

**CONSTITUTION
OF THE FACULTY
OF TENNESSEE STATE UNIVERSITY**

March 6, 2013

May 1, 2014 (Finalized)

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PROPOSED CONSTITUTION OF THE FACULTY OF TENNESSEE STATE UNIVERSITY

Preamble

The university faculty hereafter referred to as (***Faculty***¹) has primary responsibility for instruction and for creative and scholarly activity and for research at Tennessee State University hereafter referred to as (***University***). Policies and changes affecting the nature of the University, the organization of the Faculty Senate, and the status of the Faculty need to be acted upon by the Faculty in the spirit of ***shared governance***. These are required for the maintenance of professional, state, and national standards as mandated in the process for accreditations

¹ The first use of special terminology will be bolded, italicized, and defined in the glossary.

PART ONE: SHARED GOVERNANCE

Preamble

PART ONE describes the principle of shared governance.

Shared Governance Protocol

Tennessee State University endorses the policy that governance is the shared responsibility of the Faculty and the Administration and incorporates the processes and policies that result in decisions that create, implement, evaluate, or change the University's academic and research mission or programs. As defined in ARTICLE I—Membership and Voting², “the membership of the university Faculty includes those engaged in full-time instruction, library service, and such professionally creative activities as research and clinical responsibilities who hold appointments at the University with the rank of instructor, assistant professor, associate professor, or full professor” (2). “Administrator” refers to the President, Provost, Vice Presidents, Deans, Directors of non-academic units, and assistant and associate administrative officers with 50 percent or more administrative duties with the exception of department administration. To avoid conflicts of interest, administrators with faculty appointments do not have faculty voting privileges.

² Underlining indicates that a hyper-link is available online.

ARTICLE I—Areas of Shared Governance

As a Tennessee Board of Regents Institution, Tennessee State University adheres to the principles of shared governance reflected in TBR Policy 5:02:03:30 governing academic freedom at TBR institutions. To further promote shared governance between Faculty and Administration and maximize its benefits:

Section 1. Academic

Faculty has the lead role in determining the curriculum, degree and certificate requirements, standards of instruction, standards of student achievement, and a shared role in matters related to academic programs, their status, and changes.

Section 2. Personnel

Faculty has a shared role in tenure and promotion decisions, incentives, academic quality decisions, faculty productivity, and faculty welfare, as well as the lead role in Unit and department hiring process including: personnel need(s), interviewing, and recommending candidates for academic and research positions.

Section 3. Planning

Faculty has a shared role in matters not directly tied to curriculum or academic staffing but that impact the university's academic quality. To fulfill this responsibility, the Faculty shall have full access to documents related to budget and planning, as well as recommending improvements or additions to academic facilities and University infrastructure.

Section 4. Academic Freedom

Faculty's academic freedom shall be governed by the principles of academic freedom contained in the TBR policy on academic freedom, which is currently reflected in TBR Policy 5:02:03:30 and may be amended from time to time.

Section 5. Technology

Faculty has a shared role in the University selection process pertaining to software, hardware, instructional programs, media services, and communication and informational technology services.

Section 6. Research

As research is a tenure and promotion requirement, Faculty has a role in decisions about qualitative and quantitative research support and will receive ongoing and substantial assistance with resources, availability of grants, budget preparation, and oversight of awards. Faculty shall receive release time in proportion with the requirements of grants.

Section 7. Academic Support Services

Faculty has an advisory role to ensure that reasonable skill, care, and diligence is applied when determining professional services that assist in accomplishing its instructional, research and/or public service missions.

Section 8. Representation

So that Faculty are adequately represented in the process of governance, at least one third of the membership of all committees with responsibility for matters of shared governance shall be faculty, not including heads of departments. The faculty members shall be chosen by Faculty and not by Administration.

Section 9. Faculty Recommendations

When faculty recommendations differ from administrative recommendations in the aforementioned areas, the administration shall seek to collaborate with Faculty to resolve their differences. The administration must allow opportunity for further input from and discussion with the faculty in a good faith effort to find a solution before finalizing the administrative recommendation or decision.

PART TWO: FACULTY PROTOCOL

Preamble

PART TWO describes the membership, meetings, and voting of the full Faculty.

ARTICLE I—Membership and Voting

The Faculty includes those engaged in full-time instruction, library service, and professional activities such as research and clinical pursuits who hold appointments at the University with the rank of instructor, assistant professor, associate professor, or full professor. Faculty with more than 50 percent administrative duties with the exception of department administration are ineligible to vote. For example, department heads are eligible to vote but deans are not. Those on leave can vote if present at a meeting but are not to be counted in determining percentages of the Faculty for purposes of petitions. Retired or emeritus/a faculty do not vote. Full-time temporary faculty may vote.

ARTICLE II—Calling and Conducting Meetings

Section 1. Faculty Meetings

Faculty meetings are generally called and presided over by the University president or a designee thereof. Faculty shall contribute to the formation of the agenda.

Section 2. Extraordinary Meetings

- a) Extraordinary meetings may be called by:
- a *majority vote* of the Faculty Senate
 - a majority vote of the Faculty Senate *Executive Committee*
 - a majority vote of the Faculty of a *Unit* of the University
 - a petition signed by 15 percent of the Faculty
- b) A request for an extraordinary meeting must indicate the reason and subject matter for the meeting and shall be delivered to the Office of the *Chief Academic Officer* of the University and specify a calendar week in which the Chief Academic Officer of the University is to convene the meeting.
- c) A particular day and time shall be specified as a default by those requesting the extraordinary meeting should the Chief Academic Officer not communicate to the Faculty a meeting day and time within a calendar week of the delivery of the call.
- d) The agenda item(s) that occasions the call for an extraordinary meeting shall be disseminated to the Faculty at least five business days before the meeting.
- e) Agenda items decided upon at this meeting of the full faculty are considered to be ratified.

Section 3. Presider over Extraordinary Meetings

- a) If an extraordinary meeting is called by the Faculty Senate, the Faculty Senate chairperson shall preside over the meeting.
- b) If it is called by a vote of the Faculty of a Unit, the Unit shall elect by majority vote a person to preside over the meeting.
- c) If it is called by petition, the drafters of the petition shall elect by majority vote a person to preside over the meeting as *Presider pro-tempore* (person temporarily in charge), who will conduct an election of a faculty member to preside over the remainder of the meeting.

Section 4. Agenda of Extraordinary Meetings

- a) The agenda of an extraordinary meeting shall begin with the Presider pro-tempore of the meeting appointing a recording secretary, who will deliver the minutes to the Secretary of the Faculty Senate after the conclusion of the meeting. The main item(s) of business shall consist of any of the following:
 - the matters as outlined by the Senate resolution calling the meeting
 - the matters as outlined by the Unit resolution calling the meeting
 - the text of a petition calling for the meeting
- b) Members of the Faculty in attendance shall be counted.
- c) The *quorum* for the meeting shall be a fixed number represented by 25 percent of the number of tenured Faculty.

- d) The conduct of the meeting shall be in accordance with the most recent edition of *Robert's Rules of Order*.

Section 5. Voting at Meetings

Votes at meetings of the Faculty may be by voice, a show of hands, technology as it becomes available, or by paper *ballot*.

PART THREE: THE FACULTY SENATE

Preamble

PART THREE describes the membership, meetings, and voting of the Faculty Senate.

ARTICLE I—Mandate

The Faculty has the right and obligation, with the attendant responsibilities, to participate fully and actively in the determination of those policies pertaining to academic matters, to the welfare of the Faculty, and to the well-being of the University.

The Faculty Senate acts on behalf of the Faculty in furthering the mission of the University and the well-being of the University community.

- a) The Faculty Senate is the representative body through which Faculty participate in University affairs and Shared Governance. Through committees and a democratically elected legislative body, it implements policies, procedures, and regulations regarding the general educational objectives of the University.
- b) The Faculty Senate shall serve as the usual agent of the Faculty for purposes of consulting with the *University Administration* on matters of academic personnel policy, curriculum (including both degree programs and courses), academic policies and planning, the general welfare of the Faculty as a whole and others such as adjuncts who may teach in the University.

- c) The Faculty Senate shall issue statements pertaining to the University on behalf of the Faculty when necessary.
- d) An Executive Committee shall be comprised of the Faculty Senate Chair, the Faculty Senate Vice Chair, the Faculty Senate Parliamentarian, the Faculty Senate Secretary, the Faculty Senate Treasurer, and the immediate past Chairperson of the Faculty Senate as an *Ex-Officio* member.
- The Executive Committee must meet at least one week prior to Senate meetings and draft a proposed agenda for the Senate meetings.
 - The Senate Secretary shall disseminate the agenda to the senators and to the entire faculty by e-mail at least 48 hours before the meeting time.
 - The Executive Committee acts on behalf of the Senate between the end of the *Academic Year* and the beginning of the new academic year, subject to ratification of its actions by the Senate at the first Faculty Senate meeting of the new academic year.
- e) The Senate shall hold regular meetings once per month during the academic year, on the third Thursday of the month at 2:40 pm, unless that day is a holiday, in which case the Senate Chair must call a special meeting of the Senate on some other day in the month.
- The Senate Chair may call additional meetings as needed
 - Regular monthly meeting day and time may be changed by a two thirds vote of the Senators.

- f) A quorum shall consist of fifty percent of the voting membership of the Senate.
- g) Meetings shall be conducted according to the most recent edition of *Robert's Rules of Order*.
- h) Any Senator has a right to bring a matter to the Senate for consideration, either by having it included in the draft agenda of a meeting by the Executive Committee, adding it to the agenda at the beginning of a meeting, or raising it as new business in the course of a meeting.
- i) Any member of the University Faculty can bring a matter to the Faculty Senate by asking a Senator to raise it at a meeting, by seeking permission of the Senate to address it about the matter, or by sending a letter of no more than one page to the Secretary of the Faculty Senate. The Secretary must duplicate and distribute such a letter to the Senators at the meeting following receipt of the letter.
- j) Those holding the following positions are nonvoting, Ex-Officio members of the Faculty Senate:
- The President of the University
 - The Chief Academic Officer of the University
 - The immediate past Chairperson of the Senate
 - Immediate past Standing Committee Chairs.

- k) An Ex-Officio member shall serve in the Senate as long as he or/she holds the position.
- l) Extraordinary meetings of the Faculty Senate may be called by:
- A majority vote of the Faculty Senate
 - The Faculty Senate Executive Committee
 - The Faculty Senate President
- m) A request for an extraordinary meeting shall be delivered to the Faculty Senate and specify a date and time in which the Faculty Senate is to convene.
- n) The agenda item(s) that occasions the call for an extraordinary meeting shall be disseminated to the Faculty Senate at least five business days before the meeting.
- o) The quorum of extraordinary meetings is the number of Faculty Senators, Alternates, or Proxies present.

ARTICLE II—Senate Membership and Election of Senators

Section 1. Apportionment

- a) Each Unit of the University shall have one Senator for each ten or fewer faculty members up to a maximum of five.

- b) Apportionment shall reflect the number of Faculty as determined during fall Faculty Institute.
- c) The University Library staff holding ranked appointments shall be counted as a Unit.
- d) The Graduate School does not have Senate representation.
- e) Nominations for Unit Senate representatives shall be made from the floor of the first Unit meeting of the fall semester.
- f) Elections shall be conducted by **secret ballot** in the form of paper, electronic, or some other technological form that protects the identity of the voter.
- g) Apportionment is subject to adjustment to reflect the growth or organizational modification of the university.

Section 2. Eligibility

- a) A Senator must be a voting member of the Faculty, must have five years of full-time experience in higher education, and must be elected as specified in PART THREE, ARTICLE II, Section 3. Elections.

- b) Each Unit shall elect an Alternate who shall attend Senate meetings if a Senator cannot attend.
- c) The Alternate must meet the same eligibility requirements as an elected Senator.
- d) In the event a Senator or Alternate is unable to attend a Faculty Senate meeting, he or she must select a **Proxy** to represent him or her at the Faculty Senate meeting to ensure a quorum is established.
- e) In the event a Unit fails to send a representative for three consecutive regularly scheduled meetings, the Faculty Senate Chair is charged to notify the Dean of the respective Unit to rectify the situation or forfeit their representation for the academic year.
- f) With the exception of extraordinary circumstances, Senators or their Alternates or their Proxies are expected to remain until the end of the Faculty Senate meetings. Individuals who anticipate the need to leave early must inform the Faculty Senate Chair before the meeting begins.

Section 3. Elections

- a) In accordance with the terms of PART THREE, ARTICLE II, **Section 1. Apportionment**, meetings of Faculty Units shall determine the method of election and the apportionment of Senators within the Unit as established by the policy of the Unit.

- b) Elections of new Senators and *Alternates* shall be conducted annually by the Units at the first Unit meeting of the academic year but no later than one week prior to the first Executive Committee meeting of the academic year.
- c) The Unit Head shall notify in writing the Executive Committee (see PART THREE, ARTICLE III, Preamble) of election results within twenty-four hours of the Unit meeting.
- d) Senators shall have two-year terms and may serve as Senators for one consecutive term (for a total of four years) at which point the Senator must sit out at least one year before he or she is eligible for reelection.
- e) A Senator who has completed two consecutive elected terms shall not be prohibited from being nominated for subsequent committee assignments.
- f) In the event a Senator is unable to complete his or her term, the unit shall call a special election to fill the vacancy for the remainder of the original term.
- g) The individual elected to fill a Senate vacancy is eligible to be a Senator for two future consecutive terms.

Section 4. Removal of Senators

Senators who miss three consecutive Senate meetings and fail to send Alternates may be removed by vote of the Senate. After a removal vote, the Senate Chair shall contact the Unit that should

have been represented by that Senator and ask that a meeting be conducted to elect a Senator and an Alternate.

ARTICLE III—Faculty Senate Officers and Election of Officers

Preamble

The Faculty Senate has the responsibility to elect the Chair, Vice-Chair, Parliamentarian, Secretary, and the Treasurer who comprise the Executive Committee. All officers must be tenured faculty members.

The term of office for the Faculty Senate officers shall be one year, with the exception that the Vice Chair becomes the Faculty Senate Chair. All other officers shall be elected at a meeting of the Faculty Senate to be held at the last meeting of the spring term using paper ballots that have been prepared by the Nomination Committee. The ballots shall list the names of at least two willing candidates per office nominated by the Nomination Committee. The names of those nominated and the name(s) of any other willing candidate(s) nominated by a member of the Faculty Senate must be submitted in writing to the Nomination Committee before the last Faculty Senate meeting of the academic year. Spaces designated for “Write-in Candidates” for each office must appear on the ballot.

- In the event an officer is unable to complete his or her term, the Executive Committee must call a meeting of the Senate to elect a replacement who will

fill the vacancy for the remainder of the original term. This individual is eligible to run for the next one year term.

At the last Faculty Senate meeting during the spring semester, the last order of business shall be the passing of the gavel from the existing Faculty Senate Officers to the newly elected Faculty Senate Officers.

Section 1. Faculty Senate Chair

- a) The Chair selects a meeting site sufficient for the size of the Faculty Senate and serves as the usual Presider over Faculty Senate meetings following the most recent edition of *Robert's Rules of Order*.

- b) For purposes of any *Tennessee Board of Regents'* policies or procedures, the title "Faculty Senate Chair" will be deemed equivalent to "Faculty Senate President" or other similar terminology.

Section 2. Faculty Senate Vice Chair

The duties of the Vice Chair (who is Faculty Senate Chair Elect) include the following:

- presiding in the absence of the Faculty Senate Chair
- assuming, temporarily, the duties of Faculty Senate Chair in the event the existing Faculty Senate Chair recuses himself or herself from the meeting
- ensuring that revisions to the bylaws are accurately communicated.

Section 3. Faculty Senate Secretary

The duties of the Secretary include the following:

- recording and preserving the minutes of the Faculty Senate meetings
- submitting completed minutes to the Executive Committee at their next meeting for review
- disseminating the minutes to the Faculty Senators within twenty-four hours of the Executive Committee meeting
- posting the minutes to the website within twenty-four hours once the minutes are approved at the next Faculty Senate meeting
- maintaining a public archive of Faculty Senate business
- conducting the Faculty Senate meeting in the event the Faculty Senate Chair and Faculty Senate Vice Chair are not present.

Section 4. Faculty Senate Treasurer

The duties of the Treasurer include the following:

- collecting, recording, and depositing funds received by the Faculty Senate
- distributing funds as directed by the Executive Committee
- providing a monthly financial report at Faculty Senate meetings.

Section 5. Faculty Senate Parliamentarian

The duties of the Parliamentarian include the following:

- determining a quorum at Faculty Senate meetings
- indicating when a quorum ceases to exist at Faculty Senate meetings
- ensuring the adherence to and use of the most recent edition of *Robert's Rules of Order*
- ensuring the adherence to and use of the current version of the Constitution and By-laws of the Faculty of Tennessee State University
- admitting visitors to the Faculty Senate meetings
- assisting the presiding officer during meetings by keeping track of the order of those wishing to speak, motions, amendments, voting, and any other aspect to ensure the orderly conduct of business
- ensuring that non-Senate Faculty who wish to address the Faculty Senate members are allowed to speak for their allocated period of time
- offering advice, when requested, to any member desiring help with motions or other parliamentary procedures.

Section 6. Removal of Officers

In the event a motion is put forth by a senator on behalf of his or her Unit or if a senator puts forth a motion on his or her own to remove an officer from his or her position, the officer under

consideration for removal from office must have the opportunity to address the Faculty Senate to present his or her position as *due process*.

Once the officer under consideration for removal has had an opportunity to address the Faculty Senate, a Senate Officer may be removed by a vote of two-thirds of the Senators present in the following manner:

- with a paper, secret ballot
- by technology that protects the identity of the voter.

Under these circumstances, these individuals are no longer eligible to be ex-officio members of any Senate committee unless they are reinstated by a vote of two-thirds of the Senate or by a majority vote of the Faculty.

- In the event the Faculty disagree with a decision made by the Faculty Senate, an extraordinary meeting may be called to discuss the decision. With a paper, secret ballot, a majority vote of the Faculty present may reverse the Faculty Senate decision (see PART TWO, Article II, Section 2. Extraordinary Meetings).

ARTICLE IV Other Faculty Representatives

- a) The Faculty Senate shall elect representatives to all *standing university committees* including ad hoc committees.
- b) Faculty members of permanent university administrative committees shall be elected at the

first Faculty Senate meeting of the fall semester and shall serve through the following summer term.

- The administration must submit a request to the Faculty Senate to elect representatives to be part of all committees.
- Each administrative committee shall be comprised of one faculty representative from each Unit.

c) At the first Faculty Senate meeting following the annual election of Senators, the Faculty Senate shall designate a Senator to attend the President's Senior Leadership Team (Cabinet, Executive Council or other body) meetings for the proceeding academic year.

- If the Faculty Senate is invited to send a representative to the President's Senior Leadership Team meeting, the designated Faculty Senator shall attend.
- In the event the designated Senator is unable to attend one or more of the President's Senior Leadership Team meetings, he or she must contact the Faculty Senate Chair to make alternate arrangements.
- The Senator attending the President's Senior Leadership Team meeting must submit a report of the meeting to the Faculty Senate Secretary within twenty-four hours of the meeting.
- The Faculty Senate Secretary will disseminate the report to the Faculty Senators at the next Faculty Senate meeting and post the report to the Faculty Senate website within twenty-four hours of the meeting.

- d) During the last Faculty Senate meeting of the spring semester, one different representative shall be elected for the President's Executive Council meetings held during May, June, July, and August.

- e) A Senator in his or her second year will be elected at the December Faculty Senate meeting to serve on the Tennessee Board of Regents' Faculty Sub-Council for the following calendar year.

- f) Representatives who attend the President's Executive Council meetings or the Tennessee Board of Regents' Faculty Sub-Council meetings shall submit at the next Faculty Senate meeting a written report to the Faculty Senate Secretary to become part of the Faculty Senate minutes.

- g) The Faculty Senate reserves the right to elect representatives to attend other meetings relevant to the University.

PART FOUR: COMMITTEES

Preamble

PART FOUR describes the membership, meetings, and functions of Senate committees.

Committee Protocol

The Chairperson for each standing committee shall be elected by the Senate membership at the last Senate meeting of the spring term. The last order of business shall be the passing of the gavel from the existing Chairpersons to the newly elected Chairpersons. At the beginning of each academic year, the Chairperson of each standing committee will meet with the Executive Committee to share committee goals for the upcoming year, review the duties for that committee, and discuss information relevant to that committee. Each standing committee is entitled to equal representation consisting of one representative for each ten or fewer faculty members up to a maximum of five per Unit, to be elected by the Faculty of each Unit. If additional committee members are required, it is the responsibility of the committee Chair to inform each Unit of the need for additional members. The current Chairperson of the Faculty Senate, the Chief Academic Officer of the University and the President of the University shall be Ex-officio members of all standing committees. The Faculty Senate Committee Chairpersons are elected by the Senate each April from among its membership to serve for the following academic year. The Chairpersons of all standing committees report to the Faculty Senate, and minutes are sent to the Faculty Senate Secretary for appropriate distribution and posting to the website within twenty-four hours once the minutes are approved at the next Faculty Senate meeting. In the event of a vacancy in faculty

membership of any committee, the Unit of the person vacating shall fill such vacancy by an election. The new members shall be elected for the unexpired portion of the vacated term.

ARTICLE I—Standing Committees

Section 1. Academic Committee (formerly Academic Subcommittees I and III)

The Academic Committee shall review academic regulations and procedures of the University specifically relating to Faculty teaching and is a standing committee charged with the following tasks:

- recommending policy and procedural changes that directly affect the Faculty and teaching and measures for improvement of instruction
- recommending policy and policy changes on such matters as academic standards, admissions, registration procedures and policies, and advisement and attendance procedures and policies
- referring appropriate issues to the Graduate and Undergraduate Councils and such subcommittees as they may establish.

Section 2. Alumni Relations and Development Committee

The Alumni Relations and Development Committee is a standing committee charged with the following tasks:

- advising and consulting with University officials concerning alumni programs, alumni relations, and fundraising

- advancing the goals of creating and cultivating a culture of philanthropy and engaging alumni and other constituencies in a lifelong, worldwide TSU community
- advising and supporting the Division of University Relations and Development in policies and procedures and assesses University Relations and Development services, programs, and communications
- ensuring constituents have a greater sense of affiliation to the university and to foster a greater connections between alumni and current students.

Section 3. Budget Committee

The Budget Committee shall collaborate with the University administration in developing and reviewing the annual University budget and is a standing committee charged with the following tasks:

- providing for campus-wide Faculty input into the University budgeting process
- encouraging the use of Faculty expertise in budget matters
- informing the Faculty, through the Senate, concerning budget matters.

Both long-range and short-term aspects will receive the committee's attention, including budget priorities and TBR formulas.

Section 4. Constitution and By-laws Committee

The Constitution and By-laws Committee is a standing committee charged with the following tasks:

- reviewing the Constitution and By-laws bi-annually (fall and spring semesters) to consider all proposed changes, additions, deletions, amendments, or revisions to the Constitution and Bylaws
- reviewing Faculty Senate minutes for proposed changes to the Constitution and By-laws to ensure that they are considered at the bi-annual meetings
- evaluating, interpreting, and preparing a revision(s) prompted by a Senate vote to seek a revision(s) to the Constitution and By-laws which shall be brought before the Senate for a vote at the next meeting.

Section 5. Curriculum Committee

The Curriculum Committee shall collaborate with the University administration in developing and reviewing curriculum issues and is a standing committee charged with the following tasks:

- recommending actions respecting courses, standards, degrees, majors, minors, and programs to the Office of Academic Affairs
- reporting recommendations for a Senate vote before sending the recommendations to the Office of Academic Affairs.

Section 6. Executive Committee

The Senate Executive Committee shall be comprised of the Chair, the Vice Chair, the Secretary, the Parliamentarian, the Treasurer, and the immediate past Chair of the Senate (as an ex officio member) who are charged to:

- meet at least one week prior to Senate meetings and draft a proposed agenda for the Senate meetings
- disseminate the agenda to the senators and to the whole faculty by University Communications at least 48 hours before the meeting time
- act on behalf of the Senate between the end of the academic year and the beginning of the new academic year, subject to ratification of its actions by the Senate at the first faculty senate meeting of the new academic year
- handle necessary business on an emergency and interim basis as necessary
- establish ad hoc committees as needed
- draft a slate of chairpersons for the Senate's committees from among the membership of the Senate, prior to the April Senate meeting
- notify the Chief Academic Officer to instruct Unit Heads to have their faculty elect Senators and Alternates (refer to PART THREE, Article 2, Section 3. Elections.)
- assist in the selection of the faculty members of such screening committees and lend its counsel to the development of procedures for recruitment and screening of such candidates, when campus or system administrative appointments are to be filled and where it is appropriate for faculty to be of

assistance in the recruitment and screening of candidates, the Executive Committee.

Section 7. Faculty Grievance and Appeals Committee

The Faculty Grievance and Appeals Committee is guided by the aim of maximizing the protection of the principles of *academic freedom* and due process. This committee does not replace the role of Faculty and Administrators in making employment-related decisions. Appeals of tenure or promotion decisions are handled by the University Tenure and Promotion Appeals Committee.

In accordance with TBR, University, and other government entities which follow procedures outlined elsewhere, grievance(s) other than tenure and promotion appeals and grievance(s) associated with the Office of Equity, Diversity and Compliance—which may involve issues of a hostile working environment, harassment, or discrimination based on race, ethnicity, gender, sexual orientation, age or disability—shall be addressed in writing to the Faculty Senate Chair.

The Faculty Senate Chair shall forward the information to the Chair of the Faculty Grievance and Appeals Committee. Once the committee receives the information, Grievant(s) shall be offered the opportunity to present their grievance(s) in person. After hearing and reviewing evidence in the case, the committee shall make a recommendation by majority vote and submit it to the Vice Chair for Academic Affairs. Should the committee be deadlocked, the Committee Chair may break the tie.

In all cases, Faculty are entitled to notice regarding grounds on which administrative action has been taken. All matters before the Faculty Senate Grievance and Appeals Committee are kept in strict confidence, subject to state open records laws. The *Grievant* is assured that complaints will not result in retaliatory actions. The Grievant is entitled to a response within ten business days. The Faculty Grievance and Appeals Committee is a standing committee charged with the following tasks:

- receiving complaints regarding violations of due process and fairness pertaining to:
 - working conditions
 - environmental conditions
 - annual performance reviews
 - retaliatory action resulting from a grievance
 - violations of provisions contained in the Faculty Handbook and in collegiate and departmental bylaws
- gathering evidence and making recommendations to the Faculty Senate for the disposition of cases
- forwarding approved recommendations to the Office of Academic Affairs for dissemination to appropriate personnel
- informing the grievant(s) of the decision(s) rendered
- submitting all recommendation decisions to the Chief Academic Officer
- monitoring progress of recommendations.

Section 8. Faculty Benefits and Welfare Committee

The Faculty Benefits and Welfare Committee is a standing committee charged with examining, clarifying, and making recommendations to the Faculty Senate concerning the following issues:

- travel funding requests
- retirement
- leave (vacation, sick days, personal days, sabbatical, etc.)
- insurance (medical, vision, dental, life, etc.)
- safety
- health and disability accommodations
- parking
- salary
- scheduling
- professional development
- international teaching and research opportunities.

Section 9. Information Technology Committee

The Information Technology Committee is a standing committee charged with the following tasks:

- maintaining, updating, and securing the Faculty Senate website
- identifying, reviewing, and recommending information technology policies
- ensuring that Faculty receive appropriate training and assistance with implementing new technology in teaching and learning

- representing the Senate on key university committees that address information technology
- reporting to the Senate on key information technology issues and developments that affect the campus.

Section 10. Library Committee

The Library Committee is a standing committee charged with the following tasks:

- ensuring that library services and collections meet the teaching, research, and public service needs of the University
- reviewing library policies, procedures, and practices that facilitate the use of resources and technology.

Section 11. Nomination and Appointment Committee

The Nomination and Appointment Committee is a standing committee charged with the following tasks:

- soliciting nominations from the Faculty Senate for Faculty Senate officers and committee chairs
- determining the eligibility of all candidates
- determining the willingness of candidates to serve
- preparing ballots for Senate vote
- certifying the election of officers and committee chairpersons.

Section 12. Professional Development Committee

The Professional Development Committee is a standing committee charged with the following tasks:

- recommending administrative actions and activities that permit and encourage professional development
- recommending opportunities for participation of scholars and artists from outside the United States of America
- recommending opportunities for scholarly exchange
- monitoring and evaluating the resulting actions and programs.

Section 13. Research Committee

The Research Committee is a standing committee charged with the following tasks:

- advocating research in all Units
- advocating dissemination of research results within the University and to the academic community
- advocating fairness and efficiency in proposal reviews and approval at the University level
- providing Faculty oversight for the University **Institutional Review Board**
- advocating fairness and best practices concerning scholarly student research, such as graduate theses and dissertations, and undergraduate “capstone” projects
- advocating recognition of Faculty involved in research endeavors.

Section 14. Student Appeals Committee (formerly Academic Subcommittee II on Admissions, Readmission, and Retention)

The Student Appeals Committee is a standing committee charged with the following tasks:

- addressing readmission and retention issues
- gathering evidence and making recommendations to the Chief Academic Officer of the University for the disposition of cases within its jurisdiction
- maximizing the protection of the principles of due process that ensures Faculty and students are given notice regarding the charges and the grounds on which administrative action has been taken
- ensuring that all matters before the Student Appeals Committee are kept in strict confidence.

ARTICLE II—Other Committees

Other committees may be created by the Faculty Senate as needed. Once the mission of the committee has been accomplished, a motion may be presented to the Faculty Senate to dissolve the committee.

PART FIVE: CONSTITUTION AMENDMENT AND ADOPTION PROCEDURES

Preamble

PART FIVE describes the amendment and adoption procedures.

ARTICLE I—Amendments

Section 1. Proposing Amendments

Amendments to any part of this constitution may be proposed by the Faculty Senate or by petition signed by 15 percent of the Faculty to the Chair of the Faculty Senate.

Section 2. Amendment Protocol

The Chair of the Faculty Senate shall send copies of proposed amendment(s) to all members of the Faculty within five business days after receipt and shall convene an extraordinary meeting of the Faculty to vote on the proposed amendment(s) within ten business days after distribution.

Section 3. Voting on Amendments

Once a quorum has been declared, a two-thirds majority vote of the Faculty present is necessary for approval of the proposed amendment(s).

Section 4. Approved Amendments and the President

Upon approval, the amendment(s) shall be transmitted to the President within three business days for affirmation.

- a) The President will acknowledge receipt of amendment(s) within five business days.
- b) Upon receipt, the President shall approve or deny the proposed amendment(s) and notify the Chair of the Faculty Senate within thirty calendar days, unless the President determines to extend said period for compelling reasons.
- c) If the President extends the period for approving or denying the proposed amendment, the President shall notify the Chair of the Faculty Senate prior to the end of the thirty day review period.
- d) If the original thirty day period or the extended period ends after the completion of the spring semester, consideration for the proposed amendment(s), at the discretion of the President, may be postponed until the beginning of the fall semester at which time the President shall approve or deny the proposed amendment(s) and notify the Chair of the Faculty Senate within thirty calendar days.
- e) In the event the President does not indicate approval or denial within the designated period, the Faculty Senate will send a formal letter to the President requesting a response and a plan of action.

Section 5. Approved Amendments and TBR

Upon affirmation, the approved amendment(s) shall be transmitted to the TBR within three business days for their review.

Section 6. Option for Amendments Not Approved

In the event the President does not approve the proposed amendment(s), the Chair of the Faculty Senate may convene an extraordinary meeting of the Faculty within ten business days to consider the President's decision and vote on the proposed amendment(s) a second time. If the proposed amendment (s) is approved a second time, the amendment shall be forwarded to the President for reconsideration.

ARTICLE II—Adoption

Upon completion of the constitution approval procedure, the adopted constitution shall be transmitted to the President for approval by signature.

- a) Once the President approves the adopted constitution, the President shall transmit the adopted constitution to the Tennessee Board of Regents for approval by signature.
- b) Once the Tennessee Board of Regents approves the adopted constitution, an electronic copy shall be transmitted to the Faculty and placed on appropriate University websites.

ARTICLE III—Subsequent Amendments

Upon completion of the amendment approval procedure, the amended constitution shall be transmitted to the President for approval by signature.

- a) Once the President approves the amended constitution, the President shall transmit the amended constitution to the Tennessee Board of Regents for approval by signature.
- b) Once the Tennessee Board of Regents approves the amended constitution, an electronic copy shall be transmitted to the Faculty and placed on appropriate University websites.

GLOSSARY

Academic Freedom: the belief that the freedom of inquiry is essential to the mission of the academy and that scholars have freedom to teach or communicate ideas or facts (including those that are inconvenient to external political groups or to authorities) without being targeted for repression, job loss, or imprisonment. When they speak or write in public, they are free to express their opinions without fear from institutional censorship or discipline, but they should show restraint and clearly indicate that they are not speaking for their institution. Academic freedom ensures that teachers can be fired only for cause.

Academic Year: begins when Faculty report for duty in August and concludes the day before the new Faculty contracts begin in the following August.

Administrator: Administrator refers to the President, Provost, Vice Presidents, Deans, Directors of non-academic units, and assistant and associate administrative officers with 50% or more administrative duties department administration.

Ballot: A ballot is a method used to cast votes and may occur in one of the following formats:

- with a paper, secret ballot
- with technology that protects the identity of the voter
- with a paper, secret ballot by a majority vote of the Faculty present at an extraordinary meeting (see PART TWO, ARTICLE II, Section 2.).

Chief Academic Officer of the University: includes titles such as Provost, Vice President of Academic Affairs, and future titles indicative of expertise or authority.

Due Process: the requirement that respects the legal rights that are owed to individuals—fundamental fairness, justice, and liberty—that ensure the following:

1. the right to address any accusations of wrongdoing made against the individual
2. formal proceedings (as legal proceedings) carried out regularly and in accordance with established rules and principles
3. an administrative requirement that enacted policies may not contain provisions that result in the unfair, arbitrary, or unreasonable treatment of an individual.

Ex-Officio Member: includes individuals with specific expertise or authority, as needed, and may participate in Senate deliberations; however, they have no vote.

Faculty: the membership of the university Faculty includes those who are engaged in full-time instruction, library service, and such professionally creative activities as research and clinical responsibilities who hold appointments at the University with the rank of instructor, assistant professor, associate professor, or full professor.

Fiscal Year: begins July 1st of each calendar year and ends June 30th of each following calendar year.

Grievant: one who submits a complaint for adjudication.

Institutional Review Board: IRB/Human Subjects Committee - protects confidentiality of data for research and projects involving the use of human subjects and ensures protection against physical, psychological, social and legal risks in biomedical and behavioral research.

Majority Vote: is more than fifty percent of those voting.

Presider pro tempore: is Latin and means “for the time being.” Presider pro tempore refers to one who acts temporarily for another.

Proxy

In the event that a Senator or Alternate is unable to attend a meeting, a Proxy shall have authority to sign written resolutions on behalf of the Unit’s Senator and to act in such Senator’s place at any meeting of the Faculty Senate at which the Senator is unable to be present. Every such Proxy shall be entitled to attend and vote at Faculty Senate meetings as a Senator when the Senator appointing him or her is not personally present.

The Senator must appoint a faculty member from his or her Unit to be the Proxy of that Senator to attend and vote on his or her behalf, in accordance with instructions given by that Senator, or in the absence of such instructions at the discretion of the Proxy, at a Faculty Senate meeting which that Senator is unable to attend personally.

The Senator must e-mail the Proxy to authorize him or her to be his or her representative with a copy sent to the Faculty Senate Chair prior to the commencement of the meeting.

Robert's Rules of Order: <<http://www.questia.com/library/91864297/roberts-rules-of-order-newly-revised-by-henry-m-robert?gclid=COGXnom8v7ICFQmpnQodKDQA6Q>>

Secret ballot: a method to cast a vote in the form of paper, electronic, or some other technological form that protects the identity of the voter.

Shared Governance: a set of practices under which college faculty and staff participate in making significant decisions concerning the operation of their institution as defined by The American Federation of Teachers (AFT) <<http://www.aft.org>>.

Staff: The term "staff" applies to those persons on the University payroll whose principal appointments are other than faculty.

Standing University Committees: refers to committees established by the Administration that are not Faculty committees.

Tennessee Board of Regents: Tennessee Board of Regents

<<http://www.tbr.edu/about/default.aspx?id=804>>

Unit: includes the following:

- a) Library and Colleges of:
- b) Agriculture, Human, and Natural Sciences
- c) Business

- d) Education
- e) Engineering
- f) Health Sciences
- g) Liberal Arts
- h) Public Service and Urban Affairs

Visitors: Any person other than Faculty or Ex-Officio Members.