

**3359-10-02    The university of Akron bylaws of the faculty senate.**

- (A)    Name. The name of this body is the faculty senate of the university of Akron.
- (B)    Duties. As delegated by the board of trustees of the university, the faculty senate is the legislative body of the university and is empowered to:
  - (1)    Formulate suitable rules, requirements, and procedures for the admission, government, management, and control of the students, courses of study, granting of degrees and certificates, and other internal affairs of the institution necessary to meet the objectives of the university in accordance with the established policies of the board.
  - (2)    Review, debate, and act upon the recommendations of the planning and budgeting committee with regard to the planning and budgeting calendar, university planning assumptions, the university plan, and the university budget, and forward recommendations to the president.
  - (3)    The faculty senate shall act on the recommendations of the planning and budgeting committee regarding the planning and budgeting calendar, planning assumptions, the university plan, and the university budget calendars in a timely fashion, consistent with the planning and budgeting calendar.

All of the planning and budgeting committee's recommendations shall be subject to debate and amendment as per the faculty senate bylaws. The senate may:

- (a)    Approve the recommendations as proposed and forward them to the president;
  - (b)    Amend and approve the recommendations and forward them to the president; or
  - (c)    Refer the recommendations back to the committee for clarification and revision. Should the faculty senate refer recommendations back to the planning and budgeting committee that pertain to the planning and budget calendar, university planning assumptions, the university plan, or the university budget, the committee will bring revised and clarified recommendations back to the senate at a time designated by the senate.
- (4)    Review and offer recommendations concerning proposals for the creation, abolition, or rearrangement of colleges, departments, schools, or divisions of instruction, proposals from university-wide committees, and such other matters as may be referred to the senate by the president of the university.

Such proposals shall be forwarded to the executive committee for inclusion on the agenda of senate meetings.

- (5) University-wide committees which are created by the senate, shall report to the senate unless otherwise indicated by the senate; other university-wide committees shall report to the parties or body creating them and shall file an information copy of such report with the executive committee, except that the president's advisory committee, the provost's advisory committee, appropriate grievance committee, committees dealing with personnel matters, and other committees where the president of the university determines sensitivity is required shall not file such information reports with the senate. The executive committee will include the report on the agenda of the senate meetings.

(a) Motions or resolutions which embody committee recommendations shall be posted on the Senate electronic discussion list at least seven days prior to a scheduled meeting at which a vote is to occur. All messages must include a statement of the rationale in support of the motion.

(b) The Senate may, by a majority vote, override this provision to bring a motion to the floor.

- (6) All legislation introduced in the faculty senate shall be designated as such; and if passed, shall be forwarded to the president. Within forty-five days of receipt of the legislation, the president shall:

- (a) Forward the legislation to the board of trustees, or
- (b) Put the legislation into effect if the president deems it unnecessary to send the matter to the board, or
- (c) Disapprove and return the legislation to the senate with explanation for the president's rejection.
- (d) Notify the senate of the disposition of the legislation, indicating whether the legislation has been approved, referred to the board of trustees, or returned to the senate for reconsideration or amendment.

- (7) The senate shall elect the senate representative to the Ohio faculty council, who serves in that capacity along with the chair of the senate.

- (a) Senate members who are full-time teaching members of the faculties of the colleges are electors of the senate representative. Those eligible for election are full-time teaching members of the faculties of the colleges who may or may not be members of the senate.

- (b) The election shall be by normal democratic procedures, utilizing the secret ballot.
- (c) The representative shall be elected at the May meeting of the senate. The term of office shall be for two years. There shall be no limit on the number of terms a person may serve.
- (d) The representative, if not already a member of the senate, shall become an ex-officio, non-voting member.

(C) Officers and executive committee.

- (1) Officers. The faculty senate shall elect a chair, vice chair, and secretary biennially from among the membership of the faculty senate. Election shall require a majority vote of the membership of the senate. The election of officers of the senate shall be by normal democratic procedures utilizing the secret ballot.
- (2) Duties of the chair. The chair of the senate presides over regular meetings of the senate, calls special meetings of the faculty senate, acts as or designates the official spokesperson for the faculty senate in all of its external communications, serves on the Ohio faculty council, administers the budget of the senate, serves as chairperson of the executive committee of the senate, forwards to the president all legislation and recommendations passed by the senate, and undertakes such tasks as are directed by the senate.
- (3) Duties of the vice chair. Assists the chair in such ways as the latter may request; and in the absence of the chair, the vice chair presides over the meetings of the senate.
- (4) Duties of the secretary. The secretary of the senate records, transcribes, and distributes the proceedings of the senate to all departments and interested members of the university, assists the chair in such ways as the latter may request, has custody (jointly with the chair) of the books, records, physical facilities, and tangible property of the senate, supervises the clerical staff of the senate, and arranges for the orderly conduct of the business of the senate. In the absence of the chair and the vice chair, the secretary presides over meetings of the senate.
- (5) Executive committee. The chair, vice chair, secretary, and four elected members of the senate will serve as the executive committee of the senate. The executive committee of the senate will have the following responsibilities:
  - (a) Appoint members to appropriate faculty senate committees.

- (b) Prepare the agenda for each meeting.
- (c) Serve as an advisory committee to the senior vice president and provost on governance matters.
- (d) Ensure that the business of permanent and ad hoc committees is completed in a timely fashion.
- (e) Bring matters to the senate or assign matters to committees.
- (f) Consider any questions and complaints regarding elections of members to the senate and make recommendations concerning these complaints to the senate. The executive committee shall further certify the validity of all senate elections.

(D) Committee structure.

- (1) The faculty senate shall create such committees as it deems appropriate to the conduct of its business.
- (2) The senate, at its discretion, may invite non-members of the senate to serve on senate committees.
- (3) In special cases, the senate may choose to make part or all of the membership on a committee elective rather than appointed by the executive committee.
- (4) The senate committees shall yearly elect their own chairs, who, if not already members of the faculty senate, shall become ex officio, non-voting members.
- (5) For organizational purposes, the committees of the senate will have either of two forms:
  - (a) University committees, which shall have elected membership from specified constituencies, or
  - (b) Permanent committees, whose membership will be drawn from the elected members of the senate and those invited members the senate deems appropriate.

(E) University committees.

- (1) The faculty rights and responsibilities committee ("FRRC").
  - (a) This committee shall concern itself with grievances relating to faculty assessment or evaluation, appointment, retention, tenure, and

promotion. This committee shall be composed of one member from the tenured faculty of each degree-granting college, elected by its full-time faculty and one full-time faculty member from the university libraries, elected by its full-time faculty.

- (b) For each grievance case submitted by a part-time faculty member three members of the part-time grievance pool shall be selected to be members of the faculty rights and responsibilities committee ("FRRC") for the duration of that case. These members will only participate in "FRRC" business involving the grievance case in question. These members will be selected by lot by the chair of the "FRRC", but part-time faculty members from the same department as the grievant shall not be eligible to serve.
  - (c) A part-time faculty grievance pool shall be established by each college every fall. The pool will consist of part-time faculty members who have taught at least four semesters at the university of Akron and who have been nominated by the part-time faculty members of that college and who have subsequently confirmed to the college dean their willingness to serve.
  - (d) Any persons in an administrative position, including interim positions, at or above the decanal rank (deans, associate deans, and persons of similar rank) are ineligible to serve on the committee. Members shall serve overlapping three-year terms so that during two years, three are elected, while four are elected during the third year. The committee shall elect its own chair who, if not already a member of the faculty senate, shall become an ex-officio, non-voting member.
- (2) The university well-being committee.
- (a) This committee shall concern itself with matters relating to health and well-being, such as fringe benefits, insurance, pensions, and leaves. The committee shall be composed of one member of the full-time faculty from each of the degree-granting colleges, elected by its full-time faculty; one full-time faculty member from the university libraries, elected by full-time faculty; one member of the contract professionals, elected by their members, one member of the non-bargaining unit staff, elected by a vote of staff employee advisory committee members, one member from the part-time faculty currently employed by the university, elected by members of the part-time faculty.
  - (b) Deans, associate deans, assistant deans, and persons of similar decanal rank are ineligible to serve on the committee. Members shall serve overlapping three-year terms so that during two years, three are

elected, while four are elected during the third year. The committee shall elect its own chair who, if not already a member of the faculty senate, shall become an ex-officio, non-voting member.

- (3) Graduate council. The faculty senate delegates to the graduate council operational responsibility over all matters concerning graduate education, but reserves to itself the right to take up any matters it deems necessary. All action taken by graduate council shall be reported to the senate for final approval. Graduate council shall be composed of two members of the faculty senate who have category two graduate faculty status and the elected members of the graduate council.
- (4) Planning and budgeting committee (“PBC”).
  - (a) The planning and budgeting committee is the university committee charged with making recommendations to the faculty senate regarding university planning and budgeting. The committee has five principal responsibilities:
    - (1) Make recommendations regarding the university planning and budgeting calendar, which will specify the timing and process for the development of the official university plan and budget, and forward these recommendations to the faculty senate for action in a timely fashion.
    - (2) Develop recommendations for the university planning assumptions, and forward these recommendations to the faculty senate for action in a timely fashion, consistent with the university planning and budgeting calendar. Included under planning assumptions is the official mission statement of the university.
    - (3) Assemble recommendations for the university plan from the relevant college, department, and unit plans, except those plans and budgets under the direct auspices of the board of trustees, and forward these recommendations to the faculty senate for action in a timely fashion, consistent with the university planning and budgeting calendar.
    - (4) Propose recommendations for the university budget based upon the relevant college, department, and unit budget proposals and coordinated with the university plan, and forward these recommendations to the faculty senate for action in a timely fashion, consistent with the university planning and budgeting calendar.

- (5) Assist the university in developing innovative alternatives to incremental budget development. These alternatives should include consideration of incentive-based budgeting, zero-based budget, or other performance-based budget process as will support and enhance the strategic process being created for the university of Akron.
  - (b) The membership of the planning and budgeting committee shall be as follows: the senior vice president and provost, the vice president for business and finance (who shall be assisted by such staff as this vice president deems necessary to effectuate this vice president's role on the committee), three deans elected by the council of deans, and one faculty senator from each of the constituencies that elect faculty senators [all constituencies listed in paragraph (H)(2) of this rule].
  - (c) The senators from each constituency shall elect a representative to the committee from among its elected senators at the September meeting of the faculty senate each academic year. In electing representatives to this committee, faculty senate shall allow for continuity of membership in which there is a change of no more than one-third of the senators from the committee during any academic year.
  - (d) The senior vice president and provost shall serve as chair of the committee, and the committee from among its senatorial members will elect the vice-chair. A meeting of the committee shall be called at the request of a majority of the committee.
  - (e) The committee may form subcommittees as per this rule, with the proviso that the chair or vice-chair of any subcommittee shall be elected from among the senatorial members of the subcommittee. The faculty senate executive committee may appoint extra members, senate or non-senate, to those subcommittees at the subcommittees' request. Appointed members shall have voting privileges only in subcommittee.
  - (f) The vice-chair of the committee shall report to the senate at regularly scheduled senate meetings. The vice-chair shall present to the senate the committee's recommendations regarding the planning and budgeting calendar, planning assumptions, the university plan, and the university budget, consistent with the planning and budgeting calendar. The vice-chair will also regularly report to the full committee on the actions and comments of the senate.
- (F) Permanent committees.
- (1) Permanent committees of the senate shall be academic policies and calendar;

curriculum review; athletics; campus facilities planning; university libraries; reference; research; student affairs; and computing and communication technologies.

- (2) Members of the executive committee shall, in May, and after considering preferences of senate members and then non-senate members, appoint all permanent and ad hoc committees of the senate. To provide some continuity of membership for each committee, the executive committee shall appoint committee members so that, if possible, only one-third of the membership of any committee is terminated each year and members serve a three-year term. At the first meeting of each committee, the committee shall elect its chair, with the exception of the curriculum review committee, which shall be chaired by the senior vice president and provost or said designee.
- (3) The following permanent committees shall have ex-officio members as indicated: athletics, the athletic director or said person's designee and the "NCAA" faculty athletics representative (appointed by the president); campus facilities planning, the vice president for capital planning and facilities management or said person's designee; the manager of telecommunications, the director of audiovisual services, the manager of environmental health and occupational safety, and the university chief of police; university libraries, the dean of university libraries or said person's designee, and the director of information services; research, the vice president for research and dean, graduate school or said person's designee; student affairs, the associate provost for students and enrollment or said person's designee; financial aid, the director of student financial aid; the manager of environmental health and occupational safety, and the university police chief; computer and communications technologies, the associate vice president for information services or said person's designee; and curriculum review, the senior vice president and provost or said person's designee; and reference, representatives from human resources, office of general counsel, office of the board of trustees and office of provost. If not already a member of the senate, the chair shall become an ex-officio, non-voting member for reporting purposes only. Ex-officio members shall be non-voting unless they are members of the senate. Additional non-voting members may be appointed to any permanent committee by committee approval.
- (4) Academic policies and calendar committee.
  - (a) Recommends and interprets academic policy on university-wide matters such as admission, retention, graduation, and dismissal requirements, etc.
  - (b) Recommends changes for the improvement of the academic program of the university.



- (c) Proposes a calendar for each academic year beginning with the first summer session and concluding with the following spring commencement.
- (5) Athletics committee.
  - (a) Advises faculty senate on all university activities relating to intercollegiate athletics including, but not limited to, conference affiliations and the national collegiate athletic association.
  - (b) Coordinates with other faculty senate committees matters of joint concern relating to intercollegiate athletics.
  - (c) Provides advice and counsel to the director of athletics concerning individual player eligibility, interpretation of policy, and other matters relating to the athletic program.
  - (d) The registrar decides questions of academic eligibility of student athletes. If conflicts arise between the registrar, student athlete, and/or athletic department, the following procedures shall be made by any of the grievred parties to the athletics committee:
    - (i) Upon reviewing the facts, the committee would make a recommendation to the senior vice president and provost.
  - (e) Promotes academic achievement among student athletes.
  - (f) Reviews team game schedules, seasonal game limitations, and participation in post-season events.
  - (g) Reviews the proposed budget with respect to athletic programs.
- (6) Campus facilities planning committee.
  - (a) Reviews the future construction needs of the university, the status of current capital projects, and the status of space assignments.
  - (b) Provides faculty and student advice and information to the planning department on:
    - (i) The priorities assigned to the construction and facilities needs of the university;
    - (ii) The changes in space assignments for academic, research, and residential facilities;

- (iii) The utilization of current facilities;
    - (iv) The naming of campus buildings.
  - (c) Reports findings and actions to the faculty senate along with necessary and appropriate recommendations.
- (7) University libraries committee.
- (a) Serves as an advisory group to the dean of university libraries to express the faculty will in the growth and development of the academic support which the libraries supply.
  - (b) Provides the dean of university libraries with guidelines and advice on acquisitions, budget, policy, and other matters affecting academic areas.
- (8) Reference committee.
- (a) Reviews legislation referred to it by faculty senate to ascertain if it is drafted properly and does not conflict with existing rules and regulations or practices.
  - (b) Reviews the faculty manual annually and submits any suggested revisions by the February meeting of the faculty senate. Reviews others faculty and university policies or proposed policies for conflict with existing rules and regulations or practices on a regular basis and reports the results of the review to the faculty senate.
  - (c) Conducts a year-end review of changes in faculty and university policies in May and submits suggested editorial revisions to the faculty senate at the first meeting of the next academic year.
- (9) Research committee (faculty projects).
- (a) Reviews research proposals submitted by faculty members and grants university funds in support of those proposals deemed worthy.
  - (b) Recommends the budgeting of sums of the university's support of faculty research proposals to be funded by this committee.
  - (c) Establishes policies for funding proposals and guidelines for expenditures of those funded.
- (10) Student affairs committee.

- (a) Makes policy, subject to approval of faculty senate, regarding the granting of scholarships, awards, grants, and loans to university students.
    - (b) Proposes regulations concerning all extracurricular activities (except athletics) to faculty senate. Recommends to the senate the extension of official recognition of student organizations.
  - (11) Computer and communications technologies committee.
    - (a) Provides recommendations to the senate on policy matters concerning utilization of information technology and resources related to academic systems, computing data, and voice communication.
    - (b) Provides advice and counsel to the associate vice president for information systems concerning guidelines on electronic information acquisition, budget, processing, policies, and other matters affecting academic areas.
  - (12) Curriculum review committee.
    - (a) Reviews curricula and course recommendations of the several colleges and divisions and, when necessary, submits them to faculty senate for action.
    - (b) Considers the mechanics of the academic programs of the several colleges and divisions, such as adjustments in admission, retention and dismissal requirements, and changes in general bulletin descriptions.
    - (c) Reviews course changes, proposals, and new programs and recommends such changes and revisions for inclusion in the general bulletin.
  - (13) Subcommittees. Each committee has, under "Robert's Rules of Order," the discretion to establish and abolish whatever subcommittees it sees fit, and no person who is not a member of a standing (permanent) committee may serve as a member of a subcommittee. It is each committee chair's responsibility to maintain minutes and pass them on to the incoming chair.
- (G) Meetings.
- (1) The number of meetings of the faculty senate shall be determined by the faculty senate as appropriate for the conduct of its business, but at least two general meetings will be held each semester. All reasonable efforts will be made to schedule regular meetings at a standard time and day to permit

coordination of senators' teaching schedules with meeting times.

- (2) All meetings of the faculty senate shall be open to members of the university community. Non-members of the senate may make a request to address the senate. Such requests to speak will be granted subject to a vote of the senate.
  - (3) All meetings of the senate will be announced at least two weeks prior to the scheduled meeting unless the senate declares itself to be meeting in emergency session.
  - (4) All announcements of meetings will contain a detailed agenda. Requests to have items placed on the agenda of the senate must be submitted in writing to the secretary of the senate at least two weeks prior to the scheduled meeting of the senate.
  - (5) Items referred to the senate by the president of the university, or the president's designee, for the good of the university, will be automatically placed on the agenda of the senate.
  - (6) A petition of ten members of the senate may force an item on the agenda of the senate.
  - (7) For purposes of conducting business, a quorum of the senate shall be defined as thirty senators present and voting.
  - (8) A roll call vote will be conducted if requested by any senator.
  - (9) One permanent item on the agenda shall be presidential remarks.
  - (10) Special meetings may be called at any time by the presiding officer, or by the executive committee, or upon petition by any seven senate members who present their request to the chair of the executive committee in writing.
  - (11) Senate members are expected to regard attendance at all meetings as a primary obligation to their colleagues and to the university. When conflicting professional duties, imperative personal affairs, or illness make attendance at a given meeting impossible, senate members are expected to notify the secretary in advance of the meetings. Such absence will be separately listed in the minutes as absences with notice.
- (H) Membership.
- (1) Eligibility. Members of the faculty senate shall be elected from the members of the regular faculty of the university of Akron, excluding deans and other primarily administrative officers with faculty rank; from the part-time faculty; from contract professionals, excluding those with decanal rank or

higher; from the non-bargaining unit staff; and from students.

(2) Apportionment.

- (a) The regular faculty of the individual degree-granting colleges and the university libraries shall elect representatives from their membership, excluding deans and other primarily administrative officers with faculty rank, apportioned on the basis of the number of regular faculty within the electorate and appointed to the units during the semester of the election; one senator for each fifteen regular faculty members or fraction thereof.
- (b) The part-time faculty shall elect two representatives from their membership.
- (c) The contract professionals shall elect two representatives from their membership, not to include those with decanal rank or higher.
- (d) There shall be three student representatives as follows:
  - (i) One student shall be president of associated student government, congruent with his or her term;
  - (ii) One student appointed by the president of the associated government to run congruent with the president's term;
  - (iii) One graduate/professional student elected by that constituency.
- (e) The staff employee advisory committee shall elect two senators from its membership.
- (f) Conduct of nomination and election to the senate from staff employees will be the responsibility of the staff employee advisory committee.
- (g) The association of the university of Akron retirees shall elect two senators from its dues-paying membership who are retired faculty members. Senators representing the university of Akron retirees association may not be elected to the executive committee nor serve as chair or vice-chair of any senate committee on which they sit.

(3) Diversity. To insure the representation of diverse views, all reasonable efforts should be made by the various electing units to elect women and minorities to the senate. The senate may appoint up to three additional members from regular faculty to increase diversity.

(4) Electorate.

- (a) The eligible electorate, for the regular faculty membership on the faculty senate, consists of all regular faculty of the university of Akron. For the purposes of election to the faculty senate, academic deans, department and division chairs, directors of schools, and administrative officers holding regular faculty rank will be considered part of the electorate.
- (b) The eligible electorate for the part-time faculty membership on the faculty senate consists of all part-time faculty of the university of Akron.
- (c) The eligible electorate for the contract professional membership on the faculty senate consists of all contract professionals of the university of Akron. For the purposes of election to the faculty senate, contract professionals with decanal rank or higher will be considered part of the electorate.
- (d) The eligible electorate for the graduate/professional student membership on the faculty senate consists of all graduate and professional students currently enrolled at the university of Akron.
- (e) The eligible electorate for the non-bargaining unit staff membership on the faculty senate consists of all members of the staff employee advisory committee.

(5) Terms of office.

- (a) The terms of office for members of the senate shall be three years.
- (b) New members shall take office at the first senate meeting of the fall semester.
- (c) Senators are limited to two consecutive complete and one partial term of office. Former senators may again stand for office after a hiatus of one year.
- (d) Should any elected member of the senate become an administrative officer either on an acting or permanent basis during the term for which the member was elected to the senate, the person's seat shall be deemed vacant.
- (e) Should a member of the senate be unable to discharge the duties of the office, the senate may declare that seat vacant.

- (f) Senators who are on professional, medical, or administrative leave for one semester or less will retain their seats. If the leave extends past one semester, the senate may declare that seat vacant.
  - (g) Should a vacancy occur, the senate shall notify the appropriate unit to conduct a special election to fill the vacant seat.
- (6) Elections.
  - (a) Elections to the senate shall be subject to the bylaws and rules of the electing unit and the following requirements:
    - (i) General elections in the individual units shall be completed by May 1 of each year.
    - (ii) All nominations and elections shall be by secret mail or electronic ballot.
    - (iii) Each winning candidate must secure a majority of the votes cast. In the event no candidate receives a majority, there shall be a run-off election between the two highest vote-getters.
    - (iv) In elections with more than one seat at stake the winning candidates shall be decided in order of total votes cast for each candidate until all seats are filled. In the event there are seats unfilled and the remaining candidates did not achieve a majority of votes cast, there shall be a run-off election among the highest vote-getters (two per unfilled seat).
    - (v) In the event of a tie vote, the election shall be decided by lot.
    - (vi) All run-off elections are subject to the same procedural requirements as the general elections.
    - (vii) All special elections are subject to the same procedural requirements as the general election.
  - (b) Conduct of nominations and elections to the senate from the degree-granting colleges and the university libraries will be the responsibility of the respective dean.
  - (c) Conduct of nominations and elections to the senate from the part-time faculty will be the responsibility of the continuing part-time faculty senator, the faculty senate office, and the office of the senior vice president and provost.

- (d) Conduct of nominations and elections to the senate from the contract professionals will be the responsibility of the contract professional advisory committee.
- (e) Conduct of nominations and elections to the senate from the graduate/professional students will be the responsibility of the graduate student council and the law student council.
- (f) Conduct of nominations and elections to the senate from the non-bargaining unit staff will be the responsibility of the staff employee advisory committee.

(I) Amendments.

- (1) Proposal. Amendments to this constitution may be placed on the agenda of a regular or special meeting of the faculty senate by a member of the senate or by petition of twenty percent of the voting members of the faculty.
- (2) Procedure. A vote by the senate on a proposed amendment may be taken only after at least thirty days have elapsed from the date on which the proposal was formally presented to the senate.
- (3) Majority. Amendments require the concurrence of sixty percent of the votes cast by members of the faculty senate.

(J) Support.

- (1) Material support. The faculty senate shall have suitable office space, a budget for appropriate expenditures, and at least one full-time secretary for support of its activities.
- (2) Assigned time. The officers of the senate will receive at least one three-credit course equivalent per semester assigned time for support of their service.
- (3) Schedules. Collegiate deans, department and division chairs, and directors of schools are to use all reasonable efforts to provide members of the senate with course schedules permitting attendance at regular meetings of the senate.
- (4) Records. All inactive documentary material and related records of the senate will be deposited in and catalogued by the university archives.

(K) Rules. The parliamentary authority for the faculty senate shall be "Robert's Rules of Order." In any conflict between the faculty senate bylaws and "Robert's Rules of



Order," the senate bylaws take priority. A person who is not a member of the faculty senate shall be appointed parliamentarian by the chair of the faculty senate.