committees shall endeavor to work closely with the Vice President being evaluated. Committee members shall solicit feedback from faculty, staff, and students, and shall hold all such feedback in strict confidence, so as to provide responders with absolute public anonymity. To promote responsibility, however, those providing written feedback must identify themselves to or be clearly identifiable by Evaluation Committee members. The Evaluation Committee shall be responsible for producing an objective and comprehensive report, tabulating quantifiable results, and editing prose comments to remove erroneous responses. The Evaluation Committee shall first submit its final report to the Vice President under review, who shall be given up to one week to respond to the report, in no more than 3,000 words. The Vice President's response must be sent electronically to the Chair of the Evaluation Committee and must be appended to the end of the final report. After the week to respond has passed, the Chair of the Evaluation Committee shall submit the final report (with a response appended, if applicable) to the President of the University, who shall hold it in the President's Office, where it shall be accessible to the Executive Committee. The Chair of the Evaluation Committee shall simultaneously submit a substantial and complete summary of the final report to the Chair of the Executive Committee for wider distribution. The Chair of the Evaluation Committee shall present the summary at the next meeting of the University Senate. Before this meeting, the Chair of the Evaluation Committee shall destroy all raw data gathered for the report, including but not limited to written memos or letters, electronic or written survey responses, emails, and recordings of interviews. Within a week after the aforementioned meeting of the University Senate, the Chair of the Evaluation Committee shall hold a confidential discussion of the report with the Executive Committee and the President of the University.

**d. Screening Committees**

These committees shall receive nominations for such special University awards as may be designated by the Chancellor's Office. From the names furnished, these committees may recommend, campus nominees for these awards to the campus President, in accordance with procedures established by the Office of the Chancellor. Membership, terms, and officers of such

committees may be designated by the Chancellor's Office or, when options are available, shall be determined by the University Senate.

### **Section 2: Other *Ad Hoc* Committees**

The University Senate shall establish such committees as are necessary to assist in carrying out its responsibilities and shall designate the size, composition and function of these ad hoc committees. Members of these ad hoc committees shall be nominated by the University Senate Chairperson with the approval of the University Senate.

## **Article VII: Amendment Procedures**

### **Section 1: Proposal**

Amendments to these bylaws may be recommended to the University Senate by one of the following methods:

- a. The Governance Officer may initiate the proposal for a change.
- b. The Governance Officer may transmit, with his/her recommendations, a proposal for a change presented to him/her by one or more faculty members.
- c. The University Senate may propose amendments to these bylaws on its own initiative.

### **Section 2: Ratification**

At the discretion of the University Senate Executive Committee, proposed amendments shall be ratified either by mail ballot or electronic ballot, where ratification is to occur upon receipt of affirmative votes equal to two-thirds of the number of faculty who return ballots, provided that at least one-quarter of the faculty return their ballots; or at a meeting of the faculty, provided that at least one-third of the faculty is in attendance, ratification to occur with an affirmative vote equal to two-thirds of those present and voting. Changes to the language of these bylaws to reflect minor editorial corrections, or changes in the current departments or other structure of the University, or changes in the current unit structure of Senate representation, shall be ratified only by an affirmative vote of two-thirds of the University Senate.

### **Section 3: Amendment by Petition and Special Meeting**

- a. Faculty members may petition for a special faculty meeting to consider amendments proposed in petition (see Article III, Section 2, Paragraph A). Such a petition requires the signatures of at least 10% of the faculty.
- b. The amendment is to be adopted upon an affirmative vote by written ballot of two-thirds of those present and voting, a quorum being present.

### **Section 4: Implementation**

Proposed amendments to these bylaws shall be categorized by the Governance Officer in one of two classes: those that affect provisions concerning consultation between the President and the Faculty and those that do not.

Amendments that affect consultation between the President and the Faculty will, upon ratification by the Faculty, be transmitted to the President by the Chairperson of University Senate. Within ten [10] business days, the President will submit a written statement of veto or approval to the Chair of University Senate. Failing this written response, amendments will become effective ten [10] business days after transmittal to the President.

Amendments that do not affect consultation between the President and the Faculty will go into effect upon ratification by the Faculty and written notice of voting results by the Chairperson of University Senate to the President.

*(All revisions approved in Senate, 4/2010)*

*(All revisions ratified by Voting Faculty, 4/2010)*

