

Attachment 5 **Proposed revisions to Faculty Senate Constitution**

Background:

Over the past several years it has been noted language in the Faculty Senate Constitution has become outdated and needs to be updated to reflect current practice.

Also, a request from the General University caucus was received at the beginning of April 2013 proposing a change to the FS committee structure.

The General University caucus proposed “the formation of a new standing committee of Faculty Senate, modeled similarly to the Committee on Technology where all members of the committee do not have to be senators. The new committee, “Professional Staff Affairs,” will be similar to Faculty Affairs where most of the issues discussed will be employment-related and there may be times where the Faculty Affairs Committee and the Professional Staff Affairs Committee will work together on joint issues. However, there are many employment related issues that are unique to Professional Staff as well as issues unique to Faculty (such as differentiation of Promotion to each group.)”

This proposal came to light in view of a comment made during the Spring open forum by the University President regarding professional staff perhaps not being represented strongly enough by Faculty Senate. The General University caucus of Faculty Senate “again affirmed that unclassified staff members are better represented as a whole by Faculty Senate rather than creating another senate structure as many of the same issues affect both employee groups. As we discussed, many unclassified staff also have instructional or other academic related duties and of course research and service responsibilities in concert with faculty members.”

Therefore, the following revisions are being presented to Faculty Senate for consideration.

Process:

1. Faculty Senate must approve changes to the Faculty Senate constitution.
 - a. A first reading would be scheduled for the May 14 Faculty Senate meeting.
 - b. A second reading and vote, including any revisions, would be held at the June Faculty Senate meeting.
2. Upon Faculty Senate approval, a meeting of the general faculty would be called for the beginning of the fall 2013 semester for a vote on the changes, as approved by Faculty Senate.
3. Upon a vote in favor of the proposal, changes would be effective immediately.
4. Each faculty senate caucus would need to follow the process to elect a member from their unit to represent them on the newly created Professional Staff Affairs committee.
5. This newly formed standing committee would begin meeting in Spring 2014.
6. Once changes are approved, portions of Section B in the University Handbook will also need updated.

Effective date:

Changes would be effective upon approval of the general faculty of Kansas State University.

University Handbook, Appendix E: Constitution of the K-State Faculty Senate

(Revised 2-7-84; 4-22-91; 12-5-02)

Section A: Powers of the General Faculty

1. ~~Traditionally, the~~ The faculties of colleges and universities have control of all matters dealing with the courses and curriculums ~~to be offered by the institution, and the granting of degrees.~~ These powers are subject to final approval by the Board of Regents.
2. The general faculty of Kansas State University ~~also~~ has the authority to participate in the establishment of policies for the supervision and control of student affairs, faculty affairs, and professional staff affairs, and public relations.
3. Faculty participation ~~being~~ is essential to the establishment of policy relating to many all-university ~~problems-issues. it is within the power of the f~~Faculty have the power to participate in the formulation of policies concerning such matters.

Section B: The Faculty Senate of Kansas State University

Article I. General Purpose, Jurisdiction, and Duties of the Faculty Senate

To facilitate the exercise of the powers outlined in Section A, those powers are hereby delegated by the general faculty of Kansas State University to a representative body to be called the faculty senate of Kansas State University. This delegation of authority by the general faculty is subject to revision by that faculty.

Section A. General Purpose

The primary aim of including a faculty senate in the organization of Kansas State University is to facilitate faculty participation in the establishment of university policies and in the formulation of procedures for their interpretation. Such policies shape the purposes and character of the institution, and define its future ~~growth~~ direction.

Policies once established need to be under constant scrutiny if they are to remain useful. To provide for this continuing effort, ~~a structure of committees~~ an organizational structure must be created by the faculty senate, responsible to that body, and through the senate to the faculty. The continuing policy review afforded by ~~the this senate committees~~ structure enables ~~assures~~ faculty participation in the evolution of these policies.

Section B. Jurisdiction and Duties of the Faculty Senate

1. Academic ~~a~~Affairs
 - a. The faculty senate shall establish policies governing such academic matters as requirements for admission, assignment and schedules, courses and curriculums,

requirements for degrees, academic standards for students and for the institution, and evaluation of the educational program.

- b. The faculty senate shall ~~have purview over~~ approve all curriculum and course changes, and all candidates for honorary and academic degrees.

2. Faculty Affairs

- a. It shall be the duty of the faculty senate to stimulate improvement in professional standards by the formulation of policies concerning employment, qualifications, improvement in teaching methods, tenure, promotions, work loads, and retirement, and to concern itself with matters affecting the welfare of the faculty and professional staff.
- b. It shall be the duty of the faculty senate to take such measures as seem desirable for the improvement of faculty-student relationships.

3. Professional Staff Affairs

- a. It shall be the duty of faculty senate to participate in the formulation of policies concerning employment, qualifications, performance evaluation and improvement, promotion, and retirement, and to concern itself with matters affecting the welfare of professional staff.

4. University Planning

- a. It shall be the duty of faculty senate to participate, in an advisory capacity, in the process of determining mission related academic priorities at the institutional level.
- b. It shall be the duty of the faculty senate to participate, in an advisory capacity, in the process by which distribution of university appropriated resources in support of the academic, research, and service missions of the university is determined.
(FSM 4-12-94)

5. Technology

- a. It shall be the duty of faculty senate to participate, in an advisory capacity, in determining the acquisition, application, and distribution of scientific, electronic, and information technology.
- b. It shall be the duty of faculty senate to assure the formulation of policy related to the application of technology that does not infringe on academic freedom while protecting the collective interests of the university community.

6. Student Affairs

It shall be the duty of the faculty senate to participate in the formulation of policy governing such student affairs as admissions and enrollment, orientation and guidance, and financial aid and scholarships.

7. All-university Affairs

It shall be the duty of the faculty senate, through its representatives on various presidential councils and committees, to participate in the formulation of policy

governing such all-university affairs as resource allocations, public relations, intercollegiate athletics, assemblies, commencements and public gatherings, publications, campus development and planning, standards for use of physical facilities, and traffic and parking.

Article II. Membership of the Faculty Senate

Section A. Composition, Representation, Voting, and Membership

1. Composition of the Faculty Senate.

- a. There shall be four senators elected from each of the following representative units: (1) cooperative extension, (2) the library, and (3) each of the colleges. In addition to the four senators from each of the units described above, an additional senator shall be elected from each unit for each twenty-five full-time equivalent (FTE) unclassified members above seventy-five FTE or fraction thereof. Determination of the FTE for each unit is based on the total FTE of all unclassified personnel not on term appointments who are funded through the budget of the unit, excluding County Extension Agents and Farm Management ~~Fieldmen~~ Economists. In addition, there shall be a General University unit representing all other unclassified personnel not on term appointments with the number of senators elected from that unit determined at a rate of 15% (rounded up to the nearest whole number) of the total number of senators in all other units (excluding the General University unit).
- b. The ~~chair of the student senate~~ president, vice president of the Student Governing Association, and one other student from the student senate are to be members of the faculty senate with voting powers. To qualify for these positions, the students must have a minimum of 45 semester hours in residence and be currently enrolled for 12 or more semester hours.

2. Representation in the Faculty Senate.

All unclassified personnel at Kansas State University who do not have a term appointment, except County Extension Agents and Farm Management ~~Fieldmen~~ Economists, are represented in the Faculty Senate based on the location of their appointment in the University. When appointment tenths of time are distributed unequally among two or more units, the person is represented in the unit providing the greatest tenths of time. When appointment tenths of time are distributed equally among different units, the person is free to choose any one of those units for membership. Regardless of the tenths of time allocated towards administrative functions, deans, associate deans, and assistant deans are members of the general university unit (although they are counted in the determination of the number of senators in their home unit).

3. Eligibility for voting in Faculty Senate elections.

Those unclassified personnel identified in Section A.2 are eligible to vote in faculty senate elections in the unit in which they are represented.

4. Eligibility for membership in the Faculty Senate.

Those unclassified personnel identified in Section A.2 with a total university appointment of five-tenths or more are eligible to be elected to the Faculty Senate with the following exception: No person who is working toward a degree from Kansas State University is eligible for election as a senator unless that person is working for a degree outside his/her own department, provided that degree is not a requirement for promotion or tenure in his/her own department. (Such persons are counted in the determination of FTE for unit representation and are eligible to vote in the appropriate election of senators.) A person who does not wish to be included on their unit's ballot that year must so notify the ~~appropriate member of the executive committee~~ caucus chair in advance.

5. The proportional representation shall be reviewed and revised, if necessary, by the executive committee of the Faculty Senate every three years beginning in October 2002. October 1 shall be the date for counting the number of faculty and unclassified non-faculty in each unit for the purpose of reapportionment of the Faculty Senate.

Section B. Parliamentarian

The faculty senate shall include a parliamentarian without voting power.

Section C. Term of Office of Senators

1. The term of office shall be three years. Senators are eligible for re-election except that a senator cannot serve more than six years without a year intervening.
2. The term of office with full voting privileges shall begin with the first meeting of the new senate.
3. In the event senators are on leave, incapacitated, or otherwise unable to function for a time greater than one semester, the office shall be declared vacant and shall be filled by the procedure of Article II, Section D.5. The person appointed to fill the vacancy will serve for the remainder of the term, except that the person appointed to the seat vacated by the president shall serve for that year only. Senators unable to function for one semester or less may designate a proxy as outlined in the by-laws.

Section D. Nomination and Election of Candidates

1. The election committee along with voting members of the executive committee shall conduct an election each year with the aid of such offices as are necessary and shall certify the election results. This election committee shall be composed of the chair of the faculty affairs committee, the president, and secretary of the senate. The representative from each unit on the executive committee shall ~~submit to the chair of the faculty affairs committee~~ confirm with the Office of Faculty Senate approximately 11 weeks before the first meeting of the new senate a list of ~~all faculty~~ those in his/her unit eligible to vote and eligible to serve in senate elections. The election committee shall adjudicate any

questions of voter eligibility, the unit in which a person should vote, and the eligibility for election to the senate according to Article II, Section 1.

2. All eligible voters shall have the opportunity to vote by secret ballot for representatives from their respective unit.
3. Nominees for membership in the senate shall be chosen approximately nine weeks before the first meeting of the new senate by a preliminary ballot of those entitled to vote. The executive committee member in charge of unit elections or a member of the election committee shall ascertain the willingness to serve of those nominated from each unit, in order of number of votes each received, and shall certify twice the number to be elected as the official nominees of the unit. In the event of ties, those receiving the same number of votes shall be included on the ballot for election; the voting faculty shall be directed to vote for, at most, the necessary number of Senators.
4. Senators shall be chosen by secret ballot in a final election supervised by the election committee and the executive committee. In the event of a tie in the final election, a coin will be tossed to determine the winner. Elections shall be conducted seven weeks before the first meeting of the new senate.
5.
 - a. A complete summary of the election shall be kept by the secretary of the senate in official files for at least three years. Election results shall be forwarded to the president of the senate.
 - b. As a vacancy occurs in the senate, the executive committee will appoint to the senate for the unexpired term the individual who received the next highest number of votes in the regular election within the unit.
 - c. Each caucus shall go back no further than the final ballot to find replacements for vacancies. When the names on the final ballot are exhausted, a special election will be called at the time of the vacancy to fill the vacancy.
6. In the event of reorganization of the colleges, the extension, the library, or the general administration, representation on the senate of these groups will remain unaltered until after the next regularly scheduled election.

Article III. Organization of the Faculty Senate

Section A. Officers

1. The officers of the faculty senate shall be president, president elect, and secretary. At the annual organizational meeting, the president elect shall assume the presidency, and a new president elect and a secretary shall be elected by the senate from its membership or the membership of the immediately preceding senate. If one person does not receive a majority of the votes, there will be a runoff election between the two nominees receiving the highest number of votes. With the assistance of the executive committee, the president and immediate past president are charged with identifying and encouraging individuals to become candidates for officer positions of the faculty senate.

2. The president, or presiding officer, shall be the presiding officer of the faculty senate, the executive committee, and the leadership council. During the term of office, the president shall serve as a senator-at-large and not as a representative of his/her unit. The presiding officer shall only vote in case of a tie.
3. The president-elect shall perform the duties of the president in the president's absence and shall automatically succeed to the presidency at the annual organization meeting or earlier, should that office be vacated. The president-elect shall serve as a ~~non~~voting senator-at-large and not as a representative of his/her unit.
4. The secretary of the senate shall:
 - a. Prepare the minutes of the meetings of the faculty senate and the executive committee distribute them to all members of the faculty no later than seven days following a regularly scheduled meeting of the faculty senate.
 - b. ~~Provide the office of the president of the university with copies of the minutes of the meetings of the faculty senate and of the executive committee.~~ Make the approved minutes of the meetings of faculty senate and the executive committee available to faculty senators and the university community using available means.
 - c. Distribute to the senators, ~~and to each department,~~ no later than five days in advance of any meeting of the faculty senate ~~copies of the agenda for that meeting and of the minutes of the meetings of the executive committee.~~
 - d. ~~Inform the faculty of the agenda of each regular meeting. through the InView or other available means.~~ Make the agenda of each faculty senate meeting available to the university community using available means.
5. The immediate past president of the faculty senate is an ex officio at-large member of FSCOUP, the executive committee, and the faculty senate with voting rights.

Section B. Executive Committee

1. The executive committee shall consist of the president of the faculty senate, ~~as senator-at-large,~~ president-elect, and past president, as senators-at-large, secretary, chairs of faculty senate standing committees, and one senator from each representative unit who has been elected by the senators of that unit. ~~The president elect, however, shall represent his/her unit on the committee. In addition, the chair of the faculty affairs committee, the chair of the academic affairs committee, and the chair of the student senate or his/her designated representative and the immediate past president of the faculty senate shall be ex-officio members of the executive committee without voting power.~~ The president of the faculty senate shall preside at meetings of the executive committee.
2. The following duties shall be the specific responsibility of the executive committee:
 - a. It shall recommend faculty and/or professional staff for appointment to faculty senate subcommittees and other all-university committees.
 - b. It shall serve as the advisory 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 report in its minutes any recommendation on policy.

- c. It shall receive the reports and minutes of the committees of the faculty senate, and shall transmit them to the senate for action.
- d. It shall cause matters approved by the senate to be brought to the attention of the appropriate administrative officer for action, and shall report to the faculty senate the action taken.
- e. It shall take such emergency action as it finds necessary, such action to be presented at the next regular meeting of the senate.
- f. It shall refer to the appropriate committee such matters as are approved by the faculty senate for study.
- g. It shall prepare the agenda for meetings of the senate as stated in Article IV, Section B.
- h. It shall ensure that nominations and elections are carried out as specified in Article II, Section D.

Section C. Committees and Councils

- 1. Permanent committees shall be the Committee on Academic Affairs, the Committee on Faculty Affairs, the Committee on Professional Staff Affairs, ~~and~~ the Faculty Senate Committee on University Planning (FSCOUP), and the Faculty Senate Committee on Technology (FSCOT).
 - a. The Committee on Academic Affairs shall be composed of one senator from each college, the extension, the library, and the general university, and the student senate representative to the faculty senate. Each faculty senate member shall be elected by senators from each representative unit. The student representative shall serve ex officio with voting rights. The chair of the committee shall be elected by the committee membership.
 - b. The Committee on Faculty Affairs shall be composed of one senator from each college, the extension, the library, and the general university, and the student senate ~~chairperson~~ president or his/her designated representative. Each faculty senate member shall be elected by senators from each representative unit. The student representative shall serve ex officio with voting rights. The chair of the committee shall be elected by the committee membership.
 - c. The committee on Professional Staff Affairs shall be composed of one representative from each college, extension, the library, and the general university, and a student representative designated by the chair of the student senate. The senators in each faculty senate delegation shall elect one member of the committee for their representative unit. Those elected members of the committee need not be senators but must hold appointments not designated as term. Members serve for three years. Members may be re-elected for no more than two consecutive terms. The chair of the committee shall be elected by the committee membership and will serve a one year renewable term. The chair is an ex officio member of faculty senate with voting rights.
 - d. The Faculty Senate Committee on University Planning (FSCOUP) shall be composed of one representative from each college, the extension, the library, and the general university, and a student representative designated by the chair of the

student senate. The student representative shall serve ex officio with voting rights. The senators in each faculty senate delegation shall elect one member of the committee for their representative unit. Those elected members of the committee need not be senators but must hold appointments not designated as term with the exception of representatives from general university who may have term appointments. Members serve for three years ~~with not more than four of the members elected each year~~. Members may be re-elected for no more than two consecutive terms. The chair of the committee shall be elected by the committee membership and will serve a one year renewable term. ~~The chair should have at least one year (preferably two years) of experience on FSCOUP.~~ The chair of FSCOUP is an ex officio member of faculty senate with voting rights. ~~(GFM 4/22/91, amended per FSM 4-12-94)~~

- e. The Faculty Senate Committee on Technology (FSCOT) shall be composed of one representative from each college, extension, the library, and the general university, and a student representative designated by the chair of the student senate. The senators in each faculty senate delegation shall elect one member of the committee for their representative unit. Those elected members of the committee need not be senators but must hold appointments not designated as term with the exception of representatives from general university who may have term appointments. Members serve for three years ~~with not more than four of the members elected each year~~. Members may be re-elected for no more than two consecutive terms. The chair of the committee shall be elected by the committee membership and will serve a one year renewable term. ~~The chair shall have at least one year (preferably two years) of experience on the FSCOT.~~ The chair of FSCOT is an ex officio member of faculty senate with voting rights.
- f. The president, president-elect, immediate past-president, and secretary of the faculty senate as well as the chairs of the ~~four~~ five permanent committees compose the faculty senate leadership council. The ~~e~~leadership council acts as a liaison between the faculty and the university's administration. The faculty senate executive committee is to be informed about the subject of discussions between leadership council and the administration.

~~2. The following are the specific responsibilities of each permanent committee: These permanent committees of Faculty Senate may create subcommittees as they deem appropriate to assist with specific assignments.~~

- ~~a. It shall form subcommittees to discharge assigned duties, and shall report to the executive committee the personnel for each of its subcommittees.~~
- ~~b. It shall transmit the reports of its subcommittees, with recommendations, to the faculty senate for action.~~

~~3. Insofar as expedient, the chair of each subcommittee shall be a member of the parent permanent committee. Not more than 50 percent of the membership of a subcommittee shall be senators, the remainder of the subcommittee being chosen from other faculty, staff, alumni, friends of the university, and students, as seems desirable.~~

3. Each voting member of a permanent committee shall serve on that committee from the time of his/her appointment until the appointment of a successor. A member of a committee who would otherwise become ineligible because of the expiration of his/her term as senator will continue to serve on the committee with full voting rights until the new members are elected by senators from the representative unit. ~~The retiring chair of each permanent committee shall call and preside as temporary chair at the first meeting of the new committee not later than two weeks following these elections.~~

Article IV. Meetings of the Faculty Senate

Section A. Time of Meetings

The first meeting of a new faculty senate shall be called by the retiring executive committee. Regular meetings shall be called as specified in the by-laws. Additional meetings may be called by the executive committee as it sees fit.

Section B. Agenda for Meetings

The agenda for each meeting shall be prepared by the executive committee and shall include:

1. All matters which the executive committee deems necessary.
2. Reports which have been submitted to the executive committee by the permanent committees of the faculty senate.
3. ~~Minutes of all executive committee meetings since the preceding meeting of the faculty senate.~~
4. Any matter suggested by the members of the general faculty when the suggestion is presented in the manner outlined in Article V.
5. A period of discussion by the members of the faculty senate of any additional items presented by a senator from the floor.

Article V. Placing Matters upon the Agenda for Meetings of the Faculty Senate

The executive committee of the faculty senate shall place on the agenda for meetings of the faculty senate any matter suggested by members of the general faculty if the request is made in writing and bears the signatures of at least five unclassified personnel as defined in Article II, Section A.

Article VI. Amendments

This constitution may be amended at any meeting of the general faculty by a two-thirds vote of the members present and voting, provided that the members of the general faculty have had in their hands a copy of the proposed amendment at least two weeks in advance of the meeting at which the vote is taken.

The procedures for getting a proposed amendment before the faculty are: (1) The submission of a proposal to the executive committee of the senate, which may delegate one of the committees to study the proposal, followed by its appearance on the agenda of the senate, and if approved by the senate, then submission to the general faculty, or (2) a petition to the president of the university signed by 25 faculty members, which would make it mandatory for the proposal to appear on the agenda of the next general faculty meeting.

Article VII. By-Laws

By-laws of the Kansas State University Faculty Senate may be adopted or amended by a two-thirds vote of the senators present and voting at an official meeting of the faculty senate as described in Article IV, Section A, provided that the by-law or amendment to a by-law was proposed at a previous meeting of the faculty senate and was included on the agenda of the meeting at which a vote is proposed.

By-Laws

1.
 - a. The senate shall meet during the second week of each month, except in July and August, but the senate executive committee is empowered to change any meeting date from the second week of the month in order to avoid conflicts with the university calendar or dispense with a regular meeting of the senate if ~~there is no agenda to be presented~~ this is deemed appropriate. However, in no case shall two consecutive meetings can cancelled.
 - b. The first meeting of the new senate shall convene immediately following the adjournment of the May meeting of the outgoing senate.
2. A quorum shall consist of ~~not fewer than two-thirds~~ one-half plus one (including proxies) of the members of the faculty senate, and no meeting shall be official unless a quorum is present.
3. A proxy is recognized only if a senator notifies the Office of the Faculty Senate of the name of the proxy at least one hour prior to the meeting time by noon the day of the meeting for meetings beginning before 2:00 p.m., by noon of the previous day. For meetings that begin after 2:00 p.m., the Office of the Faculty Senate must be notified no later than noon of the day of the meeting. The president and president elect may not serve as a proxy.
4.
 - a. ~~The~~ A position on the faculty senate (a) held by a faculty member appointed to a position in a different college or unit from the college or unit which elected that member to the faculty senate, or (b) held by a faculty member appointed to any position which makes that member ineligible for election to the faculty senate, shall be declared vacant, and shall be filled by the procedure of Article II, Section D.3.

- b. In the event the office of president-elect or secretary is vacated, a new election shall be held.
5. ~~All faculty senate minutes are posted on the official faculty senate website upon approval. shall be forwarded with a letter of transmittal by the president of the faculty senate to the president of the university and the administrative council for appropriate action. Disposition of all senate recommendations by the president and/or administrative council is to be the first item on the agenda of each senate meeting.~~
6. At any senate meeting a request by a senator for a secret ballot shall be granted.

~~Professional non faculty see Affirmative Action Plan.~~

Assistant directors in extension function as department heads and therefore are to be included in the extension unit, not general administration.