

1 Idaho State University
2 Faculty Constitution

3 ~~Revised and approved~~Draft Proposed by Provisional Faculty Senate on November 7,
4 2011 Administration 1-18-2012

5
6 Preamble

7 To facilitate communication, understanding, and cooperation among the ~~officers~~faculty and
8 administration of Idaho State University, and to ensure the orderly development of
9 educational programs and policies committed to our trust, we, the President and faculty of
10 Idaho State University, do hereby subscribe to this Constitution establishing principles of
11 organization, authority, and responsibility of the Idaho State University faculty.

12 In adopting this Constitution the President and faculty of Idaho State University affirm our
13 belief in academic freedom and responsibility in teaching and research as specified in the
14 Idaho State Board of Education Governing Policies and Procedures ~~and the American~~
15 ~~Association of University Professors 1940 Statement of Principles on Academic~~
16 ~~Freedom~~(Section III.B) and Tenure~~applicable state and federal law.~~

17
18 ~~Institutions of higher education are established for the common good and not to further the~~
19 ~~interest of either the individual faculty member or the institution as a whole, and the~~
20 ~~common good depends upon the free search for truth and its free exposition through~~
21 ~~scholarship.~~

22
23 ~~Academic freedom is essential to these purposes and applies to teaching, research~~
24 ~~(including scholarly and creative activities), and service. Academic freedom in teaching is~~
25 ~~fundamental for the protection of the rights of the teacher in teaching and of the student to~~
26 ~~freedom in learning. Academic freedom in research is fundamental to the advancement of~~
27 ~~truth. Academic freedom in service is fundamental to the advancement of the common~~
28 ~~good and the development of educational programs and policies. Academic freedom~~
29 ~~should not be abridged or abused. Academic freedom carries with it duties correlative with~~
30 ~~rights.~~

31
32 ~~Faculty are entitled to freedom in the classroom in discussing their subject, but they~~
33 ~~should be careful not to introduce into their teaching controversial matter which has no~~
34 ~~relation to their subject.~~

35
36 ~~Faculty are entitled to full freedom in research and in the publication of the results, subject~~
37 ~~to the adequate performance of their other academic duties; but research for pecuniary~~
38 ~~return should be based upon an understanding with the authorities of the institution.~~

39
40 ~~Faculty are entitled to speak or write freely without institutional discipline or restraint~~
41 ~~on matters pertaining to faculty governance and development of educational programs~~
42 ~~and policies.~~

1 ~~College and university faculty members are citizens, members of a learned profession, and~~
2 ~~officers of the educational institution. When they speak or write as citizens, they should be~~
3 ~~free from institutional censorship or discipline, but their special position in the community~~
4 ~~imposes special obligations. As scholars and educational officers, they should remember~~
5 ~~that the public may judge their profession and their institution by their utterances. Hence~~
6 ~~they should at all times be accurate, should exercise appropriate restraint, should show~~
7 ~~respect for the opinions of others, and should make every effort to indicate that they are not~~
8 ~~speaking for the institution.~~

9
10
11 **Article I: Name**

12 The Idaho State University faculty is comprised of two categories as defined by Article II.

13
14 **Article II: Membership**

15 **Section 1: University Faculty**

16 The University Faculty (voting faculty) includes all tenured, tenure-track, and tenured
17 faculty, as well as non-tenure track faculty with clinical, research, lecturer, and professional-
18 technical appointments at 0.5 FTE or greater. This includes faculty at the rank of professor,
19 associate professor, and assistant professor, senior lecturer, associate lecturer, assistant
20 lecturer, and lecturers on continuing contracts; and professional-technical instructors (all
21 levels and designations); or the equivalent of any of these ranks, at 0.5 FTE or greater.

22
23 **Section 2: Adjunct, Affiliate, and Visiting Faculty**

24 ~~The Adjunct, Affiliate, and Visiting Faculty include those faculty with a limited contractual~~
25 ~~relationship with the University, temporary appointments (non-voting faculty), including~~
26 ~~part-time (adjunct), non-compensatory (affiliate), and visiting Visiting faculty. These,~~
27 ~~Lecturers on temporary contracts, Adjunct faculty (part-time), Affiliate faculty (non-~~
28 ~~compensatory); and emeritus faculty, have the privilege of participation without vote in~~
29 meetings of the University Faculty.

30
31 **Article III: Powers and Authority**

32 **Section 1: University Faculty Governance**

33 ~~Recommendations are made~~The University Faculty make recommendations, and
34 provide advice and comment, to the University President and the Provost and Vice
35 President for
36 Academic Affairs of on matters related to educational policies and procedures, and
37 academic affairs. Shared faculty governance is most effective when the University
38 Faculty participate fully in discussion of issues at meetings of the faculty, and through
39 service on University committees and councils.

1 a.— The University Faculty has primary responsibility on matters of educational
2 policy within the limits prescribed by federal and state law and the regulations of the
3 Idaho State Board of Education. Educational policy pertains to such matters as
4 curricula, methods of instruction, facilities and materials for instruction, standards
5 for admission and retention of students, and criteria for the granting of degrees. It
6 also includes those aspects of student life that relate directly to the educational
7 process.

8 ~~those aspects of student life that relate directly to the educational process~~
9 ~~including the establishment of regulations concerning financial aid, academic~~
10 ~~performance, extracurricular activities, and freedom of action and expression.~~
11

12 b.— The University Faculty has primary responsibility for policies and procedures
13 governing the performance of research, scholarship and creative activities.

14 c.— The University Faculty has primary responsibility for policies and procedures
15 governing faculty appointment, tenure, and promotion.
16

17 d.— The University Faculty has primary responsibility for policies and procedures
18 governing the performance of faculty service.
19

20 ~~On matters described in a. through d. above, the power of review or final decision~~
21 ~~lodged in the governing Board or delegated by it to the President should be exercised~~
22 ~~adversely only in exceptional circumstances, and for reasons communicated to the~~
23 ~~faculty. It is desirable that the faculty should, following such communication, have~~
24 ~~opportunity for further consideration and further transmittal of its views to the President~~
25 ~~or Board. Budgets, personnel limitations, the time element, and the policies of other~~
26 ~~groups, bodies, and agencies having jurisdiction over the institution may set justifiable~~
27 ~~limits to the realization of faculty advice.~~
28

29 e.— The University Faculty will carry out the responsibilities described in a. through
30 d. above through ~~d. above~~ through its elected, representative ~~body, the bodies,~~
31 including a Faculty Senate, ~~or through the (see Article V), and -other such elected,~~
32 representative, university-level councils and committees as may be established ~~and~~
33 ~~maintained by the Senate (see Article V). (The~~ pursuant to Board policy; and by
34 participation in local governance ~~responsibilities of the Graduate Faculty, a subset of~~
35 ~~the committees within the colleges/academic units.~~ University Faculty, ~~will be~~
36 ~~carried out by the Graduate Council.) However, University Faculty will~~ also have the
37 rights of initiative and referendum, as specified in Article IV: Section 2.e ~~and Section~~
38 3, Article V: Section 3.d, and ~~in~~ Article VI: Section 1.

39 **Section 2: College, School, Division, Department, and the Library**

40 Within the limits of policies approved by the Idaho State Board of Education, and
41 University policies and procedures, the ~~policies and practices within the particular~~

1 University Faculty of each academic unit (college, school, division, department, or the
2 library) will develop specific policies and practices in collaboration with the relevant
3 dean and/or department chair for implementation within the academic unit.

4 ~~will be determined by the members of the University Faculty of the specific~~
5 ~~college, school, division, department, or the library and will normally be~~
6 ~~implemented by the interested dean or chairperson.~~
7
8

9 **Article IV: Organization of the University Faculty**

10 **Section 1: Presiding Officer**

11 The President of the University or his or her designee will preside at regularly scheduled
12 meetings of the University Faculty. The Chair of the Faculty Senate is the presiding
13 officer of the ~~University Faculty~~ Senate. The Chair of the Faculty Senate or his or her
14 designee will preside at ~~the meetings of the University Faculty, and will oversee the~~
15 ~~reporting and distribution of the non-transcribed summary of the~~ special meetings of the
16 University Faculty, scheduled following receipt of a petition from the University Faculty
17 (see Section 2.a below).

18 19 **Section 2: Meetings of the University Faculty**

20 a.— Schedule

21 Meetings of the University Faculty may be called by the ~~President of the~~ University
22 President, Provost, or by the Chair of the Faculty Senate. The Chair of the Faculty
23 Senate must call a meeting at the written petition of ~~ten percent (10)~~ one-third (33%)
24 of the ~~University-eligible voting faculty. Such a petition must conform to~~
25 procedures specified in the Faculty ~~or a majority vote of the~~ Senate: bylaws.

26 27 b.— Notice

28 Written notice of each meeting shall be circulated to the University Faculty at least
29 five business days prior to the date of the meeting. The agenda for each meeting
30 will be attached to the notice.

31 c.— Quorum

32 Official business calling for a vote ~~requires a quorum. Twenty percent (20%) of the~~
33 University Faculty ~~constitutes~~ requires a quorum: (51% of the eligible voting faculty).
34 Members must be physically present at designated meeting sites. Proxy votes will
35 not be recognized for absent individuals. The Office of the Provost and Vice
36 President for Academic Affairs will provide the Chair of the Faculty Senate, no later

1 than September 15th annually, the number of University Faculty as described in
2 Article II.

3 ~~annually, the number of University Faculty as described in Article II.~~

4
5 d.— Procedure

6 Each member of the University Faculty will have a free and equal voice in all
7 deliberations. University Faculty members will be entitled to one vote each. In the
8 absence of special regulations to the contrary, the most recent edition of Robert's
9 Rules of Order ~~as designated by the Chair of the Faculty Senate~~ shall govern the
10 procedure of all meetings of the Faculty Senate and any special meetings of the
11 University Faculty called by the Chair of the Faculty Senate.

12
13 e.— Faculty Review of Senate or Presidential Action

14 (1) ~~The University Faculty may override an action taken by the Faculty Senate~~ or its
15 failure to act on an initiative petition from the University Faculty. To override a
16 specific action of the Faculty Senate, the University Faculty may conduct a vote.
17 ~~A majority of those present and voting at a meeting of the University Faculty may~~
18 ~~call for a vote of the University Faculty. A petition signed by one-third (33%) of~~
19 ~~the eligible voting faculty is required.~~ According to the provisions of Article V:
20 Section 3.d, such ballot will be accompanied by the minutes of the meeting sent
21 to each member of the University Faculty. The Faculty Ombudsperson will
22 administer, record and report the vote within the period of time specified in the
23 Faculty Senate bylaws for faculty-wide referendums. A vote of the University
24 Faculty requires a two-thirds majority approval by sixty percent (60%) of those
25 casting a vote (with abstentions not counting as votes) the eligible voting faculty to
26 override a Faculty Senate action.

27
28 (2) ~~The University Faculty may formally oppose a University Presidential action~~
29 following the procedure specified in Article IV: Section 2.e. ~~(1). A vote of the~~
30 ~~faculty requires a two-thirds majority of those casting votes (with abstentions not~~
31 ~~counting as votes) 1) above. A vote of the University Faculty cannot be called to~~
32 ~~address personnel issues. A vote of the University Faculty requires approval by~~
33 ~~sixty percent (60%) of the eligible voting faculty~~ to formally oppose an action of
34 the University President. The Chair of the Faculty Senate will communicate the
35 results of such a vote to all faculty the President, the University Faculty and ~~to~~
36 the Idaho State Board of Education ~~if a two-thirds margin is achieved.~~

37
38 f. Financial

39 Support

40 ~~Financial support for meetings of the University Faculty will be provided by the~~

~~Office of the Provost and Vice President for Academic Affairs.~~

~~Section 3: Faculty
Referenda~~

~~An alternate means to initiate a vote of the University Faculty is a petition signed by at least twenty percent (20%) of the University 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) ~~University Faculty; Voting Members~~

~~(a) Each division, and each college that is not within a division, will be entitled to at least two University Faculty representatives to the Faculty Senate.~~

~~The library, as well as regional Division of Health Sciences, the colleges, remote campus sites with 15 or more University Faculty in residence, resident faculty, and the Library will each be entitled to at least one University Faculty representative. ~~University Faculty representatives will be elected by the University Faculty in the unit, college or division of the University.~~~~

~~(b) to the Faculty Senate. Additional Senate representation for the Division and each college, division, regional site, and the library will be determined on the ratio of one Senator per for every 25 University Faculty in the ~~unit. (Units with 51 University Faculty receive 2 Senators; academic unit. Representation of faculty located at remote sites will be determined by the relevant academic units with 75.~~ University Faculty representatives will be elected by the University Faculty in the Division, colleges, or Library.~~

~~University Faculty receive 3 Senators, and so on.) No faculty member may be counted more than once in assigning representation to these units.~~

~~(c) Every January at the first meeting of the spring semester (b) No later than January 31st each year, the Provost and Vice President for Academic Affairs will provide the Faculty Senate data on faculty membership by academic unit. The Faculty Senate will review the apportionment of the faculty from the Division of Health Sciences and each college, ~~division,~~ or unit as specified ~~in the bylaws of the Faculty Senate.~~ (a) above.~~

(2) ~~Nonvoting Members~~

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

2
3 (b) ~~The President of the University or his or her designee.~~

4 (e)

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

6 ~~(d)~~

7 (d) Additional non-voting members may be specified in the Faculty Senate

8 Bylaws.

9 ~~Bylaws.~~

10
11 b.— Selection

12 University Faculty Senators will be elected by the voting faculty in the Division,
13 colleges, and Library. Elections will be conducted each college, division, or
14 unit Spring. Distribution of the University Senate seats among the Division, and
15 the colleges' divisions, schools, and departments will be determined by the
16 Division and the colleges. Faculty members with administrative appointments at
17 the level of department chairperson or above are not eligible to serve as
18 Senators.

19
20 c.— Term of Office

21 Elected members normally will serve for three years. Initially, provision shall be
22 made for rotating terms of office so that one-third of the Senate seats will be
23 vacated each year. Senators may serve no more than two consecutive terms.

24
25 d.— Responsibility

26 Senators are encouraged and expected to consult their constituencies; however,
27 they are free to exercise their own judgment when voting.

28
29 e.— Restructuring

30 Newly created colleges and ~~divisions~~ higher level Divisions of the University will
31 be represented as provided in Article V: Section I.a.(1). Implementation will be in
32 accordance with the bylaws of the Faculty Senate.

1 **Section 2: Authority and Functions of the Faculty Senate**

2 a. — Authority

3 The Faculty Senate will have the authority and responsibility to act on behalf of
4 the University Faculty. Actions of the Faculty Senate will be effective without
5 approval of the University Faculty, except that such actions will be subject to
6 challenge by the University Faculty (as specified in Article IV: Section 2;
7 ~~Paragraph e.); e).~~

8 b. — Functions

9 Within the framework established by the Idaho State Board of Education and
10 ~~University policies and procedures~~, the
11 Faculty Senate will, as the general representative body of the University
12 Faculty:

13
14 ~~(1) Recommend to the President and Provost and Vice President for Academic~~
15 ~~Affairs requirements for admission and for degrees.~~

16
17 ~~(2) Make, make~~ recommendations to the University President and Provost
18 and Vice President for Academic Affairs regarding ~~all proposals for new~~
19 ~~courses and curricula, changes in established curricula, and curricular~~
20 ~~policies involving relationships between colleges, divisions, or units.~~

21
22 ~~(3) Recommend to the President and Provost and Vice President for Academic~~
23 ~~Affairs criteria for academic rank, tenure, and professional welfare.~~

24
25 ~~(4) Provide for the review and mediation of disputes involving professional~~
26 ~~ethics and grievances.~~

27
28 ~~(5) Recommend to the President and Provost and Vice President for~~
29 ~~Academic Affairs policies and procedures governing the performance on~~
30 ~~matters of educational policy and academic affairs, as delineated in the~~
31 ~~Bylaws of research, scholarship and creative activities.~~

32
33 ~~(6) Establish and maintain such committees and councils as are necessary for~~
34 ~~the implementation of Article III: Section 1 of this Constitution.~~

35
36 ~~(7) Receive and consider reports from committees and councils and~~
37 ~~take appropriate action thereon.~~

38
39 ~~(8) Inform the University the Faculty of its actions~~Senate.

40

1 **Section 3: Organization of the Senate**

2 a.— Officers

3 The Senate shall elect annually from among its voting members a Chair and
4 Vice Chair. These officers must be representatives from different academic unit

5
6 b. — Meetings

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

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

10 c.— Rules

11 The Faculty Senate is empowered to make rules governing its own organization
12 and procedures subject to the conditions of this Constitution.

13 d.— Agenda

14 At least three business days prior to any Senate meeting, the Chair of the Faculty
15 Senate will have an agenda published and distributed to the University Faculty.
16 Any item submitted by at least ~~ten percent (10~~one-third (33%) of the University
17 Faculty through petition must be placed on the agenda for the next regular
18 Senate meeting. Items not on the agenda of a given meeting may not be
19 brought to formal vote at that meeting without unanimous consent of those
20 voting members present.

21
22 **Article VI: Amendment**

23 **Section 1: Of the Constitution**

24 Amendments to the Constitution may be proposed through an initiative petition signed
25 by ~~either:~~

26 ~~a.— A two-thirds vote of the Senate present and voting, or~~

27
28 ~~b.— Twenty percent (20~~one-third (33%) of the University Faculty ~~through initiative~~
29 ~~petition and~~ presented to the Chair of the Faculty Senate.

30
31 The proposed amendment to the Constitution will be placed on the agenda of the
32 next regular meeting of the Senate for open discussion. A written copy of the
33 proposed amendment, including explanation and justification, will be distributed to
34 each member of the University Faculty, after which it will be submitted to a special
35 meeting of the

1 ~~University Faculty for discussion. An amendment thus submitted will become part of~~
2 ~~the Constitution when approved by secret ballot by a two-thirds majority vote of the~~
3 ~~University Faculty, in accordance with the Faculty Senate bylaws regarding university-~~
4 ~~wide referendums.~~eligible voting faculty, and the President as required by Board policy
5 (III.C.2).

6
7 **Section 2: Of the Bylaws**

8 The bylaws of the Faculty Senate may be amended by a two-thirds majority vote of the
9 Senate, ~~present.~~ All bylaws and voting amendments to bylaws must have the approval of
10 the President.