

# FACULTY SENATE CONSTITUTION AND BY-LAWS

*Adopted October 4, 1972; Revised April 28, 1992, 2004, April 21, 2009, March 16, 2010, March 19, 2013 and February 16, 2016.*

## A. Constitution of the Faculty Senate of West Liberty University.

### PREAMBLE

With full recognition that ultimate decisions at West Liberty University are vested in the President of the University by the West Liberty University Board of Governors under the guidance of the West Virginia Higher Education Policy Commission, members of the Faculty are devoted to the concept of faculty participation in academic governance. Convinced that no institution can rely entirely on the judgment of one person or a small group of persons for the optimum development of the University's goals, the Faculty believes that an authoritative faculty voice should provide advice and guidance to the Administration so that the President, Provost, and Deans need not rely on isolated and random opinions purporting to represent faculty thought.

The Senate therefore proposes to take in its province any subject of interest to the Faculty, to hold hearings on any matter it elects to review, to appoint committees for additional study of problems brought before it, and then to formulate and submit to the President recommendations on University policy and the resolution of problems. Through these means the Senate is pledged to be responsive to the needs not only of faculty members but also of students and all members of the academic community. This Senate is created to continue through elected representatives the faculty function of serving as a legislative body for matters within its jurisdiction, chiefly matters of academic policy.

### Article I: Authority

Section 1. The origin for the organization and establishment of the Faculty Senate derives from a resolution passed by the Faculty of West Liberty University.

Section 2. The Faculty Senate is the representative body of the entire Faculty of West Liberty University.

Section 3. The Faculty Senate will become operative pursuant to this Constitution and its Bylaws immediately following approval at a faculty meeting.

## **Article II: Composition and Membership of the Faculty Senate**

Section 1. The Faculty Senate shall be composed of the Faculty. Other constituents of the University are welcome guests.

Section 2. Only faculty, as defined in Article 1 of the Bylaws, may be voting members of the Faculty Senate.

Section 3. The President and Provost/Vice President of Academic Affairs of WLU are ex-officio members of the Faculty Senate.

Section 4. The elected member of the Advisory Council of Faculty shall serve as an ex-officio and voting member of the Faculty Senate.

## **Article III: Election of Senators**

Section 1. All elections of the Faculty Senators shall be conducted in accordance with the Rules of Election stated in the Senate Bylaws.

Section 2. Elections of Faculty Senators shall be held during April of even numbered years.

Section 3. Faculty Senators shall be elected for a two-year term.

Section 4. Term of office shall begin on July 1 of even numbered years.

Section 5. All vacancies in the Senate shall be filled in accordance with the procedures outlined in the Bylaws, Article 3.

## **Article IV: Officers and Their Election**

Section 1. The presiding Chairperson Vice-Chairperson and Secretary, of the Faculty Senate shall be elected by the new Senate at a special April meeting for a two-year term.

Section 2. Senate officers will assume their offices on July 1 and preside over the Senate until June 30 of the next even numbered year.

Section 3. The Senate officers, together with the heads of the standing committees as outlined in the Bylaws, shall constitute the Executive Board.

Section 4. The duties of all officers shall be those which are ordinarily assigned to such offices and such additional duties as are described in this Constitution and its Bylaws.

Section 5. Vacancies in any office of the Faculty Senate shall be filled in accordance with the procedure established in Article 3 of the Bylaws.

#### **Article V: Meetings of the Faculty Senate**

Section 1. The Faculty Senate shall hold meetings on a regular basis at least quarterly.

Section 2. The Chairperson, or in his/her absence, the Vice-Chairperson, shall preside over all meetings of the Faculty Senate.

Section 3. Special meetings may be called by the Chairperson upon his/her initiative, or at the request of the President of the University, or upon petition in writing to the Chairperson signed by one-third of the Senate membership. The Chairperson shall be required to give 48 hours notice to all Senators as to the time and place of all special meetings.

Section 4. Notice of all meetings shall be in writing and shall be delivered via campus mail or campus e-mail.

Section 5. A quorum of any regular or special meeting of the Faculty Senate shall be a simple majority of the membership.

Section 6. Except as specified in the Bylaws, any member of the faculty, any administrative officer and any student may attend the meetings of the Senate and may express his views upon recognition by the presiding officer. Only Faculty Senators, however, may propose a motion or cast a vote.

Section 7. The Recording Secretary shall be responsible for the minutes of all regular and special meetings. Copies of the minutes shall be distributed to each faculty. Copies of minutes shall be published on the Faculty Senate web page.

#### **Article VI: Agenda: Motions and Resolutions**

Section 1. Items are placed on the agenda by either the Chair of the Senate or the members of the executive committee. Any faculty member, Senator, or the current SGA President may request an item be placed on the agenda through their Senator or directly to any member of the executive committee.

Section 2. A motion to overrule an action of the Faculty Senate must be announced prior to the meeting as a specific agenda item

Section 3. Except for motions of a procedural nature, motions or resolutions proposing Senate action may be introduced from the floor without previous inclusion on the agenda only by consent of two-thirds of the members present.

Section 4. All motions or resolutions, in order to be included on the agenda, must be submitted to any member of the Senate Executive Committee at least 7 calendar days before the meeting at which they are to be introduced.

Section 5. The agenda shall be sent to each member of the Senate at least 5 calendar days before a regularly scheduled meeting. In the case of special meetings, the Chairperson shall inform each Senator at least 48 hours before the meeting.

Section 6. Resolutions germane to any subject set forth in the agenda may be passed by a majority vote of members present and voting. Other matters may be brought up for discussion by a Senator at any meeting if a two-thirds majority of those present and voting concur.

## **Article VII: Functions of the Faculty Senate**

Section 1. As the representative body of the Faculty, the Faculty Senate has any and all powers delegated to it by the Faculty, the President; and the Board of Governors. The faculty hereby delegates to the Senate its responsibilities to formulate policies and make recommendations as well as the selection of faculty representatives to committees with the exception noted in Section 2 of this Article and Section 1 of Article IX and exceptions required by West Virginia State Law (eg: member of Advisory Board, faculty representative to Board of Governors, etc.). In regard to policy formulation the Faculty Senate as a legislative body shall have the primary responsibility for decisions in academic matters. Such matters shall include but not necessarily be limited to the following: standards for admission, selection, and retention of students; requirements of the granting of degrees; curricular requirements for general education, majors and minors, and professional education; development of programs of research, experimentation, and instruction. The Board of Governors and the President of the University are expected to concur with faculty judgment in these areas except in rare instances and for compelling reasons which shall be stated in detail.

Section 2. Any action of the Senate may be brought before a meeting of the Faculty for review. Actions of the Senate or Senate Committees may be reviewed, modified, or nullified by the

faculty in one of two ways: first, through submission to the general faculty for its consideration by a majority vote of the Senate, or secondly, through a petition for a meeting of the general faculty signed by at least 20% of the members of the general faculty. This petition shall explicitly state the matter or matters to be the subject of the petitioned meeting. Petitions are to be submitted to the Provost/Vice President of Academic Affairs, the Chairperson of Faculty Meetings. The petitioned meeting or meetings must be held within two weeks of the distribution of the minutes of the relevant Senate action to the faculty for any Senate action to be modified or nullified. Such modifications or nullification shall be effective only by a vote of two-thirds of the faculty at the petitioned meeting or meetings, with at least 50% of the faculty present

Section 3. The Faculty Senate shall elect its own officers pursuant to the procedures outlined in the Bylaws.

Section 4. The Faculty Senate shall elect or select the committees and subcommittees and establish whatever rules and procedures necessary for their functioning, consistent with this Constitution and its Bylaws.

Section 5. The Faculty Senate may adopt, amend, or repeal any Bylaws, rules or procedures relating to the conduct of its business and the duties and functions of its officers and committees by a two-thirds majority of the voting members of the Senate.

Section 6. The Faculty Senate shall transmit its recommendations to the President and the Provost via the Chairperson. In appropriate cases the Senate shall transmit its recommendations to the Board of Governors.

Section 7. The Senate shall transmit its official minutes to each faculty member by campus mail or campus e-mail and post a copy on its web page.

Section 8. The Faculty Senate shall assume responsibility for the periodic revision and editing of the Faculty Handbook, which shall contain this Constitution and state the established policies of the University in all matters relating to the faculty. Such revisions will be submitted to the President for approval.

Section 9. The Chairperson of the Senate shall be responsible for officially informing the President and the Provost/Vice President of Academic Affairs of the transactions of the Senate and for informally discussing these and related matters with them.

Section 10. The officers of the Faculty Senate shall be responsible for keeping the Faculty properly informed and the individual Senators shall communicate regularly with their constituents.

### **Article VIII: Referendum and Recall**

Section 1. The procedure for initiating referendum or recall is stated in the Bylaws.

Section 2. In order to remove a Senator from office, 60 percent of his constituents must vote in favor of recall, and notify the Senate Chairperson by letter of their decision.

Section 3. In order to recall a member of the Faculty Senate Executive Committee (e.g. the Chair of the Senate, the Vice Chair of the Senate, a Chair of a Committee, Secretary, or any other office of the Executive Committee) an officer voted into office by the Senate may be recalled by a vote of the Senate. A motion to recall an individual officer of the Senate to be placed on the agenda must be in writing and bear the signature of the movant senator and two supporting or verifying signatures. The original motion is to be included (scanned) in the minutes of the Faculty Senate session by the Recording Secretary of the Senate. The motion of a proposed recall shall be introduced at a meeting of the Senate in general assembly, and the actual vote of recall shall then be at the next meeting of the Senate in general assembly. After discussion the vote shall be a secret ballot. A majority of 60% or greater of the quorum shall recall the individual officer from the Executive Committee.

### **Article IX: Amendment**

Section 1. This Constitution may be changed or amended at a faculty meeting by a two-thirds majority of the faculty, with at least 50% of the faculty present.

## **B. Bylaws of the Constitution of the Faculty Senate of West Liberty University.**

### **Article I: Definition of Faculty**

Section 1. Only full-time faculty members (including those with released time assignments who teach) may serve as voting members of the Faculty Senate. A faculty member is the holder of the academic rank of Professor, Associate Professor, Assistant Professor, Instructor, or Lecturer. These persons are distinguished from administrative officers and staff members by the fact that their (the faculty) primary employment is teaching.

Section 2. In those cases where the Board of Governors recognizes a person as full-time teacher even though he/she is a part-time administrator, such recognition renders the person a full-time faculty member for purposes of this Constitution.

Section 3. Whenever doubt arises as to the status of any individual, the ruling of the Provost/Vice President of Academic Affairs will be sought.

### **Article II: Election of Senators**

Section 1. Faculty Senators are to be chosen by the Academic Colleges. Apportionment of Faculty Senate seats shall be according to the formula stated in Appendix A of these Bylaws. Every effort should be made in elections to include representation from constituencies within each College.

Section 1.5. The Senate will reapportion itself in March of each even numbered year based on the current faculty membership and prior to the April election of Faculty Senators.

Section 2. Election of Faculty Senators shall take place in April of each even numbered year. Terms are for two years commencing on July 1 and expiring at midnight on June 30 of the next even numbered year.

Section 3. Senatorial constituencies will select Faculty Senators and alternates according to procedures agreed upon by those constituencies. Every effort should be made to include representation from all constituencies in each College.

### **Article III: Vacancies in the Faculty Senate**

Section 1. When a vacancy occurs, the Chairperson of the Senate shall fill it by notifying the vacant constituency's alternate who then becomes Senator. The constituency is then to select

a new alternate. The alternate may attend Senate meetings with voting privileges in the absence of a Senator. If there is no alternate available, the Chairperson will notify the department head of the vacancy.

Section 2. A seat may be declared vacant by the Executive Board of the Senate in the event of 3 successive unexcused absences by the elected Senator.

Section 3. The Senate Chairperson will notify, by letter, (a) nonparticipating member(s) of their status as such and will urge the member's return to the Senate.

Section 4. In special cases where a vacancy occurs in a college, and there is no ability to fill the vacancy from the college's constituency, the vacancy may be filled by another faculty member willing to serve on their behalf. In cases such as this, the Senate Chair and the Chair of the department will work together to identify and elect suitable faculty.

#### **Article IV: Meetings**

Section 1. Regular meetings are open to any member of the faculty or administrative officer of the University, or any student, as are all committee and subcommittee meetings.

Section 2. The agenda of the Faculty Senate and the minutes of the Faculty Senate shall be distributed to all members of the Faculty and Administration.

#### **Article V: Faculty Initiated Petitions, Proposals and Referendums**

Section 1. At least 20% of the members of the faculty who are eligible to vote in Faculty Senate elections may petition for a meeting of the general faculty to review, modify, or nullify any Senate action in accordance with Section 2 of Article VII of the Faculty Senate Constitution.

Section 2. A referendum by the general faculty may be initiated by majority vote of the Senate in accordance with Section 2 of Article VII of the Faculty Senate Constitution.

Section 3. In order to recall their Senator, sixty percent of the constituency need to vote in favor of recall, and to notify the Senate Chairperson in writing of their decision.

#### **Article VI: Committees and Subcommittees**

Section 1. All committees and subcommittees will be established by the Faculty Senate at its first regular meeting. The first vacancy will be filled by the nominee receiving the greatest

number of votes, etc, until all vacancies are filled. The chairperson of a standing committee must be a Senator. If a Committee Chair is unable to perform the Committee chair duties, the Senate Chair can propose a motion to replace the Chair by a majority vote of the Faculty Senate. The membership of ad hoc committees created to study specific problems will be determined by the chairperson. The Senate will also establish whatever rules and procedures it deems necessary for the functions of such committees and subcommittees, consistent with the Constitution and these Bylaws.

Section 2. The faculty senate will determine which, if any, standing committees it will constitute. There are two positions which must be filled at the first meeting: The Faculty Senate Finance Chair and the Representative to the Provost committee to revise handbook.

Section 3. The chairpersons of these standing committees shall constitute the executive board. The Senate Chair can invite chairs of ad hoc committees, parliamentarian, ACF representative, and other faculty, to join the executive board.

#### **Article VII: Amendments and Bylaws**

Section 1. These Bylaws or any portion thereof may be repealed or amended by two-thirds majority vote of the voting members of the Faculty Senate.

Section 2. In cases not covered by the Constitution or Bylaws, the parliamentary procedure to be followed in conducting Faculty Senate meetings will be the current edition of Parliamentary Procedure at a Glance by O. Garfield Jones.

Section 3. The Chairperson will appoint a Parliamentarian to serve at the pleasure of the Faculty Senate.

**Appendix A**

**Faculty Senate Representative Apportionment Formula:** Representation is by College and is to total approximately 15% of the faculty

FORMULA:

Number of Faculty in College	Number of Representatives:
1-9	1
10-16	2
17- 23	3
24 -29	4
30+	5

For Programs with a program director, consult the Provost and College Dean to determine which department the Program resides.

Although representation is elected by department, reasonable efforts must be made to include representation from stand-alone programs with program directors.

**Appendix B: Procedures for election of senators**

Each Dean will convene a meeting for election in early April.

Each unit will have prepared a list of possible candidates for this meeting to ensure adequate representation of each unit in the College. A list of elected representatives and alternates should be forwarded to the current Faculty Senate Chair and the Provost as soon as possible after the meeting.

A unit is defined as any department, program, et. al., within a college.

