

**Idaho State University  
Faculty Constitution  
Draft version 0.6**

with proposed changes recommended by Subcommittee 9/26/2011

and *Preamble, Articles I, II, III, IV and V.I.a.(1).(b)* as approved so far by Provisional Faculty Senate 10/10/2011

**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 policy (Section III.B, April 2002) 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 as defined by Article II shall be referred to throughout this document as THE FACULTY.

#### **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.

##### **Section 1: Academic 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 chairpersons and professional librarians other than the Dean of the University Libraries. The Academic faculty also includes non-tenure track faculty 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.

##### **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.

##### **Section 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. Individuals in this category are not part of THE FACULTY.

*Above items approved to this point by Provisional Faculty Senate on Sept. 26, 2011*

#### **Article III: Powers and Authority**

##### **Section 1: General**

Recommendations are made to the president and the provost and vice president of academic affairs of the University.

- a. THE 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 has primary responsibility for policies and procedures governing the performance of research, scholarship and creative activities.
- c. THE FACULTY has primary responsibility for policies and procedures governing faculty appointment, tenure, and promotion.
- d. THE FACULTY has primary responsibility for policies and procedures governing the performance of faculty service.
- e. THE FACULTY will normally function through its representative body, the Faculty Senate (see Article V). However THE FACULTY will also have the rights of initiative and referendum, as specified in Article IV: Section 2e, Article V: Section 3d, and in Article VI: Section 1.

#### **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 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 FACULTY**

#### **Section 1: Presiding Officer**

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

## Section 2: Meetings of THE FACULTY

### a. Schedule

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

**Comment [CRW1]:** Oct. 10, 2011: This section was remanded back to subcommittee to consider defining timeframes under which faculty meetings may and may not be called.

### b. Notice

Written notice of each meeting shall be circulated to THE FACULTY at least three business days prior to the date of the meeting. The agenda for each meeting will be attached to the notice.

### c. Quorum

~~Twenty five~~ Twenty percent of THE 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 on September 1 the number of Academic and Administrative Faculty as described in Article II.

*Above items approved to this point by Provisional Faculty Senate on October 3, 2011  
Revisions to Section 2.a., 2.b. and 2.c were made October 10, 2011*

### d. Procedure

Each member of THE FACULTY will have a free and equal voice in all deliberations. Academic and Administrative Faculty members will be entitled to one vote each. ~~Any member of THE FACULTY may submit agenda items to the Faculty Senate president. Such items must be received at least five days prior to a scheduled meeting.~~ In the absence of special regulations to the contrary, the most recent edition of Robert's Rules of Order as designated by the president of the Faculty Senate shall govern the procedure of all meetings of THE FACULTY.

### e. Faculty Review of Senate or Presidential Action

- (1) THE FACULTY may contest an action taken by the Faculty Senate or a failure to act on an initiative petition. To override a specific action of the Faculty Senate, THE FACULTY may conduct a vote. ~~A majority of those present and voting at a meeting of THE FACULTY may call for a vote of THE FACULTY. A two-thirds majority among the voters will override a Faculty Senate action. A majority of those present and voting at a meeting may call for a vote of THE FACULTY.~~ According to the provisions of Article V, Section 3d, such ballot will be accompanied by the minutes of the meeting sent to each member of THE FACULTY. The ~~vice~~ president Chair of the Faculty Senate will administer, record and report the vote within ~~that the~~ period of time specified in the Faculty Senate bylaws

~~of this constitution for faculty-wide referendums.~~ A vote of THE FACULTY requires a two-thirds majority of those casting a vote to override a Faculty Senate action.

- (2) THE FACULTY may contest a University Presidential action following the procedure specified in Article IV, Section 2e(1). A vote of THE FACULTY the faculty requires a ~~A~~ two-thirds majority of those casting votes among the voters will be required to contest an action of the University President. ~~The~~ president-Chair of the Faculty Senate will communicate the results of a contested action to all faculty and to the Idaho State Board of Education if a two-thirds margin is achieved.

Comment [CRW2]: Oct. 10, 2011: Remanded back to subcommittee for clarification.

- f. Financial Support  
Financial support ~~for operation of the Faculty Senate~~ for meetings of THE FACULTY will be provided by the Office of the Provost in negotiation with the ~~president-Chair~~ of the Faculty Senate.

### Section 3– Faculty Referenda

An alternate means to initiate a vote of THE FACULTY is a petition signed by at least 20% of THE FACULTY. Procedures for such petition must conform to the Faculty Senate bylaws.

## **Article V: The Faculty Senate**

### **Section 1: Membership**

#### a. Composition

##### (1) Academic Faculty; Voting Members

- (a) Each college or division will be entitled to at least two Academic Faculty representatives to the Faculty Senate except the library, which will be entitled to at least one Academic Faculty representative. Academic Faculty representative~~s~~ will be elected by the Academic Faculty in the unit, college or division of the University.
- (b) Senate representation will be determined on the ratio of one Senator per 25 Academic Faculty in the unit of the University. For example, a unit with 51 Academic Faculty receives 2 Senators; a unit with 75 Academic Faculty receives 3 Senators, et cetera.

*Above items approved to this point by Provisional Faculty Senate on October 10, 2011*

- (c) Every January at the first meeting of the spring semester, the provost 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 ~~and adjust apportionment as necessary to meet constitutional membership, as specified in the bylaws of the Faculty Senate.~~

**Comment [CRW3]:** Suggested change from Senator Frantz.

(2) Nonvoting Members

- (a) The president of ASISU or his or her designee.
- (b) The President of the University or his or her designee.
- (c) The dean of each college, school and library.

b. Selection

Academic Faculty Senators will be elected by each college, division, or unit of the University.

~~e. Term of Office~~

~~Elected members normally will serve for two years. Initially, provision shall be made for rotating terms of office so that one half of the elected chairs will be vacated each year. Recall of any elected members of the Senate will be considered only at a meeting of THE FACULTY from the college or division that elected the Senator called for such a purpose at least one week in advance of the meeting date. Approval will require an affirmative vote of two-thirds of THE FACULTY who are present at that meeting.~~

**Comment [CRW4]:** Senator Frantz suggests this go into the bylaws instead of the constitution.

**Comment [s5]:** Deleted. Recall of senators seems more appropriately dealt with in the bylaws. (And the procedure specified here leaves open questions.)

~~dc.~~ 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.

~~ed.~~ 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 ~~Idaho State University FACULTY~~ Faculty Senate.

**Comment [CRW6]:** Suggested change by Senator Frantz.

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

a. Authority

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

**Comment [CRW7]:** Grammar correction.

**Comment [s8]:** Edited for style and consistency. By our definitions, "Academic and Administrative Faculty" is equivalent to "THE FACULTY".

b. Functions

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

- (1) Recommend to the president and provost and vice president of academic affairs requirements for admission and for degrees.
- (2) Act upon all 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 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) 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 FACULTY of its actions.

### Section 3: Organization of the Senate

#### a. Officers

- (1) The Senate shall elect annually from among its ~~academic voting~~ members a ~~president-Chair~~ and ~~vice president~~ Vice Chair.

Comment [s9]: Edited for clarification

#### 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.

- ~~(4) Executive session of the Faculty Senate may be called for by the president of the Faculty Senate. An Executive session is a closed meeting of the Steering Committee.~~

Comment [s10]: Deleted as a matter more appropriate dealt with in the senate bylaws.

#### c. Rules

The Faculty Senate is empowered to make rules governing its own organization and procedure 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) All actions of the Senate will be by simple majority of members present and voting, unless otherwise specified in the bylaws.
- (3) A digest of the Senate meeting minutes will be distributed to THE FACULTY without delay.

d. Agenda

At least three business days prior to any Senate meeting, the ~~president~~ **Chair** of the Faculty Senate will have an agenda published and distributed to THE FACULTY. ~~Any Senator may submit items for the agenda.~~ Any item submitted by at least ten percent of 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 present.

**Comment [s11]:** Deleted. The senate bylaws may specify the procedure by which senators may submit items for the agenda. (Or the senate may simply follow *Robert's Rules*.)

## 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 of THE FACULTY through initiative petition presented to the ~~president~~ **Chair** of the Senate.

The proposed amendment to the constitution will be placed on the agenda on 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 FACULTY, after which it will be submitted to a special meeting of THE FACULTY. An amendment thus submitted will become part of the constitution when approved by secret ballot by a two-thirds majority vote of the Academic and Administrative Faculty.

### Section 2: Of the Bylaws

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