

**Idaho State University  
Faculty Constitution**

*Revised and approved by Provisional Faculty Senate on November 7, 2011*

**Preamble**

**Comment [C1]:** The subcommittee does not recommend major changes to the preamble.

To facilitate communication, understanding, and cooperation among the officers of Idaho State University, and to ensure the orderly development of educational programs and policies committed to our trust, we, the President and faculty of Idaho State University, do hereby subscribe to this Constitution establishing principles of organization, authority, and responsibility of the Idaho State University faculty. In adopting this Constitution the President and faculty of Idaho State University affirm our belief in academic freedom and responsibility as specified in the Idaho State Board of Education Governing Policies and Procedures and the American Association of University Professors 1940 Statement of Principles on Academic Freedom and Tenure.

Institutions of higher education are established for the common good and not to further the interest of either the individual faculty member or the institution as a whole, and the common good depends upon the free search for truth and its free exposition through scholarship.

Academic freedom is essential to these purposes and applies to teaching, research (including scholarly and creative activities), and service. Academic freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. Academic freedom in research is fundamental to the advancement of truth. Academic freedom in service is fundamental to the advancement of the common good and the development of educational programs and policies. Academic freedom should not be abridged or abused. Academic freedom carries with it duties correlative with rights.

Faculty are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.

Faculty are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Faculty are entitled to speak or write freely without institutional discipline or restraint on matters pertaining to faculty governance and development of educational programs and policies.

College and university faculty members are citizens, members of a learned profession, and officers of the educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for

the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

### Article I: Name

The Idaho State University faculty is comprised of ~~two~~<sup>three</sup> categories as defined by Article II.

**Comment [C2]:** Necessary change if “Administrative Faculty” category is eliminated

### Article II: Membership

~~THE FACULTY of the University shall comprise two categories of members hereinafter referred to as: 1) Academic Faculty, and 2) Administrative Faculty. Associated faculties constitute a third category: 3) Adjunct, Affiliate, and Visiting Faculty.~~

**Comment [C3]:** These sentences seem unnecessary if “Administrative Faculty” category is eliminated. Article II can simply proceed to set out the 2 faculty categories.

#### Section 1: ~~Academic~~<sup>University</sup> Faculty

~~The University Faculty includes all tenure-track and tenured faculty, as well as non-tenure track faculty with clinical, research, lecturer, and professional-technical appointments at 0.5 FTE or greater. This includes faculty at the rank of professor, associate professor, assistant professor, senior lecturer, associate lecturer, assistant lecturer, and instructors (all levels and designations), or the equivalent of any of these ranks.~~

**Comment [C4]:** Here and throughout the document, if “Administrative Faculty” category is eliminated, the subcommittee recommends reverting to the FS Handbook’s term for core faculty: “University Faculty”

~~The Academic Faculty of the University will include all Tenure track and Tenured faculty with appointments as Professor, Associate Professor, Assistant Professor, Instructor, Departmental chairpers ons and professional librarians. The Academic faculty also includes non-tenure track faculty, at 0.5 FTE or greater, with appointments as Instructor (all levels and designations), Lecturer, Associate Lecturer, Assistant Lecturer, Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, Clinical Instructor, Research Professor, Research Associate Professor, and Research Assistant Professor.~~

**Comment [C5]:** The subcommittee likes the administration’s revised description in this section and recommends adopting it.

#### Section 2: ~~Administrative~~ Faculty

~~The Administrative Faculty of the University will include the President of the University, the Provost and Vice President for Academic Affairs, the Vice President for Research, the deans of the colleges, divisions and the university libraries, and all permanent administrative officials who are qualified to hold academic rank and are designated as members of the administrative faculty by the President.~~

**Comment [C6]:** Following administration’s recommendation, the subcommittee recommends *eliminating* the category of “Administrative Faculty.” This category is redundant, since all or nearly all “Administrative Faculty” *are also* “Academic Faculty” (now “University Faculty”). Thus the category serves no purpose in the document and only engenders confusion.

#### Section 2~~3~~: ~~Adjunct, Affiliate, and Visiting~~ Faculty

~~The Adjunct, Affiliate, and Visiting Faculty include those faculty with a limited contractual relationship with the University, including part-time (adjunct), non-compensatory (affiliate), and visiting faculty. These faculty have the privilege of participation without vote in meetings of the University Faculty. Individuals in this category are not part of THE FACULTY.~~

**Comment [C7]:** Changed if “Administrative Faculty” is eliminated.

**Comment [C8]:** Following the administration’s recommendation, the subcommittee recommends referring here to what such faculty *can* do rather than what they are *not*. This language is used in BSU’s constitution.

### Article III: Powers and Authority

#### Section 1: ~~General~~ University Faculty Governance

Recommendations are made to the President and the Provost and Vice President ~~of~~for Academic Affairs of the University.

**Comment [C9]:** Based on a recommendation from faculty, the subcommittee recommends this name change to more precisely capture the content of this section.

- a. ~~THE FACULTY~~The University Faculty has primary responsibility on matters of educational policy within the limits prescribed by federal and state law and the regulations of the Idaho State Board of Education. Educational policy pertains to such matters as curricula, methods of instruction, facilities and materials for instruction, standards for admission and retention of students, and criteria for the granting of degrees. It also includes those aspects of student life that relate directly to the educational process including the establishment of regulations concerning financial aid, academic performance, extracurricular activities, and freedom of action and expression.

~~—On these matters the power of review or final decision lodged in the governing Board or delegated by it to the President should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty. It is desirable that the faculty should, following such communication, have opportunity for further consideration and further transmittal of its views to the President or Board. Budgets, personnel limitations, the time element, and the policies of other groups, bodies, and agencies having jurisdiction over the institution may set justifiable limits to realization of faculty advice.~~

- b. ~~THE FACULTY~~The University Faculty has primary responsibility for policies and procedures governing the performance of research, scholarship and creative activities.
- c. ~~THE FACULTY~~ The University Faculty has primary responsibility for policies and procedures governing faculty appointment, tenure, and promotion.
- d. ~~THE FACULTY~~The University Faculty has primary responsibility for policies and procedures governing the performance of faculty service.

On matters described in a. through d. above, the power of review or final decision lodged in the governing Board or delegated by it to the President should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty. It is desirable that the faculty should, following such communication, have opportunity for further consideration and further transmittal of its views to the President or Board. Budgets, personnel limitations, the time element, and the policies of other groups, bodies, and agencies having jurisdiction over the institution may set justifiable limits to the realization of faculty advice.

**Comment [C10]:** Based on a recommendation from faculty, the subcommittee recommends moving this paragraph here to make clear that it applies to a. through d. above, and not just a.

- e. ~~THE FACULTY~~ The University Faculty will ~~normally function~~ carry out the responsibilities described in a. through d. above through its representative body, the Faculty Senate, or through the councils and committees established and maintained by the Senate (see Article V). (The governance responsibilities of the Graduate Faculty, a subset of the University Faculty, will be carried out by the Graduate

**Comment [C11]:** Based on a recommendation from faculty, the subcommittee recommends this change to clarify that any councils and committees that are established and maintained by the Senate may also act on behalf of the University Faculty.

Council.) However, ~~THE FACULTY~~ University Faculty will also have the rights of initiative and referendum, as specified in Article IV: Section 2.e and Section 3, Article V: Section 3.d, and in Article VI: Section 1.

**Comment [C12]:** The subcommittee recommends this addition to clarify that the Graduate Council is independent of the Senate and to explain why this is so.

### Section 2: College, School, Division, Department, and the Library

Within the limits of policies approved by the Idaho State Board of Education, the policies and practices within the particular college, school, division, department, or the library will be determined by the members of ~~THE FACULTY~~ the University Faculty of the specific college, school, division, department, or the library and will normally be implemented by the interested dean or chairperson.

## Article IV: Organization of ~~the University Faculty~~ HE FACULTY

### Section 1: Presiding Officer

The Chair of the Faculty Senate is the presiding officer of ~~the University Faculty~~ HE FACULTY. The Chair of the Faculty Senate or his or her designee will preside at the meetings of ~~the University Faculty~~ HE FACULTY, and will oversee the reporting and distribution of the non-transcribed summary of the meetings.

### Section 2: Meetings of ~~the University Faculty~~ HE FACULTY

#### a. Schedule

Meetings of ~~the University Faculty~~ HE FACULTY may be called by the President of the University or by the Chair of the Faculty Senate. The Chair of the Faculty Senate must call a meeting at the written petition of ten percent (10%) of ~~the University Faculty~~ HE FACULTY or a majority vote of the Senate.

#### b. Notice

Written notice of each meeting shall be circulated to ~~the University Faculty~~ HE FACULTY at least ~~three-five~~ business days prior to the date of the meeting. The agenda for each meeting will be attached to the notice.

**Comment [C13]:** The administration recommends this change. The subcommittee has no objection.

#### c. Quorum

Official business calling for a vote requires a quorum. Twenty percent (20%) of ~~the University Faculty~~ HE FACULTY constitutes a quorum. Members must be physically present at designated meeting sites. Proxy votes will not be recognized for absent individuals. The Office of the Provost and Vice President for Academic Affairs will provide ~~the Chair of the Faculty Senate, or no later than~~ September + 15<sup>th</sup> annually, the number of ~~Academic and~~ Administrative University Faculty as described in Article II.

**Comment [C14]:** The administration recommends this change, and the subcommittee agrees.

#### d. Procedure

Each member of ~~the University Faculty~~ HE FACULTY will have a free and equal voice in all deliberations. ~~University Academic and Administrative~~ Faculty members will be entitled to one vote each. In the absence of special regulations to the contrary, the most recent edition of Robert's Rules of Order as designated by

the Chair of the Faculty Senate shall govern the procedure of all meetings of ~~The University Faculty~~ ~~HE FACULTY~~.

e. Faculty Review of Senate or Presidential Action

- (1) ~~The University Faculty~~ ~~HE FACULTY~~ may override an action taken by the Faculty Senate. To override a specific action of the Faculty Senate, ~~the University Faculty~~ ~~THE FACULTY~~ may conduct a vote. A majority of those present and voting at a meeting of ~~the University Faculty~~ ~~THE FACULTY~~ may call for a vote of ~~the University Faculty~~ ~~THE FACULTY~~. According to the provisions of Article V: Section 3.d, such ballot will be accompanied by the minutes of the meeting sent to each member of ~~the University Faculty~~ ~~THE FACULTY~~. The ~~Chair of the Faculty Senate~~ ~~Faculty Ombudsperson~~ will administer, record and report the vote within the period of time specified in the Faculty Senate bylaws for faculty-wide referendums. A vote of ~~the University Faculty~~ ~~THE FACULTY~~ requires a two-thirds majority of those casting a vote (with abstentions not counting as votes) to override a Faculty Senate action.
- (2) ~~The University Faculty~~ ~~THE FACULTY~~ may ~~officially~~ ~~formally~~ oppose a University Presidential action following the procedure specified in Article IV: Section 2.e.(1). A vote of the faculty requires a two-thirds majority of those casting votes (with abstentions not counting as votes) to ~~officially~~ ~~formally~~ oppose an action of the University President. The Chair of the Faculty Senate will communicate the results of such a vote to all faculty and to the Idaho State Board of Education if a two-thirds margin is achieved.

**Comment [C15]:** The administration recommends this change, and the subcommittee has no objection.

f. Financial Support

Financial support for meetings of ~~the University Faculty~~ ~~THE FACULTY~~ will be provided by the Office of the Provost ~~and Vice President for Academic Affairs~~ ~~in negotiation with the Chair of the Faculty Senate~~.

**Comment [C16]:** The subcommittee recommends striking this phrase, based on a suggestion from administration. Administration recommends referring to *official* meetings here, but we think it is clear, in the context, that it is only the (official) meetings described in this article that are in question.

### Section 3: Faculty Referenda

An alternate means to initiate a vote of ~~the University Faculty~~ ~~THE FACULTY~~ is a petition signed by at least twenty percent (20%) of ~~the University Faculty~~ ~~THE FACULTY~~. Such a petition must conform to procedures specified in the Faculty Senate bylaws.

## Article V: The Faculty Senate

### Section 1: Membership

a. Composition

- (1) ~~Academic Faculty~~ ~~University Faculty~~; Voting Members
  - (a) Each ~~division, and each college that is not within a division, college or division~~ will be entitled to at least two ~~Academic Faculty~~ ~~University Faculty~~ representatives to the Faculty Senate. ~~The library, as well as regional sites with 15 or more University Faculty in residence, will each be entitled to at least one University Faculty representative, except the library, which will be~~

~~entitled to at least one Academic Faculty representative. Any additional units identified in the Faculty Senate bylaws will receive at least one representative. Academic Faculty~~ University Faculty representatives will be elected by the ~~Academic Faculty~~ University Faculty in the unit, college or division of the University.

(b) Senate representation for each college, division, regional site, and the library will be determined on the ratio of one Senator per 25 ~~Academic Faculty~~ University Faculty ~~in the college or division of the University in the unit. (Units with 51 University Faculty receive 2 Senators; units with 75 University Faculty receive 3 Senators, and so on.); No faculty member may be counted more than once in assigning representation to these units.~~

**Comment [C17]:** The subcommittee recommends this revised language as a reasonable alternative for the representation of faculty at "regional sites." This language designates a representative for each "regional site" with at least 15 University Faculty, and with the last sentence in (b) it avoids "double counting."

(c) Every January at the first meeting of the spring semester, the Provost and Vice President for Academic Affairs will provide the Faculty Senate data on faculty membership. The Faculty Senate will review the apportionment of the faculty from each college, division, or unit as specified in the bylaws of the Faculty Senate.

(2) Nonvoting Members

(a) The ~~p~~President of ASISU or his or her designee.

(b) The President of the University or his or her designee.

(c) The Provost and Vice President for Academic Affairs or his or her designee.

(d) ~~The dean of each unit, college, division, and the library. Additional non-voting members may be specified in the Faculty Senate Bylaws.~~

**Comment [C18]:** The subcommittee recommends these changes

b. Selection

~~Academic Faculty~~ University Faculty Senators will be elected by each college, division, or unit of the University. Faculty with administrative appointments at the level of department chairperson or above are not eligible to serve as Senators.

**Comment [C19]:** The subcommittee recommends this addition.

c. Term of Office

Elected members normally will serve for three years. Initially, provision shall be made for rotating terms of office so that one third of the Senate seats will be vacated each year.

d. Responsibility

~~All members of the Senate are uninstructed representatives. Having sought the counsel and advice of their colleagues, Senate members will be free to exercise their own judgment on matters of decision and vote. Senators are encouraged and expected to consult their constituencies; however, they are free to exercise their own judgment when voting.~~

**Comment [C20]:** Faculty expressed confusion over the original language here. Alan Frantz recommends this revision, and we agree

e. Restructuring

Newly created colleges and divisions of the University will be represented as provided in Article V, Section 1-a.(1-3). Implementation will be in accordance with the bylaws of the Faculty Senate.

**Comment [C21]:** Section 1a.(1) is the accurate reference here.

## Section 2: Authority and Functions of the Faculty Senate

a. Authority

The Faculty Senate will have the authority and responsibility to act on behalf of ~~the University Faculty~~ **THE FACULTY**. Actions of the Faculty Senate will be effective without approval of ~~the University Faculty~~ **THE FACULTY**, except that such actions will be subject to challenge, by ~~the University Faculty~~ **THE FACULTY** (as specified in Article IV: Section 2, Paragraph e.) ~~or by the President of the University.~~

**Comment [C22]:** Based on a recommendation from faculty, the subcommittee recommends deleting this phrase. The President does not "challenge" actions of the senate, but instead accepts or rejects its recommendations as described in Article III.

b. Functions

Within the framework established by the Idaho State Board of Education, the Faculty Senate will, as the representative body of ~~the University Faculty~~ **THE FACULTY**:

- (1) Recommend to the President and Provost and Vice President ~~of for~~ Academic Affairs requirements for admission and for degrees.
- (2) Make recommendations to the President and Provost and Vice President ~~of for~~ Academic Affairs regarding all proposals for new courses and curricula, changes in established curricula, and curricular policies involving relationships between colleges, divisions, or units.
- (3) Recommend to the President and Provost and Vice President ~~of for~~ Academic Affairs criteria for academic rank, tenure, and professional welfare.
- (4) Provide for the review and mediation of disputes involving professional ethics and grievances.
- (5) Recommend to the President and Provost and Vice President of Academic Affairs policies and procedures governing the performance of research, scholarship and creative activities.
- (6) ~~Establish and M~~ **maintain** such committees and councils as are necessary for the implementation of Article III: Section 1 of this Constitution.
- (7) Receive and consider reports from committees and councils and take appropriate action thereon.
- (8) Inform ~~the University Faculty~~ **THE FACULTY** of its actions.

**Comment [C23]:** Subcommittee recommends this minor addition.

## Section 3: Organization of the Senate

a. Officers

The Senate shall elect annually from among its voting members a Chair and Vice Chair.

b. Meetings

(1) Regular and special meetings of the Faculty Senate will be held throughout the academic year at times specified in the bylaws.

(2) Regular and special meetings of the Faculty Senate are open.

~~(3) Non-Senate members may only address the Senate when called upon by the Faculty Senate presiding officer.~~

**Comment [C24]:** A Senator recommended deleting this sentence and taking it up, if necessary, in the Bylaws.

c. Rules

The Faculty Senate is empowered to make rules governing its own organization and procedures subject to the conditions of this Constitution, ~~and the following:~~

~~(1) A simple majority of voting members of the Senate members will constitute a quorum. If quorum is lost, the meeting will be immediately adjourned and the discussion will continue at the next regularly-scheduled meeting or special session of the Faculty Senate.~~

~~(2) A digest of the Senate meeting minutes will be distributed to THE FACULTY without delay.~~

**Comment [C25]:** The subcommittee recommends deleting this passage as unnecessary. The Bylaws can take up these matters if necessary.

d. Agenda

At least three business days prior to any Senate meeting, the Chair of the Faculty Senate will have an agenda published and distributed to ~~the University Faculty~~THE FACULTY. Any item submitted by at least ten percent (10%) of ~~the University Faculty~~THE FACULTY through petition must be placed on the agenda for the next regular Senate meeting. Items not on the agenda of a given meeting may not be brought to formal vote at that meeting without unanimous consent of those voting members present.

**Comment [C26]:** Addition to remove ambiguity.

## Article VI: Amendment

### Section 1: Of the Constitution

Amendments may be proposed by either:

- a. A two-thirds vote of the Senate present and voting, or
- b. Twenty percent (20%) of ~~the University Faculty~~THE FACULTY through initiative petition presented to the Chair of the Senate.

The proposed amendment to the Constitution will be placed on the agenda of the next regular meeting of the Senate for open discussion. A written copy of the proposed amendment, including explanation and justification, will be distributed to each member

of [the University Faculty](#)~~THE FACULTY~~, after which it will be submitted to a special meeting of [the University Faculty](#)~~THE FACULTY~~ for discussion. An amendment thus submitted will become part of the Constitution when approved by secret ballot by a two-thirds majority vote of [the University Faculty](#)~~THE FACULTY~~, in accordance with the Faculty Senate bylaws regarding university-wide referendums.

**Section 2: Of the Bylaws**

The bylaws may be amended by a two-thirds vote of the Senate, present and voting.