

Contact: Diana Gonzalez

FACULTY SENATE CONSTITUTION REVISIONS AT THE UNIVERSITY OF IOWA

Action Requested: Consider approval of the proposed revision to the University of Iowa Faculty Senate Constitution.

Executive Summary: The Faculty Senate and the Faculty Council of the University of Iowa are the elected bodies through which the faculty advocates for the faculty and the University; develops and disseminates ideas for University improvement; and contributes to the formation of general University policy. According to the Constitution and By-Laws of the University of Iowa Faculty Senate, final approval of major changes must be submitted to the Board of Regents for approval. The proposed revision has been approved by the general faculty, the provost, and the president and is presented by the president for Board consideration.

Background: The following is the proposed change in the Constitution:

Article II, Section 5A.

- ◇ Current language. “Any newly-elected, continuing, or departing member of the Senate shall be eligible to be elected as an officer.”
- ◇ Proposed language. “Any newly-elected, continuing, or departing member of the Senate, or any person who has served at least three years in the Senate at any time, shall be eligible to be elected as an officer.

This proposed change will enlarge the pool of candidates eligible to serve as Faculty Senate officer, which ensures the continued quality of the Faculty Senate officers.

CONSTITUTION AND BY-LAWS OF THE UNIVERSITY OF IOWA FACULTY SENATE

(The following is a reproduction of the Constitution of the Faculty Senate and the Council, adopted by the General Faculty 3/10/67; approved by the President of the University and by the State Board of Regents 4/14/67, and as amended by vote of the Faculty, and approval by the President and by the Board of Regents 11/14/69.) (Amended, Regents 6/26/75; 6/15/78; 4/18/84; 2/21/90; 9/93; 11/97; 2/98; 4/99; 7/00)

**Article I
Definitions**

1. The University Faculty Senate is the representative and deliberative organization of the faculty of the University of Iowa.
2. The University Faculty Council is the administrative agency of the Faculty Senate.
3. For purposes of this Constitution: Faculty who hold tenured appointments are all those faculty who have been awarded or appointed with tenure as tenure is defined in the University of Iowa Operations Manual. Faculty who hold non-tenured appointments are all those faculty who hold the rank of professor, associate professor, or assistant professor and who hold neither tenure nor a clinical appointment. Faculty who hold salaried clinical appointments are all those faculty who do not have tenure and who have been appointed to salaried clinical faculty positions as those positions are defined in the University of Iowa Operations Manual. Probationary salaried clinical faculty are those salaried clinical faculty who are in their initial appointment and who have not undergone the "full-scale, departmental-collegiate review" provided for under section 20.038 (c)(1) of the Operations Manual.

**Article II
The University Faculty Senate**

1. **Powers and Duties.**
 - A. The Senate may discuss and take a position on any subject of University concern.
 - B. The Senate may formulate and recommend policies to the president of the University on all subjects of University concern.
 - C. The Senate appoints the members of the faculty who serve on general University committees and the members of the Faculty Judicial Commission. If it is possible to do so the Senate should appoint at least one of its own members to each University committee.
 - D. The Senate receives and reviews the reports from all general University committees.
 - E. Through the Committee on the Selection of Central Academic Officials, the Senate consults with the Board of Regents regarding the selection of the president of the University and with the president regarding the selection of other central academic officials. Participation by members of the Committee on the

Selection of Central Academic Officials in the selection of the president and other central academic officials shall be determined by the Board of Regents in the selection of the president and by the president in the selection of other academic officials after consultation with the president of the Faculty Senate and the Chairperson of the Committee on the Selection of Central Academic Officials, with a goal of insuring substantial participation by members of the Committee on the Selection of Central Academic Officials in the selection process, consistent with other committee obligations of the members and the exigencies of the particular search. Participation by faculty who are not members of the Committee on the Selection of Central Academic Officials shall be determined by the Board of Regents in the selection of the president and by the president in the selection of other central academic officials after consultation with the president of the Faculty Senate and the Chairperson of the Committee on Committees.

- F. The Senate may call meetings of the faculty.
 - G. The Senate is the judge of its own membership.
 - H. The Senate may adopt bylaws for declaring vacant the seat of any member of the Senate or Council who fails to attend meetings of the Senate or Council.
2. **Composition.** The Senate consists of at least one representative from each college except the Graduate College and additional representatives based on the number of faculty members in each college eligible to vote under paragraph E of this Constitution. The number of such additional representatives is determined as follows: the number of voting faculty members in the entire faculty is divided by sixty; the quotient, rounded to the nearest whole number, is then divided into the number of voting faculty members in each college and the result, rounded to the nearest whole number, is each college's quota of additional representatives.

Besides the representatives elected as specified above, who may (except as otherwise provided in this paragraph) hold either tenured, non-tenured, or salaried clinical appointments to the faculty, the Senate also includes eight representatives who at the time of their election must hold non-tenured appointments or probationary salaried clinical faculty appointments. Of these eight non-tenured or probationary representatives, three are elected from the College of Liberal Arts, two from the College of Medicine, and three at-large from the remaining colleges. No more than 20% of the senators from any college, or one senator, whichever is greater, may be clinical track faculty of that college.

3. **Terms.** A member of the Senate is elected for a three-year term and may be reelected to a second term of three years. Following one or more years of absence from the Senate, a faculty member becomes eligible once more to serve two consecutive terms. A first term may be automatically extended by election to the Council as specified in Article III, 3 below. In such a case a member of the Senate may be reelected only to an abbreviated term, the length of which is the un-expired portion of the second three years of eligibility. Either a first term or a second consecutive term may be automatically extended by election as an officer of the Senate as specified in paragraph 5, A below.

4. **Eligibility.** Members of the faculty who are eligible to vote for members of the Senate are also eligible for election with the following exceptions: (1) those who are completing the second of two consecutive terms in the Senate and (2) those deans, directors and central administrative officers whose duties are judged by the Committee on Election to be primarily administrative.

5. **Officers.**

A. The officers of the Senate are a president, a vice president, and a secretary. ~~Any newly elected, continuing or departing member of the Senate shall be eligible to be elected as an officer.~~ Any newly elected, continuing, or departing member of the Senate, or any person who has served at least three years in the Senate at any time, shall be eligible to be elected as an officer. Any person elected as an officer of the Senate shall automatically be a member of both the Senate and the Faculty Council. Terms are for one year and begin with the adjournment of the organizational meeting. The vice president and the secretary shall be elected by a majority of those present and voting at the organizational meeting. The president shall be the person whose term as vice president is just ending. No one may hold two offices simultaneously or serve consecutive terms in the same office. If the president's service in the Senate would otherwise end at the conclusion of his or her term as president, it shall be automatically extended for one year.

B. If the office of president becomes vacant, the vice president shall become president for the remainder of that term and remain president for the following term. If the office of vice president becomes vacant, it may remain vacant until the end of the term, in which case the Senate shall elect a president as well as a vice president and secretary at its organizational meeting. Alternatively, at any time during a vacancy in the office of vice president, the Faculty Council may call an election to fill the vice presidency, and a vice president shall then be elected at the next regularly-scheduled Senate meeting, provided that at least 10 days notice of the election has been given to the Senate membership. If the office of president becomes vacant when the office of vice president is also vacant, the secretary shall convene a special meeting of the Senate with at least 10 days notice (unless the organizational meeting is sooner) at which a president shall be elected to serve the remainder of the term. That person shall be eligible for election as president for the following term. If the office of secretary becomes vacant, the president shall appoint an acting secretary for the remainder of the term. In the event that any vacancy in any Senate office occurs in a manner not contemplated by these rules, the Faculty Council may call an election to fill the vacant office. The election may be held at a special meeting of the Senate called for that purpose, or at a regularly-scheduled Senate meeting, provided that at least 10 days notice of the election has been given to the Senate membership.

6. **Procedures.**

A. **Regular Meetings.** The Senate meets in regular session four times each year, not less than twice in each semester. Other meetings may be called by the president or by the president of the University. The president shall call a meeting of the Senate at the request of ten percent of the Senate membership or a majority of

the Council. Any member of the faculty may address to the Council a request for a meeting of the Senate.

- B. The presiding officer of the Senate is the president. In the absence of the president, the presiding officer is the vice president and if both are absent the secretary serves as presiding officer.
- C. The Council provides agenda for meetings of the Senate. These agenda may be amended from the floor.
- D. In meetings of the Senate the right of the floor is limited to (1) members of the Senate, (2) the president of the University or a personal representative designated by the president of the University, (3) the dean of faculties of the University, (4) the dean of the graduate college, (5) members of committees reporting to the Senate, and (6) other persons granted the floor by the Senate.
- E. The meetings of the Senate shall be open. Executive sessions may, however, be held by majority vote of the Senate. In executive sessions attendance is limited to (1) members of the Senate, (2) the president of the University or a personal representative designated by the president of the University, (3) the dean of faculties of the University, (4) the dean of the graduate college, and (5) other persons approved by a majority vote of the Senate. Some portion of each regular meeting must be open. A report of each executive session must be made in the next open meeting. Written reports of open meetings are distributed to all members of the faculty.
- F. A quorum of the Senate consists of more than one-half of its members.
- G. The existence of the Senate shall not preclude other means of communication between the president of the University and the faculty.

7. Committees.

- A. The Senate may establish such other general or special committees as its business may require.
- B. The committees of the Senate are named by the president with the advice and consent of the Senate.

Article III

The University Faculty Council

1. Powers and Duties.

- A. The Council represents the Senate when the Senate is not in session.
- B. The Council operates under procedures set forth by the Senate, undertakes all tasks assigned to it by the Senate, and reports on its activities to the Senate.
- C. The Council is available for consultation with the Board of Regents, the president of the University, or any official designated by either.
- D. The Council is responsible for and maintains the records of Senate proceedings and all reports and communications received from University and Senate Committees.

- E. The Council is responsible for publishing and distributing to the faculty reports of all sessions of the Senate and of the Council.
 - F. The Council may organize itself, subject to this constitution and Senate directives, in any manner appropriate to the accomplishment of its duties.
2. **Composition.** The Council is composed of members of the Senate elected by the faculty to serve on the Council, together with the officers of the Senate, if they are not otherwise members of the Council. The regularly elected members shall include at least one member from each college represented in the Senate. Colleges whose faculty membership exceeds one-twelfth of the total number of faculty are entitled to one additional Council member, those whose faculty exceeds two-twelfths of the total faculty are entitled to two additional members, and so on.
 3. **Terms.** A member who is elected to the Council during a first term in the Senate, or at the beginning of a second term, serves on the Council for a three-year term. Election to the Council during the second or third year of a first Senate term automatically extends membership in the Senate by one or two years, as the case may be. Council members may be elected during a second term in the Senate and serve for the remainder of their second Senate terms. Upon expiration of a three-year term, the faculty member is not eligible to be elected to the Council again until a full year has passed following the end of that term. Officers of the Senate who are not otherwise members of the Council serve on the Council during their terms as officers of the Senate. But the president of the Senate is also invited to serve on the Council during the year after his or her term as president. While serving on the Council the past-president has the right to vote and all other rights of a member of the Council.
 4. **Eligibility.** Members of the Senate are eligible for election to the Council except during the year which follows a three-year term on the Council.
 5. **Officers.** The president, vice president, and secretary of the Senate are respectively the president, vice president and secretary of the Council. No one may serve two consecutive years in any of these offices but may hold different offices in successive years.
 6. **Meetings.** Meetings of the Council shall be open. Executive sessions may, however, be held by majority vote of the Council. In executive sessions attendance is limited to (1) members of the Council, (2) the president of the University or a personal representative designated by the president of the University, (3) the dean of faculties at the University, (4) the dean of the graduate college, and (5) other persons approved by majority vote of the Council. Some portion of each regular meeting must be open. A report of each executive session must be made in the next open meeting. Written reports of open meetings are distributed to all members of the faculty.

**Article IV
Elections**

- 1. General Rules.** Elections are held annually under the supervision of the Senate Committee on Elections. Tenured, non-tenured, and salaried clinical faculty who hold the rank of professor, associate professor, and assistant professor are considered members of the faculty and eligible to vote. Faculty members not attached to a represented college are assigned to the most appropriate of the represented colleges for electoral purposes. Faculty members holding emeritus status are not eligible to vote. The Committee on Elections may also recommend that persons engaged in teaching or research under other titles be permitted to vote. The Committee on Elections presents to the Senate a list of persons eligible to vote in each college, a list of positions to be filled, and a list of persons eligible to vote but not be elected to certain offices. These lists become official upon approval by the Senate. In all elections, all votes have the same weight.

Four elections are held each year: (1) nominations for the Senate, (2) the Senate election, (3) the Council election, and (4) the election of officers of the Senate.

A college which wishes to apportion its representatives to the Senate or the Council among subdivisions of the college must present a plan for this purpose to the Senate for approval. When such a plan is approved, the appropriate decisions regarding eligibility for election are made by the Committee on Elections.

- 2. Nominations for the Senate.** On the nominating ballot, a faculty member may make one nomination for each vacant position in the Senate for which the faculty member is eligible to vote. Twice as many nominees are chosen as there are vacancies. A faculty member who receives sufficient votes to be nominated becomes a nominee upon being notified and consenting to run. One who may be nominated for either an at-large vacancy or a collegiate vacancy may choose to run for either but not both. When a faculty member decides not to run, the person receiving the next largest number of votes is invited to be a candidate. Cases of ties are decided by lot by the Committee on Elections.
- 3. Senate Elections.** The Senate ballot for each college contains twice as many names as there are vacant positions. Each eligible voter may vote for as many names as there are positions to be filled. A voter may vote for fewer than this number but may not cast more than one vote for one person.
- 4. Council Elections.** In some cases, election to the Council is automatic, e.g. the case of a college with two representatives in the Senate of whom one is currently serving on the Council. When a college has more than enough eligible members of the Senate to fill vacant positions on the Council, the Committee on Elections sends to the college a ballot containing all the eligible names. Each voter may vote for as many persons as there are positions to be filled. A voter may vote for fewer than this number but he may not cast more than one vote for one person.

The Committee on Elections reports the results of the voting to the Senate. When the report is approved, the candidates with the highest number of votes are declared elected.

- 5. Elections of Officers of the Senate.** As soon as possible after the last regular meeting in the spring semester, the newly elected and continuing members of the Senate hold an organizational meeting in which they elect a vice president and a secretary for the coming year. They also elect a president if the past year's vice president is unable to succeed to the presidency.
- 6. Vacancies.**
 - A. Vacancies arising between elections. Vacancies on both the Senate and the Council which arise between annual elections are filled by the Senate from eligible members of the constituency affected for a term expiring June 30 following the next annual election.
 - B. Vacancies in prospect at the time of elections. If a vacancy for one year or more on the Senate or Council is in prospect at the time of the annual election, the vacancy is filled by regular election procedures. If a vacancy for less than one year is in prospect, it is filled by the Senate from eligible members of the constituency affected.
 - C. Eligibility for reelection. Service in a vacancy which extends over more than eighteen months' time is considered equivalent to a full term in determining eligibility for reelection.
- 7. Leave of Absence.** Any member of the Senate or Council who is on leave or who anticipates being on leave from the University may request a leave of absence from the Senate or Council. The seat of the absent member shall be filled for the period of the absence in the manner prescribed for filling other vacancies.

Article V Amendments

Amendments. Amendments to this constitution may be initiated by (1) persons having the right of the floor in the Senate, or (2) petition to the Senate by at least ten faculty members.

An amendment becomes effective when approved by (1) a majority of those voting in the Senate, (2) a majority of those voting in a faculty referendum, (3) the President of the University, and (4) the Board of Regents, provided, however, that in the case of any amendment to Article II, paragraph 2 - regarding the limitation on representation of clinical track faculty to 20% of the representatives from any college-the required vote of the Senate shall be a 3/5 affirmative vote of those voting.

Article VI

Bylaws

The Senate may by majority vote establish bylaws, not inconsistent with this constitution, governing the conduct of the business of the Senate and of the Council and other such matters as may be within its competence. Any member of the Senate may propose additions, amendments, or deletions to the bylaws by submitting a written text of the proposal to the secretary of the Senate at least fourteen days before the meeting at which it is to be considered. The secretary of the Senate shall circulate the same to all members of the Senate prior to the meeting.