

Contact: Diana Gonzalez

FACULTY SENATE CONSTITUTION REVISIONS AT THE UNIVERSITY OF IOWA

Action Requested: Consider approval of the revisions 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 revisions have been approved by the general faculty, the provost, and the president and are being presented by the president for Board consideration.

Background: The following are major changes in the Constitution:

- ◇ Defines faculty who are included in the Faculty Senate as tenured faculty, tenure-track faculty, and clinical faculty. Research faculty are not included in the definition of faculty.
- ◇ Expands the definition of “central academic official” to include both permanent and interim appointees and all other vice presidents that may be created in the future. The effect of this is to expand the role of the Faculty Senate’s governance in the selection of such officials.
- ◇ Gives the president of the Faculty Senate power to appoint members of all committees with the advice and consent of the Senate. This provision incorporates how the process has been working.
- ◇ Provides an official role for the past president of the Faculty Senate as one of the four executive officers of the Senate and designates the past president as the Senate’s parliamentarian.
- ◇ Expands the pool of potential nominees for vice president (and future president) of the Faculty Senate to include members of the Senate, departing members of the Senate and “any person who has served at least three years in the Senate at any time.” (Only the latter is new.)
- ◇ Sets the number of Senate meetings generally at six per year and at least two per semester.
- ◇ Allows the Senate president to grant floor privileges to any person without the consent of the Senate. (Floor privileges are already granted to members of the Senate, president and provost of the University, deans, and members of committees reporting to the Senate.)
- ◇ Provides that Senators should arrange their teaching and patient care responsibilities and other obligations to facilitate attendance at Senate and/or Council meetings and provides that University administrators who set teaching schedules and other obligations of Senators are “expected to arrange those schedules in ways that facilitate the faculty members’ participation in the Senate or the Council.”

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)

- a. General. 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.
- b. Definitions.
 - (1) The "University Faculty Senate" ("Senate") is the representative and deliberative organization of the faculty of The University of Iowa.
 - (2) The "University Faculty Council" ("Council") is the elected administrative body of the Senate.
 - (3) For the purposes of this constitution and any bylaws enacted thereunder:
 - (a) "Faculty who hold tenured appointments (tenured faculty)" are all those faculty who have been awarded or appointed with tenure as it is defined in The University of Iowa *Operations Manual*;
 - (b) "Faculty who hold tenure-track appointments (tenure-track faculty)" are all those faculty who hold tenure-track appointments at the rank of professor, associate professor, or assistant professor but are not tenured;
 - (c) "Faculty who hold salaried clinical appointments (clinical faculty)" are all those faculty who have been appointed to salaried clinical faculty positions as these are defined in The University of Iowa *Operations Manual*;
 - (d) Faculty do not include individuals who have been appointed on the research track;
 - (e) "Central academic official" means the Executive Vice President and Provost, the Vice President for Research, the Vice President for Finance and University Services, the Vice President for Student Services, the Vice President for Medical Affairs, the General Counsel, whether interim or permanent, and all other vice presidents who, as shown on the organizational chart of the University, directly report to the University President.

c. The 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 University President and other administrative officials of the University on all subjects of University concern.
- (c) With respect to any University Charter Committee, the Presidential Committee on Athletics, the Faculty-Staff Budget Committee and any other standing committee within the University whose charge provides for the appointment of faculty by the Faculty Senate, appointments to such committees shall be made by the Senate President with the advice and consent of the Senate or as otherwise provided in the Senate's bylaws.
- (d) The Senate receives and reviews the reports from all committees having faculty appointed by the Senate and such other reports as may, from time to time, be submitted to the Senate by the Senate President, the University President, or any Central Academic Official.
- (e) The Committee on the Selection of Central Academic Officials, together with the Senate President, advises the Board of Regents, State of Iowa regarding the selection of the University President and the University President regarding 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 and other faculty in the selection process.
 - (i) Members chosen from the Committee on the Selection of Central Academic Officials for the selection of the University President shall be determined by the Board of Regents after consultation with the Senate President and the chairperson of the Committee on the Selection of Central Academic Officials. Faculty who are not members of the Committee on the Selection of Central Academic Officials shall be determined by the Board of Regents after consultation with the Senate President.
 - (ii) Members chosen from the Committee on the Selection of Central Academic Officials for the selection of central academic officials shall be determined by the University President after consultation with the Senate President and the chairperson of the Committee on the Selection of Central Academic Officials. Faculty who are not members of the Committee on the Selection of Central Academic Officials shall be determined by the University President after consultation with the Senate President.
- (f) The Senate may call meetings of the faculty.
- (g) The Senate is the judge of its own membership.

(2) Composition of the Senate.

- (a) The Senate shall have at least one representative from each College except the Graduate College and University College. Faculty with primary appointments in the Graduate College or University College shall be assigned to the College of Liberal Arts and Sciences for purposes of voting in and election to the Senate.
- (b) A College may be entitled to additional representatives in the Senate based upon the formula set forth in the Senate bylaws.
- (c) The representatives elected as specified above, may (except as otherwise provided in this section) hold tenured, tenure-track, or salaried clinical faculty appointments.
- (d) The Senate also includes eight representatives who must hold tenure-track appointments or salaried clinical faculty appointments for six years or less at the time of their election. Of these eight, three are elected from the College of Liberal Arts and Sciences, two from the College of Medicine, and three at-large from the remaining Colleges.
- (e) No more than 20 percent of the senators from any College, or one senator, whichever is greater, may be clinical track faculty of that College.

(3) Terms.

- (a) A Senator is elected for a three-year term beginning immediately following the close of the last regular meeting of the Senate in the spring semester in which that Senator is elected and ending at the close of the last regular meeting of the Senate in the spring semester of the end of the three year term.
 - (b) A Senator may be re-elected to a second consecutive term of three years.
 - (c) A faculty member becomes eligible again to serve two consecutive terms following one or more years of absence from the Senate.
 - (d) A first term may be automatically extended by election to the Council as specified in [I-2.8(1)d(3)] below. In such a case a member of the Senate may be re-elected only to an abbreviated term, the length of which is the unexpired portion of the second three years of eligibility.
 - (e) Either a first term or a second consecutive term is automatically extended by election as an officer of the Senate as specified in paragraph (5) below.
- (4) Eligibility. Members of the faculty who are eligible to vote for members of the Senate are also eligible for election as Senators 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 who hold a greater than 50% administrative appointment.

(5) Officers.

- (a) The four officers of the Senate are a president, a vice president, a secretary, and a past president.
 - (i) The vice president and the secretary shall be elected by a majority of those present and voting at the organizational meeting.
 - (ii) The president shall be the person whose term as vice president is just ending.
 - (iii) The past president shall be the person whose term as president is just ending.
- (b) 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.
- (c) Any person serving as an officer of the Senate shall automatically be a member of both the Senate and the Council even though such officer's term on the Senate or Council would otherwise have expired.
- (d) No one may serve two consecutive years in any of these offices but may hold different offices in successive years.
- (e) No one may hold two offices simultaneously.
- (f) Terms of officers are for one year and begin with the adjournment of the organizational meeting as provided for in the bylaws.
- (g) The Senate past president shall be the Senate parliamentarian.
- (h) The Senate secretary is responsible for keeping the minutes of all sessions of the Council and the Senate and making them available for inspection.

(6) Vacant Offices:

- (a) 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.
- (b) If the office of vice president becomes vacant, the Faculty Council will:
 - (i) decide to allow the office to 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 next organizational meeting, or, alternatively,
 - (ii) at any time during a vacancy in the office of the vice president, call an election to fill the vice presidency, and a vice president shall then be elected at the next regularly-scheduled Senate meeting. At least 10 days notice of the election must be given to the Senate membership.

- (c) If the office of president becomes vacant when the office of vice president is vacant:
 - (i) 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.
 - (ii) That person shall be eligible for election as president for the following term.
 - (d) If the office of secretary becomes vacant, the Faculty Council will:
 - (i) decide to allow the office to remain vacant until the end of the term, in which case the Senate shall elect a secretary as well as a vice president at its next organizational meeting, or, alternatively,
 - (ii) at any time during a vacancy in the office of the secretary, call an election to fill the office, and a secretary shall then be elected at the next regularly-scheduled Senate meeting. At least 10 days notice of the election must be given to the Senate membership.
 - (e) In the event that a 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 and, at least 10 days notice of such an election must be given to the Senate membership.
- (7) Procedures.
- (a) Meetings.
 - (i) The Senate ordinarily convenes regular meetings at least six times each year, not less than twice each semester.
 - (ii) Other meetings may be called by the Senate President or by the University President.
 - (iii) The Senate President shall call a meeting of the Senate at the request of ten percent of the Senate membership or a majority of the Council.
 - (iv) Any member of the faculty may request in writing that the Council call a meeting of the Senate.
 - (b) Presiding Officer:
 - (i) The Senate President is the presiding officer of the Senate.
 - (ii) In the absence of the Senate President, the vice president is the presiding officer.

- (iii) If the Senate President and vice president are absent the secretary is the presiding officer.
- (iv) If the Senate President, vice president and secretary are absent, the past president is the presiding officer.
- (c) The Council provides agendas for meetings of the Senate. These agendas may be amended from the Senate floor.
- (d) In open meetings of the Senate the right of the floor is limited to:
 - 1) members of the Senate,
 - 2) the University President or a designee,
 - 3) the Executive Vice President and Provost of the University, or a designee,
 - 4) the Deans of the Colleges,
 - 5) members of committees reporting to the Senate, and
 - 6) other persons granted the floor by the Senate President or by the Senate.
- (e) The meetings of the Senate shall be open except as provided in (h) below.
- (f) Some portion of every regular session must be open.
- (g) Minutes of Senate meetings shall be available to all members of the faculty.
- (h) Executive or closed sessions of the Senate may be held on a majority vote of the Senate.
 - (i) A report of each executive session must be made in the next open meeting of the Senate.
 - (ii) In executive sessions attendance is limited to:
 - 1) members of the Senate, and
 - 2) other persons approved by majority vote of the Senate.
- (i) A quorum of the Senate consists of more than 50% of its members.
- (j) The existence of the Senate shall not preclude other means of communication between the University President and the faculty.

(8) Committees.

- (a) The Senate may establish such general or special committees as its business may require.

d. The 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, State of Iowa; the University President; 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 may organize itself, subject to this Constitution and Senate directives, in any manner appropriate to the accomplishment of its duties.

(2) Composition.

- (a) The Council is composed of the officers and members of the Senate elected by the faculty to serve on the Council.
- (b) The regularly elected members shall include at least one member from each college represented in the Senate.
- (c) Colleges whose faculty membership exceeds one-twelfth of the total number of faculty entitled to serve in the Senate are entitled to one additional Council member;
- (d) Colleges whose faculty exceeds two-twelfths of the total number faculty entitled to serve in the Senate are entitled to two additional members, and so on.

(3) Terms.

- (a) A Senator who is elected to the Council during the Senator's first term in the Senate, or at the beginning of a second term, serves on the Council for a three-year term.
- (b) 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.

- (c) Council members may be elected during a second term in the Senate and serve for the remainder of their second Senate terms.
 - (d) Upon expiration of a three-year term, a faculty member is not eligible to be elected to the Council again until a full year has passed following the end of that term, or no other faculty member from the same college agrees to serve on the Council.
 - (e) Officers of the Senate who are not otherwise members of the Council serve on the Council during their terms as officers of the Senate.
- (4) Eligibility. Senators may not serve two consecutive terms on the Council, except as provided by d.3.d. above; however, if a Senator is appointed to fill a vacant Council position for less than 18 months, the Senator may be elected to an additional 3 year term.
- (5) Officers.
- (a) The president, vice president, secretary, and past president of the Senate are respectively the president, vice president, secretary, and past president of the Council.
- (6) Procedures.
- (a) Regular Meetings.
 - (i) The Council meets at such times and places as are fixed by the Senate President.
 - (ii) The Senate President shall call a meeting of the Council at the request of a minimum of five members of the Council.
 - (iii) Any member of the faculty may address a request to the Council for a meeting of the Council.
 - (b) Presiding Officer:
 - (i) The Senate President is the presiding officer of the Council.
 - (ii) In the absence of the Senate President, the vice president is the presiding officer.
 - (iii) If the Senate President and vice president are absent the secretary is the presiding officer.
 - (iv) If the Senate President, vice president and secretary are absent, the past president is the presiding officer.

- (c) The Council provides agendas for meetings of the Senate. These agendas may be amended from the Senate floor.
 - (d) In open meetings of the Council the right of the floor is limited to:
 - 1) members of the Council,
 - 2) the University President or a designee,
 - 3) the Executive Vice President and Provost of the University, or a designee,
 - 4) the Deans of the Colleges,
 - 5) members of committees reporting to the Senate, and
 - 6) other persons granted the floor by the Senate President or by the Council.
 - (e) The meetings of the Council shall be open except as provided in (h) below.
 - (f) Some portion of every meeting of the Council must be open.
 - (g) Minutes of Council meetings shall be available to all members of the faculty and shall be provided to the Senate.
 - (h) Executive or closed sessions of the Council may be held on a majority vote of the Council.
 - (i) A report of each executive session must be made in the next open meeting of the Council.
 - (ii) In executive sessions attendance is limited to:
 - 1) members of the Council, and
 - 2) other persons approved by majority vote of the Council.
 - (i) A quorum of the Council consists of more than 50% of its members.
- e. Elections.
- (1) General Rules.
 - (a) Elections are held annually under the supervision of the Senate Committee on Elections.
 - (b) Tenured, tenure-track, 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.

- (c) For electoral purposes, faculty members not attached to a represented college are assigned to another college in accordance with the terms of section c.(2)(a).
 - (d) Research faculty and faculty members holding emeritus status are not eligible to vote.
 - (e) Any person who is a candidate for either vice president or secretary at the organizational meeting is eligible to vote at the meeting.
 - (f) 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 to be elected to certain offices. These lists become official upon approval by the Senate.
 - (g) 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. If approved, the appropriate decisions regarding eligibility for election are made by the Committee on Elections.
 - (h) In all elections, all votes have the same weight.
 - (i) Cases of ties, in elections to the Senate or Council, are decided by lot by the Committee on Elections.
- (2) Four elections are held each year:
- (a) Nominations for the Senate.
 - (i) Nominations for the Senate shall be conducted by the Committee on Elections in accordance with the bylaws.
 - (ii) 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. Ideally, twice as many nominees will appear on the Senate ballot as there are vacancies.
 - (iii) No faculty member may run for both an at-large vacancy and a collegiate vacancy.
 - (b) Senate Elections.
 - (i) The Senate ballot for each college contains at least one name for each vacancy.
 - (ii) Each eligible voter may vote for as many individuals 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 individual.

(c) Council Elections.

- (i) 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.
- (ii) 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.
 - (A) Each voter may vote for as many individuals 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 individual.
 - (B) 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.

(d) Elections of Officers of the Senate.

- (i) 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.
- (ii) If the just completed year's vice president is unable to succeed to the presidency, the newly convened Senate elects a new Senate President.
- (iii) In all cases the Senate elects a vice president and a secretary for the coming year.

(3) Vacancies

- (a) Vacancies arising between elections. Vacancies on both the Senate and the Council which arise as the result of resignation from the Senate or the Council are filled by the Senate from the eligible members of the affected constituency for the remainder of the term.
- (b) Vacancies in prospect at the time of elections.
 - (i) 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.
 - (ii) If a vacancy for less than one year is in prospect, the vacancy is filled by the Senate from eligible members of the affected constituency.
- (c) Eligibility for reelection. Service in a vacancy resulting from a resignation which extends over more than eighteen months' time is considered equivalent to a full term in determining eligibility for reelection.

- f. Faculty members who represent their colleges on the Senate or Council should arrange their teaching and patient care responsibilities and other obligations so as to facilitate their regular attendance at the meetings of the Senate or Council. University administrators who set the teaching schedules and other obligations of faculty members who represent their colleges are expected to arrange those schedules in ways that facilitate the faculty members' participation in meetings of the Senate or Council.

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

 - (2) An amendment becomes effective when approved by each of the following:
 - a) a majority of those voting in the Senate,
 - b) a majority of those voting in a faculty referendum,
 - c) the University President, and
 - d) the Board of Regents.

 - (3) Notwithstanding the foregoing, in the case of any amendment to [I-2.8(1)c(2)(e)] -- regarding the limitation on representation of clinical track faculty to twenty percent of the representatives from any college -- the required vote of the Senate shall be a three-fifths affirmative vote of those voting.

- h. Bylaws.
 - (1) 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 such other matters as may be within its competence.

 - (2) Any member of the Senate may propose additions, amendments, or deletions to the bylaws by submitting a written text of the proposal to the Senate secretary at least 14 days before the meeting at which it is to be considered.

 - (3) The Senate secretary shall circulate the same to all members of the Senate at least 10 days prior to the meeting.