

# **UNH Faculty Senate Constitution and Bylaws**

## **CONSTITUTION**

### **Preamble:** The Faculty Role in University Shared Governance

The principle of shared governance in universities is long established by tradition and was formalized in the 1966 Joint Statement on Government of Colleges and Universities (jointly formulated by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges). The Joint Statement affirms that the academic institution is a "joint effort," requiring communication and consultation among all constituencies, and addresses the distinctive responsibilities of trustees, administration, faculty, staff, and students in university governance.

The distinctive responsibility of the faculty is the academic mission of the university. In particular, the joint statement asserts that, *"The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process. 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."*

This constitution provides for the faculty to exercise this responsibility through an elected Faculty Senate. This Faculty Senate is designed to work in close communication and collaboration with the Board of Trustees, principal administrators and the Council of Deans, the PAT and Operating Staff Councils, and the Student Senate, each of which have their own distinctive responsibilities as well as overlapping areas of concern.

1. **Purpose.** The Faculty Senate will be the legislative body that reviews and develops policies concerned with the academic mission of the university.
2. **Membership.** Each academic department shall elect one, two, or three members to the Faculty Senate, depending on the department's size based on the number of eligible to serve faculty. Departments with 15 or fewer faculty shall elect one senator, departments with 16-40 faculty shall elect two senators, and departments with more than 40 faculty shall elect three senators. The first appointment in every department shall be a tenure-track faculty. In those departments with more than 15 faculty, additional senators shall either be non-tenure track or tenure-track faculty. Non-tenure track faculty must hold a 75% or greater appointment at the University of New Hampshire.

Henceforth we will use the acronym CCLEAR for non-tenure track faculty, which stands for Clinical, Contract, Lecturer, Extension, Alternative Security, and Research.

For purposes of Faculty Senate membership, the Library, the Thompson School, UNH-

Manchester, and the School of Law shall be treated in the same way as departments (See Bylaw 4). Elections shall be by an approval ballot in which every eligible faculty member of the department is nominated and in which faculty members can vote for as many candidates as they wish. All tenure-track faculty and CCLEAR faculty who are eligible to serve may vote. The Faculty Senate shall supervise the elections.

3. **Faculty referendum on senate actions.** Any motion or resolution acted upon by the Faculty Senate is subject to a referendum by the faculty of the University of New Hampshire. Any issue may go to referendum upon petition of at least twenty percent of the faculty eligible to vote in Senate elections, provided that such petition is made within 45 days of the senate action in question (excluding vacations). The petition shall be delivered to the chair of the senate. The senate chair shall cause transcripts of all relevant senate discussion of the issue to be distributed to all eligible faculty. The chair will arrange for a vote of the faculty by ballot. Faculty members will have not less than two weeks and not more than four weeks to consider the issue and complete ballots. The majority vote shall be binding provided that at least fifty percent of the eligible faculty submit ballots. In the event of a participation rate of less than fifty percent or a tie vote, the original senate action shall stand.
4. **Implementation of legislation.** Faculty Senate legislation will be developed in consultation with the appropriate Dean(s), the appropriate Vice President(s) and the President. The Deans will implement the legislation, in consultation with the Faculty Senate. The Faculty Senate, through the appropriate Faculty Senate committees, will be informed by the university administration in a timely manner, of the disposition of the legislation passed by the Faculty Senate.
5. **Officers of the Faculty Senate.** In May of each year, the outgoing Faculty Senate chair will conduct an election, by the members of the Faculty Senate for the following academic year, for a chair, a vice-chair, and three at-large members of the Agenda Committee for one-year terms. Members of the Agenda Committee must be tenured faculty. A slate of candidates will be presented by the out-going Agenda Committee two weeks before the election. Additional candidates may be nominated from the floor.

Should a vacancy occur during the ensuing academic year, candidates for the replacement position shall be presented to the Faculty Senate by the Agenda Committee. Additional candidates may be nominated from the floor. The Faculty Senate shall elect a replacement by majority vote, with the winner needing more than half the votes of those senators present and voting. If no candidate receives a majority of the votes, a run-off election of the two candidates who received the most votes will be held. A vacancy results from a senator leaving the university or voluntarily resigning due to illness or other personal reasons. A senator who is absent due to work to rule and has not resigned is still a member.

The Faculty Senate chair may select a parliamentarian either from within or from outside the Faculty Senate. The Provost's Office will provide funds for a program assistant, to assist the officers of the Faculty Senate in carrying out business of the Faculty Senate.

## 6. Committees

- a. **Agenda Committee.** The Agenda Committee shall set the Faculty Senate agenda and be responsible for the operations of the Faculty Senate. In addition to committee charges by the Senate itself, the Agenda Committee shall have the authority to charge all Senate committees consistent with the will of the Senate. The Agenda Committee shall consist of the Faculty Senate chair, vice chair and three at-large members. In addition to these five members, the previous senate chair shall serve as an ex-officio voting member of the Agenda Committee if possible. In the event that the previous senate chair cannot serve, the Agenda Committee may select a replacement.

In exigent circumstances, when the Faculty Senate is between meetings, and cannot be called into emergency session, the Agenda Committee is authorized to act on behalf of the Senate. This power should only be exercised as a last resort. Such actions require a 2/3 majority of the Agenda Committee members present and voting. Where practical, the Agenda Committee should consult with cognizant Senate committee chairs and inform Faculty Senate members before acting. The members of the Faculty Senate shall be notified (electronic means are acceptable) of such actions within one week, and the Chair of the Faculty Senate shall report on the action at the next Senate meeting. The Faculty Senate retains the authority to reverse any such action by majority vote.

- b. **Standing Committees.** The Faculty Senate will have seven standing committees, each comprised solely of Faculty Senators. Each committee will meet regularly with the corresponding administrators (see Bylaw 5) to advise and consult on policy and to design and implement Faculty Senate legislation. Committees will invite additional members of the university community or others to consult with them as appropriate.
  1. The **Academic Affairs Committee** will concern itself with the University's instructional programs and academic support, including computer and information services and university advising programs.
  2. The **Finance and Administration Committee** will concern itself with the financial affairs of the University, including establishing priorities and allocating funds within the budget.
  3. The **Student Affairs Committee** will concern itself with student services and non-academic student programs, including athletics.
  4. The **Research and Public Service Committee** will concern itself with the University's research and public service programs.

5. The **Campus Planning Committee** will concern itself with space allocation, facilities, and physical plant planning.
6. The **Library Committee** will concern itself with matters pertaining to the university library, including information technology as it pertains to the mission of the university library.
7. The **Information Technology Committee** will concern itself with matters pertaining to information technology.

c. **Permanent Committees.** The Faculty Senate has permanent committees that include non-senators as members.

**1. The Professional Standards Committee.** The Professional Standards Committee will concern itself with matters affecting the welfare of the faculty including academic freedom, promotion, tenure, workload assignments, faculty personnel policy, and professional ethics. This committee has a role established by a collective bargaining agreement relating to termination or severe sanctions placed on faculty members. The Professional Standards Committee will be elected by tenure-track faculty in the AAUP-UNH bargaining-unit by approval ballots in CEPS, COLSA, COLA, CHHS, PCBE, UNH-Manchester, and the Library. All tenured faculty members will automatically be the nominees on their respective ballots. The Faculty Senate will supervise this election. The Professional Standards Committee will have seven directly elected members, one from each of the following: CEPS, COLSA, COLA, CHHS, PCBE, UNH -Manchester, and the Library. In addition the vice chair of the Faculty Senate will be the eighth member and the chair of the committee.

**2. The University Curriculum and Academic Policies Committee** (“UCAPC”) shall function under its Senate Charter.

**3. The Discovery Committee.**

4. The Faculty Senate may establish other permanent committees by charter.

d. **Other Faculty Senate Committees.** The Faculty Senate may establish whatever other committees it deems appropriate, as needed.

**7. Faculty Senate bylaws and rules.** The Faculty Senate will establish its own bylaws and rules by majority vote.

**8. Amendments to the Constitution.** Amendments to the Constitution will require a two-thirds vote of the Faculty Senate. Amendments will be introduced to the Faculty Senate at least two weeks before the vote.

9. **Matters pertaining to collective bargaining.** Collective bargaining issues may be discussed, but no official action may be taken.
10. **Meetings open to faculty.** The meetings of the Faculty Senate will be open to all faculty. Others may be present only on invitation of the Agenda Committee. Anyone may be recognized to make a presentation at a Faculty Senate meeting, but only senators may propose motions or vote.
11. **Coordination with students, administration, and staff.** The Faculty Senate is committed to working closely with other university governing bodies, including the Board of Trustees, the President's Cabinet, the Student Senate, the PAT Council, and the Operating Staff Council.
12. **Evaluation and reconsideration of the Faculty Senate.** Five years after the enactment of this constitution, the chair of the Faculty Senate shall organize a referendum to determine whether the faculty are satisfied with the Faculty Senate as constituted by this document and any subsequent amendments.

## **BYLAWS OF THE FACULTY SENATE**

### **1. Elections**

- A. Half of the senators will be elected each year. The senate assistant will prepare ballots for those units electing senators in a given year, with every faculty member eligible to serve in the Senate of those departments appearing on the ballot.
- B. Department ballots will be sent to eligible faculty members directly by the senate assistant during the first week of March. Ballots must be returned to the senate assistant by March 31.
- C. A plurality of votes from the unit will be sufficient for election. In the case of a tie, a run-off election will be held between April 1 and April 20.

### **2. Membership of committees**

- A. **Standing Committees:** In the summer of each year the Agenda Committee will appoint members to committees, after receiving indications of committee preferences. Should a vacancy occur on any committee during the ensuing academic year, the Agenda Committee may appoint a replacement. A vacancy results from a senator leaving the university or voluntarily resigning due to illness or other personal reasons. A senator who is absent due to work to rule and has not resigned is still a member. The Agenda Committee will appoint a chair to each of the standing committees.
- B. **Joint Committees:** The Agenda Committee and the Faculty Senate will

coordinate appointments and elections of faculty to all university-wide joint committees of faculty, administration and students, such as the ROTC Board of Governors, the MUB Board of Governors, the Affirmative Action Committee, the Instructional Technology Committee, the Athletic Advisory Committee.

- C. **Professional Standards Committee:** Members will be elected for two-year terms with half elected each year. The senate assistant will prepare ballots for those units electing members, with every faculty member eligible to serve in the Senate in the unit appearing on the ballot. The same procedure as in (1.B) and (1.C) will be followed.

### 3. Meetings

- A. The Agenda Committee will meet at least once a month during the academic year. The committee will call meetings of the full senate whenever agenda items arise, but normally at least once a month. Standing committees will converse regularly with the Agenda Committee about prospective agenda items.
- B. The senate will have a regular meeting in September to discuss the future year's work and a regular meeting in May to organize the new senate.
- C. A quorum must be present for the legal transaction of business, and a quorum will consist of a majority of the voting members. Voting members are defined as all faculty senators who have been elected by eligible departments. Departments that choose not to elect a senator are therefore not counted. A senator may designate another member of her/his department to act as proxy. If two small departments agree to share a senator, they may be represented by one senator with one vote. A proxy for the senator for the combined departments may be chosen from those combined departments. No senator or proxy may have more than one vote.
  - 1. Departments that do not elect and seat a senator will be contacted by the chair of the senate to state that the department will not be able to bring motions forward on their own nor will the department have a vote on senate business until the department seats a senator.
  - 2. If a senator misses three Senate and/or committee meetings in a semester without securing a proxy as per 3.C, the senator shall be contacted by the Senate Chair to discuss the situation. Failing improved participation, the Agenda Committee, upon recommendation of the Chair, may declare the seat vacant and contact the department for a replacement. It is the right of the department to respond to the vacancy.

### 4. Definition of Faculty Senate members

For purposes of Faculty Senate membership, the following academic departments, and successor departments, are eligible to elect senate members. The Agenda Committee is responsible for monitoring this list annually.

Accounting & Finance	Human Development & Family Studies	Philosophy
Anthropology	Geography	Physics
Art & Art History	Health Management & Policy	Political Science
Biological Sciences	History	Psychology
Chemical Engineering	Hospitality Management	Recreation Management & Policy
Chemistry	Kinesiology	School of Law
Civil Engineering	Languages, Literatures, & Cultures	Social Work
Classics, Humanities & Italian	Library	Sociology
Communication Disorders	Management	Theatre & Dance
Communication	Marketing	Thompson School
Computer Science	Mathematics & Statistics	UNH-Manchester
Decision Sciences	Mechanical Engineering	
Earth Sciences	Molecular, Cellular, & Biomedical Sciences	
Economics	Music	
Education	Natural Resources & the Environment	
Electrical & Computer Engineering	Nursing	
English	Occupational Therapy	

## 5. Standing Committee Operations

Based upon the anticipated work-load, the Agenda Committee may appoint a larger number of senators to one or more standing committees in the expectation that these larger committee form sub-committees. The chair of the standing committee shall appoint sub-committee chairs and appoint committee members to each sub-committee with due regard to balance among colleges. No committee member shall be a member of more than one sub-committee, except the committee chair who shall be ex-officio a member of all sub-committees. With committee approval, the chair will apportion committee charges to each sub-committee or to the committee as a whole. The sub-committees will report to the committee, though the committee may specify that a sub-committee report directly to the Senate. In that case, it may be appropriate for the sub-committee chair to present the report.

## **6. Faculty Senate standing committees and corresponding administrators**

<b>Academic Affairs</b>	Provost/Vice President for Academic Affairs, Dean's Council
<b>Campus Planning</b>	Associate Vice President of Facilities and Operations or his/her representatives
<b>Finance and Administration</b>	Vice President for Finance and Administration
<b>Information Technology</b>	Chief Information Officer
<b>Library</b>	Dean of the University Library
<b>Research and Public Service</b>	Senior Vice Provost for Research and Senior Vice Provost for Engagement and Academic Outreach
<b>Student Affairs</b>	Vice President for Student and Academic Services