

7C
MEMORANDUM

TO: All Faculty
FR: Tom Cate
DA: November 5, 1982
RE: Meetings

1. General Faculty Meeting
Date: November 15, 1982
Time: 3:05 PM
Place: BP 120
Agenda: Amending the Constitution of the Faculty Senate

A copy of the new Constitution is attached to this memorandum. The proposed amendments are underlined. The best way to note the differences between the proposed and the original constitutions would be to compare these two documents which I encourage you to do.

MINUTES OF GENERAL FACULTY MEETING TO AMEND THE FACULTY SENATE
CONSTITUTION AND MINUTES OF THE FACULTY SENATE MEETING OF NOV. 15, 1982

1. The general faculty meeting to amend the Faculty Senate Constitution was called to order at 3:15 p.m. by Dr. Tom Cate.
2. The following corrections were made to the proposed Constitution.
 1. p 2, Article V., section 4, line 14, underline "college."
 2. p 3, Article V., section 7, line 1, remove "s" from "department" and "program" and on line 11, change "this" to "that."
 3. p 5, Article E, section 1, line 3, insert "of" between "areas" and "curricula."
 4. p 7, Article XI., line 3, change "be" to "by."
3. A motion was made to pass the revised Constitution by Dr. Byron Renz. The motion was seconded and opened for discussion. Dr. Jim Thomas raised the point that in Article E the possible changes in curricula programs could come from other sources than the curriculum committee or be opened by the committee itself. It was considered whether this objection would be met by deleting the remainder of the first sentence after "policies" and qualifying it with "those" policies. Ms. Linda Newman was concerned about deleting "from other committees," as was Dr. Johnathan Bushee. Dr. Jerry Warner suggested adding the phrase: "it initiates, or receives from the college curriculum committees or other sources" and made a motion to that effect that as an emendation, and was seconded. The motion was defeated. Dr. Jerry Warner made a second motion that the sentence be amended to read "concerning those policies and procedures." The motion was seconded. The motion passed. Dr. Jim Thomas then asked about the intent of the second sentence in Article E, section 2. This question was put aside until the current bylaws of the committee could be secured. Dr. Glen Mazis asked Dr. Jerry Warner for an explanation of why the Curriculum Committee wanted the power to re-evaluate curriculum policies. Dr. Jerry Warner explained that educational trends were changing very rapidly and that someone in the University needs to reexamine our curriculum to see if it meets the needs of the students. Dr. Terry Pence asked why the committee would need to revise past general studies requirements, instead of just adding new programs. Dr. Jerry Warner stated that certain policies are outdated, such that all courses in some departments count for general studies requirements. Dr. Jim Thomas stated that it would be preferable for the faculty to be revising the curriculum instead of other agents in the University. Dr. Jerry Warner also stated the change in the pre-college curriculum might necessitate other changes in our curriculum. Dr. George Goedel added that this would interface with the state mandated program review. Returning to Dr. Jim Thomas' original question, Dr. Tom Rambo explained that the Curriculum Committee reviews the budgetary ramifications of the curriculum instead of passing it on to the administration. Dr. Jim Thomas proposed that the second sentence be changed to examine "all new" instead of "those." The motion was seconded. The motion failed, 12 in favor, 17 opposed. A motion was made to strike "those" from the sentence. The motion passed. A motion was made to strike "periodically" and "reevaluate." It was seconded. The motion failed.

"Is the Dean of the Law School considered as a director, in order that the Law School be represented, by its senator?", asked Paul Joseph regarding Article V, A, 1, b. President Cate stated that is the intent of the statement. Ms. Kathy Brinker proposed that the elections procedures be clarified in the Constitution. President Cate stated that an ad hoc committee will be formed to meet this need. Dr. Lyle Gray raised a concern about Article VII, Section H, whether administrators and Chairpersons shall receive copies of the minutes. Dr. Johnathan Bushee also raised concerns about not distributing the minutes to the Administrative chain of command. Dr. Lyle Gray again raised the concern that we have in the Constitution a statement to the effect the general faculty is being informed of the Faculty Senate actions. Ms. Kathy Brinker proposed an amendment: that a "second copy will be sent to each Senator for posting for review by the general faculty." The motion was seconded and passed. Dr. Johnathan Bushee proposed a motion that the Constitution becomes effective not on November 15, 1982 as so stated in Article XIII, but upon approval by the Board of Regents, that the date be deleted. Dr. Jim Thomas raised the concern that perhaps having the present date as effective is a statement that the Faculty Senate can govern itself, if we also struck the final line of Article XIV. The motion of Dr. Johnathan Bushee was re-formulated to substitute blank spaces for the date, and to delete "and", (make the Constitution effective upon approval of the Board of Regents). The motion passed. The motion to pass the amended Constitution was passed. The meeting was adjourned at 4:35 p.m.

✓

CONSTITUTION OF THE FACULTY SENATE
NORTHERN KENTUCKY UNIVERSITY

ARTICLE I. The Faculty Senate of Northern Kentucky University exists:

- A. To provide the faculty with the opportunity to express opinions on all matters relating to the well-being of the University.
- B. To allow the faculty to participate effectively in the formulation of policies.
- C. To provide efficient channels for the faculty to meet its obligations in effectuating adopted policies.
- D. To disseminate information so that policies and practices of the various academic and administrative units will be coordinated.
- E. To conduct studies deemed essential to the further progress of the University.
- F. To evaluate University policies, programs, and practices and to urge such improvements as seem warranted.

ARTICLE II. Organization

- A. The general faculty shall consist of all tenured and tenure-track faculty members holding an academic rank of instructor or higher.
- B. The Faculty Senate shall consist of the members of the general faculty, who spend at least 75% of their work in duties other than those pertaining to an administrative appointment, selected as hereinafter provided. Administrative appointments are usually noted in contracts and are matters of record in the Office of the Provost.

All questions of eligibility will be determined by the Executive Committee of the Faculty Senate.

ARTICLE III. Powers

- A. The general faculty in meeting assembled has all powers necessary to effectuate the functions enumerated in ARTICLE I.
- B. All powers of the general faculty are exercised through the Faculty Senate, except as limited by ARTICLE VII, B and H.

ARTICLE IV. Officers

- A. The Faculty Senate shall have a President, Vice President, Secretary, and Parliamentarian, elected as hereinafter provided.
- B. The officers of the Faculty Senate shall serve in their respective positions as the officers of the general faculty.

ARTICLE V. Selection of Members and Officers

A. Members of the Faculty Senate shall be elected as follows:

1. a) Each department shall elect one senator to represent it in the Faculty Senate. (A department is defined as a group of faculty having a chairperson.)
- b) Each independent program shall elect one senator to represent it in the Faculty Senate. (An independent program is defined as a group of faculty having a director.)
- c) The NKU Library faculty shall be considered as one program; the Salmon P. Chase College of Law Library shall be considered a part of the Legal Education Program.

2. Each academic college shall elect additional senators from its respective faculty on an at-large basis, using a ratio of one representative to every fifteen members of its faculty, rounded to the nearest whole number. (A college is defined as a group of departments and/or independent programs headed by a dean.) For voting purposes the NKU Library faculty will be placed in the College of Professional Studies.

3. Senators shall serve for two-year terms, with one-half being elected each year.

4. No later than March 20 of each year, the President of the Faculty Senate shall appoint three members of the general faculty to constitute an Elections Committee. Members of the Elections Committee may not be at-large candidates for election to the Faculty Senate. In the first week of April of each year, the Elections Committee shall provide all faculty members with ballots listing those faculty members within their college, who, in writing, have consented to run for the Faculty Senate. Each eligible faculty member may vote for as many candidates as there are available seats in his/her college. The Elections Committee shall tabulate the ballots and submit the results to the President of the Faculty Senate by April 10.

5. By no later than April 20 of each year, those departments or independent programs whose senator's term has expired shall elect, from those not already elected to the Faculty Senate, one representative from among their faculty.

6. All elected representatives shall take office at the first meeting of the Faculty Senate held on or after August 1.
7. Vacancies in departments or independent programs memberships shall be filled by a vote of their respective faculty. Notification of the result shall be made in writing to the President of the Faculty Senate. Vacancies in at-large memberships shall be filled from the election results of the respective academic college for the year in which the departing Senator was elected. In case of a tie the issue shall be decided by a majority vote of the Faculty Senate. If no candidates are available from this year then the position shall remain vacant until the next at-large election.

B. Selection of Officers

At a special session to be held before May 15 the newly elected Faculty Senate shall elect its officers and chairpersons by majority vote. Terms of office shall be for one year. The incumbent Executive Committee (as defined: Article VI. B.) shall draw up and circulate a list of nominations at least five days prior to the special session. Nominations may also be made from the floor at the session.

ARTICLE VI. Committees

- A. There shall be five standing committees of the Faculty Senate; the Executive Committee, the Budget Committee, the Curriculum Committee, the Faculty Benefits Committee, and the Professional Concerns Committee. Every senator shall be assigned to at least one committee; assignments shall be made by the Executive Committee where possible, based upon, preferential lists submitted by each senator. The remainder of each committee shall be composed of elected representatives from those departments or independent programs not already represented by a senator.

- B. The Executive Committee shall consist of the officers of the Faculty Senate and its committee chairpersons, and it will be chaired by the President of the Faculty Senate.

The President of the Faculty Senate shall have his/her teaching/work load reduced by 1/2, the Secretary by 1/4, the chair of the University Curriculum Committee by 1/4 upon satisfactory arrangements having been made by the affected departments or independent programs.

C. The following duties shall be the specific responsibility of the Executive Committee:

1. It shall serve as a committee on committees to work with the administration in forming university committees and in appointing their memberships when appropriate.
2. It shall serve as the advisor group of the Faculty Senate when called upon by an officer of the administration. It shall refer to the appropriate committee any question of policy on which advice is sought and shall record in its minutes any recommendation on policy.
3. It shall receive the written reports of the committees of the Faculty Senate.
4. It shall cause matters approved by the Faculty Senate to be brought to the attention of the appropriate administrative officer for action, and shall report the action taken to the Faculty Senate.
5. It shall take such emergency action it finds necessary. Such action shall be presented for approval to the Faculty Senate at its next regular meeting.
6. It shall refer such matters as are designed by the Faculty Senate for study by the appropriate committee.
7. It shall prepare the agenda for meetings of the Faculty Senate. Committee recommendations intended for Senate action shall be so designated on the agenda.
8. It shall insure that nominations and elections are carried out as specified in the Constitution.
9. It shall make committee assignments before the regular August meeting, and notify those departments and independent programs which still require representation on the standing committees.

D. The following duties shall be the responsibility of the Budget Committee:

1. It shall work with the administration in formulating the budget and recommending faculty priorities.
2. It shall analyze the finances and resource allocations of the University on continuing basis so that it may advise the Faculty Senate, and through it the President of the University, on the relationship between the allocation of funds and established missions of the institution.

3. It shall make recommendations regarding the administrative services which the University provides for its faculty.

E. The following duties shall be the specific responsibility of the Curriculum Committee:

1. It shall make recommendations to the Faculty Senate, and through it to the University administration, in all areas curricula policies and procedures.
2. It shall periodically review, evaluate, reevaluate, and make recommendations concerning those programs and policies which it receives from the college curriculum committees. It shall examine those proposals with reference to pedagogy, staffings, available resources, etc.

F. The following duties shall be the specific responsibility of the Faculty Benefits Committee:

1. It shall review, evaluate, reevaluate and make recommendations concerning those policies, procedures, and programs related to faculty benefits; in particular those policies dealing with insurance, retirement, academic leaves, summer fellowships, institutional grants, deferred compensation, the credit union, travel allowance, and reassigned time.
2. It shall process applications of and make recommendations on candidates for institutional leaves, fellowships, and grants.

C. The following duties shall be the specific responsibility of the Professional Concerns Committee:

1. It shall review, evaluate, reevaluate and make recommendations concerning the various University policies relating to the general academic and professional concerns of the faculty; in particular those matters dealing with tenure, promotion, rank, and performance evaluation.
2. It shall periodically review and reevaluate the Faculty Policies and Procedures Manual and recommend revisions when deemed appropriate.
3. It shall take under consideration those student policies that are of professional concern to the faculty.

ARTICLE VII. Meetings

- A. The general faculty shall meet at least once a year, the meeting to be convened by its president, the President of the University, the Provost, or the Executive Committee of the Faculty Senate.
- B. Should a petition, signed by at least ten per cent of the general faculty as exhibited on the official roster, requesting a meeting of the general faculty and indicating proposed items of business be filed with the President of the Faculty Senate, the Executive Committee shall call a meeting of the general faculty to consider those matters. Such a meeting shall be held not later than two weeks, exclusive of holidays, from the filing date of the petition. The filing of a petition challenging Senate action shall be interpreted as a declaration that the general faculty is asserting its jurisdiction.
- C. No meeting of the general faculty called by the Executive Committee shall be held unless an agenda prepared by that committee is distributed to all members of the general faculty at least one week prior to the meeting date.
- D. The Faculty Senate shall meet at least once each month, unless deemed unnecessary by the Executive Committee, during both semesters and the summer sessions. Special meetings may be called by the President of the Faculty Senate or its Executive Committee. Regular meetings shall be on the third Monday of each month; emergency changes of date may be made by the Executive Committee.
- E. The Executive Committee shall appoint a temporary chairperson should neither the President nor the Vice President be in attendance.
- F. All meetings of the Faculty Senate shall be open to the University community. All faculty members shall have the same floor privileges as those granted to members of the Senate, except the right to vote. Others may be granted floor privileges by majority vote of the Senate. Only senators in attendance may vote, unless this rule is waived in advance by the Executive Committee.
- G. Agenda items and supporting information shall be submitted to the Executive Committee at least seven calendar days prior to the scheduled Senate meeting. Items may also be placed on the agenda by the Executive Committee on its own motion or on the motion of any member of the Senate, or by petition signed by at least ten members of the general faculty. The agenda shall be distributed to the general faculty in advance of Faculty Senate meetings.

- H. Minutes of the meetings of the Faculty Senate shall be distributed to all members of the Faculty Senate. Actions of the Faculty Senate shall become final fourteen (14) days following the official distribution of said minutes, unless the general faculty asserts its jurisdiction.

ARTICLE VIII. Faculty Regent

The Faculty Regent shall report regularly to the Faculty Senate, and through it to the general faculty on those matters coming before the Board of Regents that pertain to the faculty; and to report action taken on such matters.

ARTICLE IX. Rules of Order

In the absence of any special rules of order which the general faculty or the Faculty Senate may adopt, Robert's Rules of Order shall govern the conduct of the meetings.

ARTICLE X. Quorum

A quorum for a Faculty Senate meeting shall be fifty per cent of its members.

ARTICLE XI. Senate Action

The President of the University may reject any action of the Faculty Senate. The Faculty Senate may be a two-thirds vote request the referral of the vetoed action to the Board of Regents.

ARTICLE XII. Standing Committees' Bylaws

Each standing committee shall maintain its own bylaws. All amendments are subject to the approval of the Faculty Senate.

ARTICLE XIII. Effective Date

This constitution became effective November 15, 1982, and upon approval by the Board of Regents becomes part of the Faculty Policies and Procedures Manual.

ARTICLE XIV. Amendments

This constitution may be amended at any meeting of the general faculty by a two-thirds majority of those voting, provided the proposed amendment was included in the agenda and was available to the members of the general faculty for one week prior to the meeting. The approved amendment becomes operative upon ratification by the Board of Regents.



Salmon P. Chase
College of Law

• Northern Kentucky University •

• Highland Heights, KY 41076

November 8, 1982

Tom Cate
430 BEP Building
Northern Kentucky University
Highland Heights, KY 41076

Jerry Warner
511 Science Building
Northern Kentucky University
Highland Heights, KY 41076

RE: Proposed Changes, Faculty Senate Constitution

Dear Tom and Jerry (!):

Is it the intent that the changes in duties and responsibilities of the Curriculum Committee (item VI-E, page 5) to assert jurisdiction over the College of Law? American Bar Association Standards require that the Dean and faculty of an approved law school have the responsibility for formulating and administering various matters, including curriculum.

I tried to reach both of you Friday but was not successful. I will be back in town Wednesday, afternoon, November 10.

Thank you for your consideration of this question.

Sincerely,

Frederick R. Schneider, (vjd)

Frederick R. Schneider
Professor of Law

FRS/vjd




Northern Kentucky University
Highland Heights, Kentucky 41076

Memorandum

November 10, 1982

To: Tom Cate

Fr: Lyle A. Gray 

Re: Proposed Amendments to the Constitution of the Faculty Senate

Please see the attached memorandum on the above subject as I believe we need to amend the language in order to comply with the ABA requirements. If I can furnish further information, do not hesitate to contact the office.

cc: Bill Jones

nmc

Attachment



Salmon P. Chase
College of Law

• Northern Kentucky University •

Highland Heights, KY 41076

*Part 2
amendment
in transition*

MEMORANDUM

TO: Dr. Lyle A. Gray, Provost

FR: William R. Jones

DA: November 8, 1982

RE: Proposed Amendments to the Constitution of the Faculty Senate

The Amendment to Article VI E of the Constitution of the Faculty Senate appears to be an attempt to assert jurisdiction over all curriculum matters at the University, including the curriculum of the College of Law. Aside from the fact that there seems to be no good reason why a general University Curriculum Committee should concern themselves with the curriculum of the College of Law, since that curriculum does not interact with any of the other programs of the University in any significant way, such a provision would be in violation of standards 204 and 205 of the American Bar Association's Standards and Rules of Procedure for Approval of Law Schools. Those standards are set out below:

Standard 204

The Governing Board may establish general policies for the law school, provided they are consistent with a sound educational program and the Standards.

Standard 205

Within those general policies, the dean and faculty of the law school shall have the responsibility for formulating and administering the program of the school, including such matters as faculty selection, retention, promotion and tenure; curriculum; methods of instruction, admission policies; and academic standards for retention, advancement, and graduation of students.

lao

cc: Professor Frederick Schneider
Professor Paul Joseph