

# CONSTITUTION OF THE FACULTY SENATE 3/26/01

## PREAMBLE

The faculty of the University of Wisconsin-Superior, acting under its authority in Chapter 36 of the Wisconsin Statutes, hereby adopts this Constitution of the Faculty.

The authority for faculty governance rests in Chapter 36 of the Wisconsin Statutes and in the customary role that faculty have played in the educational and academic activities of colleges and universities.

Chapter 36.09 (3&4) state the primary and consultative responsibilities of the faculty:

Chapter 36.09 (3) **THE CHANCELLORS.** The chancellors shall be the executive heads of their respective faculties and institutions and shall be vested with the responsibility of administering board policies under the Coordinating direction of the president and be accountable and report to the president and the board on the operation and administration of their institutions. Subject to board policy the chancellors of the institutions in consultation with their faculties shall be responsible for designing curricula and setting degree requirements; determining academic standards and establishing grading systems; defining and administering institutional standards for faculty peer evaluation and screening candidates for appointment, promotion and tenure; recommending individual merit increases; administering associated auxiliary services; and administering all funds, from whatever source, allocated, generated or intended for use of their institutions.

Chapter 36.09 (4) **FACULTY.** The faculty of each institution, subject to the responsibilities and powers of the board, the president and the chancellor of such institution, shall be vested with responsibility for the immediate governance of such institutions and shall actively participate in institutional policy development. As such, the faculty shall have the primary responsibility for academic and educational activities and faculty personnel matters. The faculty of each institution shall have the right to determine their own faculty organizational structure and to select representatives to participate in institutional governance.

The principle of shared governance, as understood by the faculty of the University of Wisconsin-Superior, is predicated upon two major concepts: (1) primary responsibility and (2) consultative responsibility.

Primary responsibility means the formal power to initiate action, carry out reviews and make recommendations which result in legislation and can be overruled only in rare instances for compelling reasons, which must be stated in detail.

Primary responsibility does not exclude the interests of the other party. Either party may initiate a request for action of the other whether it has primary responsibility or not. Consultative means a formal procedure or practice that provides a means to present a judgment in the form of a recommendation or vote in time to affect the decision being made.

The consultative process has six elements:

1. Consultation should occur early in the decision-making process.
2. The procedures for consultation should be uniform and fair to all parties.
3. There must be adequate time to formulate a response to a request for consultation.
4. Information relevant to the decision should be freely available.

5. The advice rendered must be adequately considered and feedback given.
6. The decision, when made, should be communicated to the consulting group.

This constitution recognizes the right of Academic Staff to be active participants in institutional governance pursuant to section 36.09(4m) of the Wisconsin Statutes. Academic Staff participation in faculty governance shall mean the right to participate on the appropriate standing Councils of the Faculty Senate and to address the Faculty Senate when recognized by its Chair.

Chapter 36.09(5) of the Wisconsin Statutes recognizes the right of students to be active participants in institutional governance. Student participation in faculty governance shall mean the right to participate on the appropriate standing Councils of the Faculty Senate and to address the Faculty Senate when recognized by its Chair.

## Article I: The Faculty Senate

Following custom and tradition, the faculty's governance rights and responsibilities at the all-university level shall be exercised through a representative body of the faculty to be known as the Faculty Senate of the University of Wisconsin-Superior. Unless otherwise stated, the term Faculty, whenever it appears within this document or its appendices, shall mean all members of the faculty currently serving in a .50 or greater faculty appointment. Departments and other units shall determine their own governance structures as long as these are consistent with state law and university policy.

## Article II: Membership, Representation and Elections

### 1. Composition of the Senate

- a. The senate shall be composed of representatives from each academic department, plus 2 at large faculty members elected from the faculty of the University.

### 2. Representation

- a. Each academic department of the university shall have one representative on the faculty senate.
- b. The faculty of the library shall be considered an academic department for purposes of representation on the faculty senate.
- c. The chair of the Academic Staff Council shall be invited to nominate two (2) academic staff to serve as non-voting delegates to the Faculty Senate.
- d. The Faculty Senate will appoint two (2) non-voting faculty members to the Academic Staff Council.
- e. The Student Government shall be invited to nominate two (2) non-voting delegates to the Faculty Senate.

### 3. Eligibility

- a. To be eligible to serve as a senator, a person must be a member of the faculty and have completed at least two academic years of unclassified service at the university.

### 4. Vacancies

- a. A senator who represents an academic department and transferred to another unit during his/her term shall be ineligible to continue as a senator for the academic department to which he/she was elected and this seat shall be declared vacant.

- b. Should a senator resign from the Faculty Senate or terminate affiliation with the faculty; leave the university for a period of sixty (60) days or more during the regular academic year, as in the instance of a leave-of-absence; or otherwise prove unable to perform senatorial duties, a special election shall be held for the purpose of filling the vacancy ad interim. Special elections shall take place at a time which would ensure that the constituency concerned would have continuous representation in the Faculty Senate. In the event that individual circumstances should create doubt as to whether or not a vacancy exists within the provisions of this clause, the Faculty Senate shall make a determination by a simple majority vote. The nomination and election procedures shall be prescribed in the same manner as those stipulated in section six (6) of this article and the By-laws.
- c. The electors of the academic departments or the faculty at large may petition for the recall of any or all of their respective Senate representatives at any time after the first year of the term for which they were elected. Recall petitions shall bear the signatures of the electors of the academic department concerned or the faculty at large equal to at least fifty (50) percent of the total number of qualified electors in the appropriate constituency. Upon verification of the signatures on the petition, the Senate shall hold a special election for the constituency concerned within five (5) university class weeks following the filing of the recall petition. The senator(s) against whom the petition shall have been filed shall continue to perform the duties of office while awaiting the results of the filing of the recall petition. Should a senator be recalled, a replacement shall be elected to fill the unexpired term of the recalled senator, and the replacement senator shall be eligible for election to the Senate on the same basis as if he or she had completed a full term.

## 5. Term of Office

- a. The term of service as a senator shall be three (3) years.
- b. A senator having served two consecutive three year terms in the Senate is ineligible for election or appointment as a senator for one year.

## 6. Elections

- a. The Secretary of the Faculty Senate shall be responsible for the conduct of all Senate elections. All details concerning elections not prescribed in these articles shall be formulated and approved by the Senate.
- b. Those persons who hold Faculty rank and who have been in the employ of the University throughout the academic year in which the Faculty Senate elections shall be conducted shall be eligible to vote for members of the Faculty Senate.
- c. Elections for Faculty Senators shall be held during the first two weeks in April. Nominating and voting procedures for the elections shall be prescribed by the Faculty of each Department in accordance with University Personnel Rules and open meeting laws. The Secretary of the Senate shall request nominations and self-nominations for the at-large faculty seats, distribute the ballot, receive the ballots, and report the results to the Senate. The Chief Academic Officer of the University shall determine the eligibility of electors and candidates, subject to the provisions of this Constitution, and shall furnish certified lists of the same to the Secretary of the Faculty Senate.

- d. The Faculty Senate shall reorganize itself in May, and newly elected Faculty Senators shall take office at the same Faculty Senate meeting. The Faculty Senate shall be the judge of the elections, the returns, and the qualifications of its own members.
- e. A notice of the annual or any special election to the Faculty Senate or to any of its councils must be distributed to the electorate at least two weeks prior to the election.
- f. All voting shall be by secret ballot.

## Article III: Officers of the Faculty Senate

### 1. Election of Officers

- a. The officers of the Faculty Senate shall be the Chair, Chair Pro Tempore, Faculty Representative, and Secretary.
- b. The Chair of the Faculty shall be directly elected by the faculty through secret ballot and shall serve a one-year term. The Chair of the Faculty shall serve no more than two consecutive terms. The Chair of the Faculty shall have a seat on the Senate, with full voting rights, and shall serve as the Chair of the Senate. An individual may not simultaneously serve as Chair of the Faculty and as a departmental or at-large member of the Faculty Senate.
- c. The Senate shall elect one of its members to serve as Senate Chair Pro Tempore. The Chair Pro Tempore shall chair meetings of the Faculty Senate in the absence of the Chair of the Faculty. The Chair Pro Tempore shall serve a one-year term.
- d. The Faculty Representative shall be elected by and from the members of the Faculty Senate and shall serve a one-year term. The Faculty Representative shall serve no more than two consecutive terms.
- e. The Secretary shall be elected by and from the members of the Faculty Senate. A vacancy in the office of secretary shall be filled for the remainder of the term by appointment of the Chair subject to confirmation by a majority of the Faculty Senate.
- f. The term for each office shall be one year. The term for each office shall begin at the seating of the new Faculty Senate in May of each year.

### 2. Duties of the Officers

- a. The Chair shall preside at all meetings of the Senate and the Executive Committee; shall prepare the agenda, make appointments not otherwise prescribed or denied, and coordinate the Senate councils in consultation with the Executive Committee; and shall be the Faculty Senate representative on institutional and system governance bodies except where otherwise designated in this constitution or decided by the Faculty Senate.
- b. The Chair Pro Tempore shall perform the duties of the chair in his/her absence, [and] shall serve on the Executive Committee.
- c. The secretary shall keep and distribute minutes of all Senate and Executive Committee meetings, shall maintain one complete record of such meetings in the Senate files, shall provide one for the university archives, and shall perform the duties of treasurer for the Senate.

## Article IV: Conduct of Senate Business

## 1. Meetings of the Senate

- a. The Senate shall hold at least one meeting in each month of the academic year. Meetings during the summer time shall be held as needed.
- b. The first meeting each year must be scheduled on the second Tuesday or a Tuesday as close to that day as possible.
- c. Special meetings may be called by the chair or as scheduled by the Senate. A special meeting must be called upon the written request of five members of the Senate.
- d. General faculty meetings, for the purpose of discussing issues of concern, can be convened whenever the chair of the Senate or a majority of the Senate desire broader input from the faculty. A petition by one-third of the faculty shall be sufficient to call a general faculty meeting.
- e. Two-thirds of the entire voting membership (10) including the Chair shall constitute a quorum.
- f. The chair shall appoint a parliamentarian.

## 2. The agenda

- a. The agenda is determined by the chair in consultation with the Executive Committee.
- b. The order of business shall be:
  - 1) Call to Order
  - 2) Approval of Minutes of Previous Meeting
  - 3) Report of the Chancellor (or designee) followed by Questions and Responses.
  - 4) Announcements
  - 5) Council Reports
  - 6) Old Business
  - 7) New Business
  - 8) Adjournment

## 3. Voting by Proxy

- a. In order to vote on any question a Senator must be present at the meeting at the time of the vote. No Senator shall vote by proxy.
- b. The same rule shall apply to proceedings of the Councils, task forces, and committees which shall be within the jurisdiction of the Faculty Senate.

## 4. Conduct of Business

- a. The newly revised edition of Robert's Rules of Order shall govern the conduct of the meetings of the Faculty Senate, its Councils, task forces, and committees.
- b. The Senate shall comply with the open meeting laws. Non-Senate members may speak at Senate meetings when recognized by the chair.

# Article V: The Executive Committee

## 1. Membership and Election

- a. The Executive Committee shall consist of five members: the Chair of the Faculty, Senate Secretary, Faculty Representative, Senate Chair Pro Tempore, and one other member of Senate (to be selected by Senate). All members of the Executive Committee shall be full voting members. The chairs of the Undergraduate Academic Affairs Council, Graduate Council, Personnel Council, and Planning, Budgeting, and Review Council serve as ex officio members.
- b. All terms shall be one year in length beginning on the second Tuesday in May or the beginning of the new Senate year.

## 2. Duties

- a. The Executive Committee shall aid the chair in establishing the agenda for Faculty Senate meetings, may suggest policies and the means of implementing them to the Faculty Senate, assist the chair in coordinating the Faculty Senate councils, and recommend to the interpretations of the Faculty Senate's Constitution. The Executive Committee may act on behalf of the Senate when the time frame does not permit the convening of the Faculty Senate. The Executive Committee must report all of its actions to the Faculty Senate at the next Faculty Senate meeting.

## Article VI: Councils and Committees

1. There shall be four Councils. They are: a) The Undergraduate Academic Affairs Council, b) the Personnel Council, (c) The Planning, Budgeting and Review Council, and (d) the Graduate Council.
2. The Faculty Senate shall establish standing committees when it deems them necessary for effective governance.
3. Representation and Responsibilities
4. The representation and responsibilities of the Councils are identified in the Bylaws.
5. The standing committees shall be accountable to the Faculty Senate and shall advise the Faculty Senate in carrying out its primary responsibility for governance.

## Article VII: Amendments to the Constitution

### 1. Procedures

- a. Amendments to this Constitution may be proposed by written petition of ten percent (10%) of the faculty or by majority vote of the Faculty Senate, and shall be ratified by a two-thirds majority of the faculty voting on the amendment.
- b. Notice of proposed amendments must be posted and distributed to eligible voters at least two weeks prior to the ratification vote.
- c. At least once every three (3) years, the Faculty Senate shall enter on its agenda the question of general revision of this Constitution. The Faculty Senate shall decide, by an absolute majority vote of the faculty Senators whether or not to devise procedures for general revision. The procedures subsequently devised shall be adopted by a simple majority vote of the Faculty Senators present and voting.

## Article VIII: Amendments to the Bylaws

### 1. Procedure

- a. Amendments to the Bylaws of this Constitution shall be made by majority vote of the Faculty Senate as a whole.
- b. Amendments to the Bylaws must be introduced at a regular meeting of the Faculty Senate and adopted at a subsequent regular meeting of the Faculty Senate.

## Article IX: Ratification

### 1. Procedure

- a. The Constitution and its Bylaws become effective when ratified by two-thirds of the eligible faculty voters casting ballots.
- b. Eligible faculty will cast their ballots by mail.
- c. Initial Senators will serve staggered terms. A lottery will be used to determine the sequence of re-election.