

Chair-Elect Candidate Statement

What is leadership? My definition of leadership is “getting things done through people, ideally in a way that is experienced as getting things done with people.” Tasks do not complete themselves; people do tasks. Groups of people, working together, can accomplish larger, more complicated, or more urgent tasks than individuals can accomplish alone. Like gestalt, the whole is greater than the sum of its parts. A group of people can create a synergy, a comradery that energizes and sustains individual efforts. An effective leader is one who mobilizes and nurtures such group energy toward the completion of tasks.

Furthermore, I believe our differences are what make our collective work more powerful and relevant. To me, we should not be focused on diversity and inclusion, but, rather, inclusion of diversity. I see universities as the R & D branch of humanity, and, as such, the pioneers in building teams of the smartest people, with the most diverse ideas, into a rich tapestry of problem solvers. My academic background includes psychology, leadership and organizational behavior, counseling, and PK20 educational leadership and policy. My university leadership has included service on many committees; I have served as chair of the Graduate Grievance Committee, the Graduate Council, and the Faculty Senate Rules Committee. I enjoy intersecting my thoughts and experiences with those of others to discover creative solutions for shared challenges.

As Faculty Senate Chair, if elected, I pledge to listen to, investigate, and respond to the issues brought to me by my colleagues. I hope you will add your vast and varied knowledge to my limited knowledge in order to improve Missouri State University.

Statement submitted by:

Dr. Cindy (Cynthia) MacGregor
Professor, CLSE Department
Nominee for Faculty Senate Chair-Elect
Spring 2016

Secretary of the Faculty Candidate Statement

Having served three terms on Faculty Senate in my 20 years at Missouri State University, and as a strong supporter of the role of the faculty in the university governance process, I was honored to be nominated to serve as Secretary of the Faculty this coming year.

I have been the recipient of several benefits that came directly from Faculty Senate Resolutions such as the full professor incentive and an increase in tuition reimbursement, so I know first-hand the important outcomes that result from the hard work of this body. I have served on many university committees including chair of the Education Preparation Provider Membership and Professional Development Committee for four years, chair of my department's Reappointment, Tenure, and Promotion Committee five times, and chair of my department's Reappointment, Tenure, and Promotion Guideline Revision Committee five times.

Additionally, I currently serve on the Faculty Center for Teaching and Learning Advisory Council, University Credit by Assessment Review Committee, and the Education Preparation Provider Conceptual Framework Committee for the fifth time. In the past I served four years on the Provost's Advisory Council on Promotion and Tenure, one term on the Academic Personnel Review Commission, and two years on the President's Task Force on Online Education and Alternative Credit. I have seen the university go through many changes since I became a faculty member in 1995, and I believe now is one of the most exciting times in the university. I look forward to the opportunity to be more closely involved in the university governance process as Secretary of the Faculty.

Statement submitted by:

Dr. Beth Hurst

Professor, RFT Department

Nominee for Faculty Senate Secretary of the Faculty

Spring 2016

Faculty Senate Committee on Rules
Response to Charge Three
Revised March 17, 2016

FACULTY SENATE CHARGE THREE

Charge: Rules should consider consolidating and explaining the challenge and appeals process for all council actions with logically explained steps that anyone can follow. This includes a consideration of whether the details of the appeals process for all council actions should be moved from Article II to Article VI (curricular process).

Rationale: The section that describes the process for appealing the action of any Senate body involved in the curricular process (college councils, graduate council, EPPC, or CGEIP) is buried within Article II (college councils), with Articles III-V referring back to Article II. In short it is very confusing and spread out over multiple sections which often result in confusion and misunderstanding of the process.

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RULES PROCESS FOR CHARGE THREE

History of the Bylaws:

The Constitution and Bylaws of the Faculty were adopted April 16, 1987. The original process for challenges and appeals of council/committee actions was as follows:

1. Any action of a College Council, Graduate Council, the Committee on Teacher Education, or the Committee on Intercollegiate Programs (precursor of CGEIP) could be **challenged** by 10% of the ranked faculty of a single undergraduate college.
2. If the faculty of an undergraduate college were challenging an action of their own College Council, the challenge was an “Intracollege Challenge” and was adjudicated within the college.
3. If the faculty of an undergraduate college were challenging an action of another college council, Graduate Council, the Committee on Teacher Education, or the Committee on

Intercollegiate Programs, the challenge was an “Intercollege Challenge” and was adjudicated by the combined councils/committees involved.

4. For any council/committee action there was a single challenge period of 20 calendar days following distribution to the faculty during which both intracollege and intercollege challenges could be submitted.
5. After expiration of the 20 day challenge period, the university ranked faculty could **appeal** any council/committee action within 10 calendar days. The appeal could be issued by a Department Head, a College Council Chair, or by 30 members of the ranked faculty. Appeals were adjudicated by the full Faculty Senate.

Changes made since 1987 (current ART II SEC 10 & 11):

1. The intercollege challenge process has been eliminated, and the intracollege/intercollege language has been removed. All challenges to council actions are intracollege.
2. Any Graduate Council action may be challenged by 10% of the Graduate Faculty. Such challenges are adjudicated within the Graduate College by the graduate faculty.
3. The challenge period has been reduced to 10 calendar days. Thus, college council and Graduate Council actions are followed, in sequence, by a 10-day challenge period and a 10-day appeals period. CGEIP and EPPC actions are followed by a 10-day appeals period

Findings and conclusions:

1. The descriptions of the challenge and appeals processes have always been located within Article II, with Articles III and IV referring back to Article II. However, when the bylaws for Graduate Council were extracted from Article II and placed into a new Article V, descriptions of the challenge and appeals processes for Graduate Council were left in Article II. Currently, Article V (Graduate Council) contains no reference to the challenge and appeal processes.
2. Article III Section 10 states that “each EPP member shall have the right at all times to appeal any EPPC action.” This is true but misleading since all members of the ranked faculty (EPP members or not) have the right to appeal any Council action (ART II SEC 11). Any Department Head or Council Chair can appeal an EPP action on behalf of their constituencies, and most of these individuals are not EPP members.
3. Article IV Section 11 states that “each undergraduate college faculty shall have the inherent right to appeal any CGEIP action.” This is true but misleading since all ranked faculty members of the university have this right (ART II SEC 11) and it is not clear that “each undergraduate college faculty” amounts to the same thing.
4. Article VI Section 7C stipulates incorrectly that the Secretary of the Faculty will forward approved curricular proposals to the Provost after lapse of the appeals period. The Secretary forwards approved proposals after lapse of the Senate Action challenge period, which does not start until the appeals period lapses.
5. In some places the phrase “challenge period” is used to refer to the combined challenge and appeals periods for council actions, but in other places it is used to refer to the

challenge period for Senate Actions. The phrase “challenge and appeals period” also appears in several places.

6. Article II Sections 10 and 11 state that council Actions (capitalized) may be challenged or appealed but does not indicate what qualifies as a council Action. Faculty Senate Actions are limited to affirmative votes on motions affecting policies and procedures to be followed by the university (ART I SEC 7A), but past practice holds that both the rejection and approval of a curricular proposal by a council can be challenged and appealed. Articles II, III, and IV originally contained sections entitled “Actions of <council/committee name>” but the word “Actions” was changed to “Duties” at some point. Thus the meaning of “council Action” is not specified.
7. The logical distinction between **challenges** and **appeals** is not clear. Formal objections to Faculty Senate Actions are also called challenges (ART I SEC 8). Challenges of council actions and challenges of Senate Actions can only come directly from the faculty by petition, whereas appeals of council actions can also come from department heads and council chairs, so this may be the intended distinction. Alternatively, the appeals process may be so named to clearly distinguish it from the alternative means of objecting to council actions that has a significantly different means of adjudication.
8. The process of challenges and appeals would be less confusing if the word “challenge” was not used for two different levels of review. However, the current terminology is so entrenched that the introduction of new terms might create even more confusion. Therefore, our recommendation is to retain the current challenge/appeal terminology but to substantially reorganize and clarify the relevant language in the Bylaws.

Summary of Proposed Changes:

1. Add a paragraph to ART I SEC 10 that defines “Council Action”.
2. Create a new Article VII devoted to describing the rights and process of challenge/appeal of Council Actions and Senate Actions. Move into this new Article the entirety of ART II SEC 10 (challenges to Council Actions), ART II SEC 11 (appeals of Council Actions), and ART I SEC 8 (challenges of Senate Actions).
3. Begin the new ART VII with new language (Section A) that summarizes the entire challenge/appeal/challenge process.
4. Correct the language in ART III SEC 10 and ART IV SEC 11, and add references to the new ART VII.
5. Add new sections to ART V (Graduate Council) and ART VI (Curricular Process) that identify the rights of challenge and appeal and refer to the new ART VII.
6. Replace descriptions of the challenge/appeals process removed from ART I (Faculty Senate) and ART II (College Councils) with references to the new ART VII.
7. Identify the specific actions that initiate the challenge period for Council Actions, the appeals period for Council Actions, and the challenge period for Senate Actions.
8. Use the terms “challenge period” and “appeals period” consistently.
9. Clarify the routing of curricular proposals.

PROPOSED BYLAWS CHANGES FOR CHARGE THREE**Original Language (comments in italics)**

[Note: The language shown below incorporates changes that were recommended by the Senate Committee on Rules in response to charges one, nine, and twelve. However, the line numbers refer to the April 2015 edition of the Bylaws. If the changes recommended in response to charge one are not adopted by the Senate then this report will be withdrawn]

ART I FACULTY SENATE**SEC 5 Duties of the Officers – Faculty Senate****C The Secretary of the Faculty (*Line 431*)**

(9) Shall participate in the curricular process as described in ART VI SEC 7 of these *Bylaws*.

SEC 7 Faculty Senate Actions and Resolutions**A Faculty Senate Actions (*Line 541*)**

[Text omitted]

- (1) The Secretary of the Faculty shall forward any Faculty Senate Action to the Provost who shall, within ten (10) calendar days after the expiration of the challenge and appeals period, forward the Faculty Senate Action to the president of the university with recommendation to approve or not approve.

SEC 8 Challenge and Veto of Faculty Senate Action (*line 607*)**A Right of Challenge**

The faculty shall have the inherent right to challenge any Faculty Senate Action. Such faculty challenge must be made within twenty (20) calendar days following distribution of the Faculty Senate Action to the faculty. In extraordinary circumstances, but not on curricular matters, the challenge period may, by unanimous vote of the Faculty Senate members present when a Faculty Senate Action is made, be reduced from twenty days to a number stipulated by the Faculty Senate.

B Form of Challenge

A faculty challenge of a Faculty Senate Action may be made by no fewer than fifty (50) members of the ranked faculty. Said challenge shall be made in writing and submitted to the Chair of the Faculty Senate, and the challengers shall file a copy of the challenge with the Secretary of the Faculty.

C Disposition of Challenge

The Chair of the Faculty Senate shall send a copy of such a challenge to each member of the faculty, and no sooner than three (3) school days, but no later than six (6) school days after copies of the challenge have been distributed to the faculty, the Chair of the Faculty Senate shall call a session of the ranked faculty for discussion of the challenge. Members of the administration may attend. The president of the university or the president's designee will preside at this session. The Secretary of the Faculty shall attend this session and record arguments for and against the challenge. No later than five (5) school days after the session, the Secretary of the Faculty shall distribute to all ranked faculty members ballots for voting on the challenge. The Secretary of the Faculty's summaries of the arguments for and against the challenge shall be sent with the ballots.

D Vote on Challenge

Voting shall be by secret ballot. Voted ballots must be returned to the Secretary of the Faculty within six (6) school days after the day on which the ballots are distributed. An affirmative vote to support the challenge, equal to a majority of the votes cast by the ranked faculty who are on active duty at the time of the challenge, shall constitute a veto of the challenged Faculty Senate Action.

SEC 9 Committees of the Faculty Senate *[Paragraphs A, C, and D omitted]*

B Standing Committees *[Committees (2)-(8) omitted]*

(1) Executive Committee of the Faculty Senate *[paragraph (b) omitted]*

(a) Purpose *(line 653)*

(aa) Shall participate in the curricular process as described in Article V, Section 7.

SEC 10 Councils of the Faculty Senate *[Proposed in response to charge one]*

A Definition and Duties of Councils *[Text omitted]*

B Council Responsibilities *[Text omitted]*

ART II COLLEGE COUNCILS

SEC 10 Challenge and Veto of Council Actions (*line 1107*)

A Right of Challenge

Each college faculty shall have the inherent right to challenge any College Council Action from its own college. The graduate faculty shall have the inherent right to challenge any Graduate Council Action. Such faculty challenge must be made within ten (10) calendar days following distribution of the Council Action to the faculty.

B Form of Challenge

A college faculty challenge of its own Council Action or a graduate faculty challenge of a Graduate Council Action may be made by no fewer than ten percent (10%) of the ranked faculty from that college or the Graduate College. Said challenge shall be made in writing and copies submitted to the chair of their college or graduate council, chair of the Faculty Senate and the Secretary of the Faculty.

The chair of the college or graduate council shall send a copy of such challenge to each ranked member of the college or graduate faculty. No sooner than three (3) school days, but no later than six (6) school days after copies of the challenge have been distributed to the faculty, the chair of the council shall call a session of the faculty for the discussion of the challenge. The dean of the college or his or her designee shall preside at this session. The secretary to the dean shall attend this session and record arguments for and against the challenge. No later than five (5) school days after the session, the secretary shall distribute to all ranked faculty members ballots for voting on the challenge. A summary of arguments for and against the challenge shall be prepared by the council chair and shall be sent with the ballots.

C Disposition of Challenge

An affirmative vote to support the challenge, equal to a majority of the votes cast by the ranked faculty of the college or by the graduate faculty, shall constitute a veto of the challenged Council Action.

SEC 11 Appeal and Veto of Council and Committee Actions (*Line 1137*)

A Right of Appeal

The university ranked faculty shall have the inherent right to appeal Actions of a college council, Graduate Council, Educator Preparation Provider Council and Council on General Education and Intercollegiate Programs. Appeals to the college councils and graduate councils must be made no sooner than the expiration of the challenge period, but no later than ten (10) calendar days during the regular academic year when classes are in session, excluding terminal week, following the expiration date. Appeals to the Educator Preparation Provider Council and Council on General Education and Intercollegiate

Programs must be made no later than ten (10) calendar days during the regular academic year when classes are in session, excluding terminal week, following distribution of the Action to the faculty. Since upholding an appeal would constitute a Faculty Senate Action, an upheld appeal is subject to the right of challenge as set forth in the *Bylaws*: Article I, Section 7, A, B, C, D.

B Form of Appeal

An appeal of a Council Action or Committee Action may be made by an academic department through the department head director, by a council through the council chair or by petition of no fewer than thirty (30) members of the ranked faculty. Said appeal shall be made in writing to the Executive Committee of the Faculty Senate. If an appeal is made, the Executive Committee of the Faculty Senate shall place the issue on the agenda for the next Faculty Senate session.

C Disposition of Appeal

An affirmative vote to support the appeal, equal to a majority of the votes cast by the senators present and voting, shall constitute a veto of the Council or Committee Action. Since upholding an appeal would constitute a Faculty Senate Action, an upheld appeal is subject to the right of challenge as set forth in the *Bylaws*: Article I, Section 7, A, B, C, D.

SEC 12 College Council Rules (*Line 1168*)

ART III EDUCATOR PREPARATION PROVIDER COUNCIL

SEC 10 Appeal and Veto of Educator Preparation Provider Council Actions (*Line 1387*)

Each EPP member shall have the right at all times to appeal any EPPC Action. Such procedure is identical to that set forth for the appeal of any Council or Committee Action in the *Constitution and Bylaws of the Faculty*: Article II, Section 11, A, B, C.

ART IV COUNCIL ON GENERAL EDUCATION AND INTERCOLLEGIATE PROGRAMS

SEC 4 Responsibilities of Council on General Education and Intercollegiate Programs (*Line 1534*)

A *[Text omitted]* A recommendation for the approval of a course proposal will be forwarded to the Faculty Senate for review and disposition as described in ART VI SEC 7-9.

B *[Text omitted]* A recommendation to approve changes will be forwarded to the Faculty

Senate for review and disposition as described in ART VI SEC 7-9.

SEC 10 Duties of Council on General Education and Intercollegiate Programs (*line 1635*)

[Text omitted] All curricular proposals recommended for approval by the council, amended or not amended, shall be forwarded to the Secretary of the Faculty for disposition as described in ART VI SEC 7-9.

SEC 11 Appeal and Veto of Council on General Education and Intercollegiate Programs Actions (*Line 1643*)

Each undergraduate college faculty shall have the inherent right to appeal any CGEIP Action. Such procedure is identical to that set forth for appeal of any Council or Committee Action in *Bylaws*: Article II, Section 11, A, B, C. Since upholding an appeal would constitute a Faculty Senate Action, an upheld appeal is subject to the right of challenge as set forth in the *Bylaws*: Article I, Section 7, A, B, C, D.

ART V GRADUATE COUNCIL

SEC 8 Amendments of Bylaws (*Line 1797*) *[Text omitted]*

ART VI CURRICULAR PROCESS

SEC 4 Responsibility of College Councils (*Line 1863*) *[Paragraphs A and B omitted]*

- C A College Council shall recommend the approval of a departmental proposal, reject and return a proposal to the originating department, or amend and recommend approval of the proposal. A curricular proposal which has been amended may be tabled or withdrawn by motion of the representative of the academic department in which the proposal originated, without second or vote.
- D Curricular proposals recommended for approval by a College Council, amended or not amended, shall be forwarded to the College Dean for review and comment as stipulated below. After review and comment by the College Dean, or after the expiration of the review/comment period, the proposals shall be returned to the College Council Chair, who will forward them as follows:
 - (1) Program proposals for BS and MS in Education and Education Specialist degrees, and proposals for Professional Education courses, to the Chair of the Education Preparation Provider Council. Criteria for designation as a Professional Education course and a list of current Professional Education courses can be found on the EPP web site.

[Items 2 and 3 omitted]

SEC 6 Responsibility of Graduate Council, Educator Preparation Provider Council, and Council on General Education and Intercollegiate Programs (*line 1909*)

[Paragraphs A and B omitted]

- C All proposals recommended for approval by the graduate council, Educator Preparation Provider Council, and Council on General Education and Intercollegiate Programs, amended or not amended, shall be forwarded to the Secretary of the Faculty for disposition as hereinafter stipulated.

SEC 7 Responsibility of Secretary of the Faculty (*Line 1924*) *[Text omitted for paragraphs A and B]*

- C After lapse of the challenge period, recommended curricular proposals that are error-free shall be forwarded to the Faculty Senate Executive Committee for disposition as described in ART VI SEC 8.
- D Curricular proposals that have been approved by the Faculty Senate Executive Committee shall be distributed to all college deans, department heads, and faculty senators.
- E Approved curricular proposals shall be forwarded to the Provost after lapse of the appeals period.

SEC 8 Responsibility of Executive Committee of Faculty Senate (*Line 1934*) *[Paragraphs C and D omitted]*

- A *[Text omitted]* For curricular proposals that must be considered by the full Senate as described in ART VI SEC 9, the Executive Committee issues final approval only after the proposal has been approved by a vote of the full Senate. *[Text omitted]* This normally is a pro forma process; however, if within a challenge period any member of the committee determines that a curricular change warrants further review by the faculty then the committee has the right to bring the proposal to the floor of the Faculty Senate, in which case approval or rejection of the proposal is determined by a vote of the full senate.
- B Approved curricular proposals shall be forwarded to the Secretary of the Faculty for dissemination as described in ART VI SEC 7D,E.

SEC 9 Responsibility of Faculty Senate (*Line 1945*)

The Faculty Senate shall consider and take action:

[Paragraphs A-E omitted]

SEC 10 Responsibility of University Administration (*Line 1969*)

All curricular proposals approved by the Faculty Senate become Faculty Senate Actions and shall be forwarded to the Provost by the Secretary of the Faculty after the lapse of the challenge and appeals period.

SEC 11 Origination of Curricular Proposals (*Line 1974*) [*Text omitted*]

SEC 12 Approval Process for Individual Sections of Variable Content Courses and Special Topics Courses (*Line 2021*) [*Text omitted for paragraphs A, C, and D*]

- B Before a specific section (topic) of an existing variable content course or special topics course may be offered for the third time, it must be proposed and approved by means of the procedures outlined in Sections 3 through 10 of the Article, as a “regular” section of that course just as if it were a new stand-alone course.

SEC 13 Approval Process for Courses Taught During an Intersession or Other Compressed-Time Format (*Line 2038*) [*Text omitted for paragraph A*]

- B Each proposal for a new course or a new “regular” section of an existing variable content or special topics course designed to be offered exclusively during an intersession or in another compressed time format must be approved through the normal curricular approval process outlined in Sections 3 through 11 of the Article. For each such offering, each relevant curricular review body must consider, in addition to the normal issues related to content, quality, and rigor, the three criteria listed in Part A of this Section.

SEC 14 Accelerated Course Approval Procedure (*Line 2061*) [*Text omitted for paragraphs B, E, and F*]

- A This section applies *only* to new courses that cannot fit under existing variable content or special topics course designations. Before any course approved through this accelerated process may be offered for a third time, it must go through the regular curricular approval process outlined in Sections 3 through 11 of this Article.
- C Any college council may promulgate more stringent requirements than these; all councils should, however, observe at least the following minimum requirements:

[Requirements 1, 2, and 4 omitted]

- (3) If special consideration is granted, the chair distributes materials to council members and arranges Internet posting, all with a five-calendar-day turnaround for individual council members’ responses to the council chair and for challenges to the curricular proposal decisions of the council.
- D The right of appeal in the accelerated process shall be the same as set forth in ART II, SEC 11, except that the appeal period shall consist of five calendar days.

ART VII AMENDMENT OF BYLAWS (*Line 2103*)

Proposed Changes
(additions bold, omissions struck through, comments italicized)

ART I FACULTY SENATE

SEC 5 Duties of the Officers – Faculty Senate

C The Secretary of the Faculty (*Line 431*)

- (9) Shall participate in the curricular process as described in ART VI SEC 7 **8** of these Bylaws.

SEC 7 Faculty Senate Actions and Resolutions

A Faculty Senate Actions (*Line 541*)

[Text omitted]

- (1) The Secretary of the Faculty shall forward any Faculty Senate Action to the Provost who shall, within ten (10) calendar days after the expiration of the challenge ~~and appeals~~ period, forward the Faculty Senate Action to the president of the university with recommendation to approve or not approve.

SEC 8 Challenge and Veto of Faculty Senate Action (*line 607*)

The ranked faculty shall have the inherent right to challenge any Faculty Senate Action, as described in Article VII Section 4 of these Bylaws.

[The text struck from this Section has been moved to new Article VII Section 4]

~~A Right of Challenge~~

~~The faculty shall have the inherent right to challenge any Faculty Senate Action. Such faculty challenge must be made within twenty (20) calendar days following distribution of the Faculty Senate Action to the faculty. In extraordinary circumstances, but not on curricular matters, the challenge period may, by unanimous vote of the Faculty Senate members present when a Faculty Senate Action is made, be reduced from twenty days to a number stipulated by the Faculty Senate.~~

~~B Form of Challenge~~

~~A faculty challenge of a Faculty Senate Action may be made by no fewer than fifty (50) members of the ranked faculty. Said challenge shall be made in writing and submitted to the Chair of the Faculty Senate, and the challengers shall file a copy of the challenge with the Secretary of the Faculty.~~

~~C Disposition of Challenge~~

~~The Chair of the Faculty Senate shall send a copy of such a challenge to each member of the faculty, and no sooner than three (3) school days, but no later than six (6) school days after copies of the challenge have been distributed to the faculty, the Chair of the Faculty Senate shall call a session of the ranked faculty for discussion of the challenge. Members of the administration may attend. The president of the university or the president's designee will preside at this session. The Secretary of the Faculty shall attend this session and record arguments for and against the challenge. No later than five (5) school days after the session, the Secretary of the Faculty shall distribute to all ranked faculty members ballots for voting on the challenge. The Secretary of the Faculty's summaries of the arguments for and against the challenge shall be sent with the ballots.~~

~~D—Vote on Challenge~~

~~Voting shall be by secret ballot. Voted ballots must be returned to the Secretary of the Faculty within six (6) school days after the day on which the ballots are distributed. An affirmative vote to support the challenge, equal to a majority of the votes cast by the ranked faculty who are on active duty at the time of the challenge, shall constitute a veto of the challenged Faculty Senate Action.~~

SEC 9 Committees of the Faculty Senate *[Paragraphs A, C, and D omitted]*

B Standing Committees *[Committees (2)-(8) omitted]*

(1) Executive Committee of the Faculty Senate *[paragraph (b) omitted]*

(a) Purpose *(line 653)*

- (aa) Shall participate in the curricular process as described in Article ~~VI~~, Section 79.

SEC 10 Councils of the Faculty Senate *[Proposed in response to charge one]*

A Definition and Duties of Councils *[Text omitted]*

B Council Responsibilities *[Text omitted]*

C Council Actions *[New section]*

Council Actions include all formal recommendations or decisions made by a Council in response to its charges. Council Actions include rejections of curricular proposals, recommendations to approve curricular proposals, and all formal recommendations and decisions made while engaged in non-curricular duties.

D Challenges and Appeals of Council Actions *[New section]*

The ranked faculty of the University shall have the inherent right to challenge and appeal Council Actions as described in ART VII SEC 2 and ART VII SEC 3 of these Bylaws.

ART II COLLEGE COUNCILS**SEC 10 Challenges and ~~Veto~~Appeals of College Council Actions** *(line 1107)*

- A The ranked faculty members of each academic college have an inherent right to challenge any Action of their College Council, as set forth in ART VII SEC 2 of these Bylaws.**
- B The ranked faculty members of the University have an inherent right to appeal any Action of any College Council, as set forth in ART VII SEC 3 of these Bylaws.**

[Text struck from SEC 10 and SEC 11 has been moved to new Article VII Sections 2 and 3]

~~A~~ Right of Challenge

~~Each college faculty shall have the inherent right to challenge any College Council Action from its own college. The graduate faculty shall have the inherent right to challenge any Graduate Council Action. Such faculty challenge must be made within ten (10) calendar days following distribution of the Council Action to the faculty.~~

~~B~~ Form of Challenge

~~A college faculty challenge of its own Council Action or a graduate faculty challenge of a Graduate Council Action may be made by no fewer than ten percent (10%) of the ranked faculty from that college or the Graduate College. Said challenge shall be made in writing and copies submitted to the chair of their college or graduate council, chair of the Faculty Senate and the Secretary of the Faculty.~~

~~The chair of the college or graduate council shall send a copy of such challenge to each ranked member of the college or graduate faculty. No sooner than three (3) school days, but no later than six (6) school days after copies of the challenge have been distributed to the faculty, the chair of the council shall call a session of the faculty for the discussion of the challenge. The dean of the college or his or her designee shall preside at this session. The secretary to the dean shall attend this session and record arguments for and against the challenge. No later than five (5) school days after the session, the secretary shall distribute to all ranked faculty members ballots for voting on the challenge. A summary of arguments for and against the challenge shall be prepared by the council chair and shall be sent with the ballots.~~

~~C~~ Disposition of Challenge

~~An affirmative vote to support the challenge, equal to a majority of the votes cast by the ranked faculty of the college or by the graduate faculty, shall constitute a veto of the challenged Council Action.~~

~~SEC 11 Appeal and Veto of Council and Committee Actions~~ *(Line 1137)*

~~A—Right of Appeal~~

~~The university ranked faculty shall have the inherent right to appeal Actions of a college council, Graduate Council, Educator Preparation Provider Council and Council on General Education and Intercollegiate Programs.— Appeals to the college councils and graduate councils must be made no sooner than the expiration of the challenge period, but no later than ten (10) calendar days during the regular academic year when classes are in session, excluding terminal week, following the expiration date.— Appeals to the Educator Preparation Provider Council and Council on General Education and Intercollegiate Programs must be made no later than ten (10) calendar days during the regular academic year when classes are in session, excluding terminal week, following distribution of the Action to the faculty.— Since upholding an appeal would constitute a Faculty Senate Action, an upheld appeal is subject to the right of challenge as set forth in the *Bylaws*:— Article I, Section 7, A, B, C, D.~~

~~B—Form of Appeal~~

~~An appeal of a Council Action or Committee Action may be made by an academic department through the department head director, by a council through the council chair or by petition of no fewer than thirty (30) members of the ranked faculty.— Said appeal shall be made in writing to the Executive Committee of the Faculty Senate.— If an appeal is made, the Executive Committee of the Faculty Senate shall place the issue on the agenda for the next Faculty Senate session.~~

~~C—Disposition of Appeal~~

~~An affirmative vote to support the appeal, equal to a majority of the votes cast by the senators present and voting, shall constitute a veto of the Council or Committee Action.— Since upholding an appeal would constitute a Faculty Senate Action, an upheld appeal is subject to the right of challenge as set forth in the *Bylaws*:— Article I, Section 7, A, B, C, D.~~

~~SEC 11 College Council Rules~~ *(Line 1168)*

ART III EDUCATOR PREPARATION PROVIDER COUNCIL

~~SEC 10 Appeals and Veto of Educator Preparation Provider Council Actions~~ *(Line 1387)*

~~Each EPP member shall have the right at all times to appeal any EPPC Action.— Such procedure is identical to that set forth for the appeal of any Council or Committee Action in the *Constitution*~~

~~and Bylaws of the Faculty: Article II, Section 11, A, B, C.~~ **The ranked faculty members of the University have an inherent right to appeal any EPPC Action, as set forth in ART VII SEC 3 of these Bylaws.**

ART IV COUNCIL ON GENERAL EDUCATION AND INTERCOLLEGIATE PROGRAMS

SEC 4 Responsibilities of Council on General Education and Intercollegiate Programs (Line 1534)

- A *[Text omitted]* A recommendation for the approval of a course proposal will be forwarded to the **Secretary of the Faculty Senate** for review and disposition as described in ART VI ~~SEC 7-9.~~
- B *[Text omitted]* A recommendation to approve changes will be forwarded to the **Secretary of the Faculty Senate** for review and disposition as described in ART VI ~~SEC 7-9.~~

SEC 10 Duties of Council on General Education and Intercollegiate Programs (line 1635)

[Text omitted] All curricular proposals recommended for approval by the council, amended or not amended, shall be forwarded to the Secretary of the Faculty for disposition as described in ART VI ~~SEC 7-9.~~

SEC 11 Appeals and Veto of Council on General Education and Intercollegiate Programs Actions (Line 1643)

~~Each undergraduate college faculty shall have the inherent right to appeal any CGEIP Action. Such procedure is identical to that set forth for appeal of any Council or Committee Action in Bylaws: Article II, Section 11, A, B, C. Since upholding an appeal would constitute a Faculty Senate Action, an upheld appeal is subject to the right of challenge as set forth in the Bylaws: Article I, Section 7, A, B, C, D.~~ **The ranked faculty members of the University have an inherent right to appeal any Action of the Council on General Education and Intercollegiate Programs, as set forth in ART VII SEC 3 of these Bylaws.**

ART V GRADUATE COUNCIL

SEC 8 Challenges and Appeals of Graduate Council Actions *[New section]*

- A **The ranked members of the Graduate Faculty have an inherent right to challenge any Action of the Graduate Council, as set forth in ART VII SEC 2 of these Bylaws.**
- B **The ranked faculty of the University have an inherent right to appeal any Action of the Graduate Council, as set forth in ART VII SEC 3 of these Bylaws.**

~~SEC 8-9~~ Amendments of Bylaws (Line 1797) *[Text omitted]*

ART VI CURRICULAR PROCESS

SEC 4 Responsibility of College Councils (*Line 1863*) [*Paragraphs A and B omitted*]

- C A College Council shall recommend the approval of a departmental proposal, reject and return a proposal to the originating department, or amend and recommend approval of the proposal. A curricular proposal which has been amended may be tabled or withdrawn by motion of the representative of the academic department in which the proposal originated, without second or vote.
- D All Department Heads/Directors and Faculty Senators from within the College shall be notified of the disposition of each curricular proposal and shall be given access to either a digital or paper copy of the proposal. This notification shall constitute dissemination to the College faculty and shall initiate the challenge period within the College.**
- E If a curricular proposal stands rejected at the end of the challenge period or after adjudication of a challenge, the Department Head/Director and the Faculty Senator representing the academic department or special academic program from which the proposal originated shall be notified. This notification shall initiate the appeals period for the College Council Action.**
- ~~D~~**F Curricular proposals recommended for approval by a College Council, amended or not amended, shall be forwarded to the College Dean for review and comment as stipulated below in Section 5 of this Article. Review by the College Dean may be concurrent with the challenge period.**
- G After review and comment by the College Dean, or after the expiration of the review/comment period, **and after expiration of the challenge period or adjudication of a challenge, a proposal recommended for approval shall be forwarded by the College Council Chair** ~~proposals shall be returned to the College Council Chair, who will forward them as follows: [Items (2) and (3) omitted]~~
- (1) Program proposals for ~~BS and MS Bachelor of Science in Education and Education Specialist~~ **and Bachelor of Music Education** degrees, and proposals for Professional Education courses, to the Chair of the Education Preparation Provider Council. Criteria for designation as a Professional Education course and a list of current Professional Education courses can be found on the EPP web site. [*This corrects an error not caught previously. Proposals for graduate courses and programs go directly to Graduate Council*]

SEC 6 Responsibility of Graduate Council, Educator Preparation Provider Council, and Council on General Education and Intercollegiate Programs (*line 1909*) [*Paragraphs A and B omitted*]

- ~~C All proposals recommended for approval by the graduate council, Educator Preparation~~

~~Provider Council, and Council on General Education and Intercollegiate Programs, amended or not amended, shall be forwarded to the Secretary of the Faculty for disposition as hereinafter stipulated.~~

C Council on General Education and Intercollegiate Programs

- (1) If a proposal is rejected, the CGEIP Chair shall notify the Department Head/Director and the Faculty Senator representing the academic department or special academic program from which the proposal originated. This notification shall initiate the appeals period for the CGEIP Action.**
- (2) The CGEIP Chair shall forward to the Secretary of the Faculty all proposals recommended for approval.**

D Educator Preparation Provider Council

- (1) If a proposal is rejected, the EPPC Chair shall notify the Department Head/Director and the Faculty Senator representing the academic department or special academic program from which the proposal originated. This notification shall initiate the appeals period for the EPPC Action.**
- (2) Recommended proposals affecting graduate programs or courses shall be forwarded to the Chair of Graduate Council. *[This order of review is consistent with existing language in ART VI SEC 3B]***
- (3) Recommended proposals affecting undergraduate programs or courses shall be forwarded to the Secretary of the Faculty.**

E Graduate Council

- (1) After a curricular proposal has been reviewed, all members of Graduate Council and all Faculty Senators shall be notified of the disposition of the proposal and shall be given access to either a digital or paper copy of the proposal. This notification shall constitute dissemination to the Graduate Faculty and shall initiate the challenge period within the Graduate College.**
- (2) If a curricular proposal stands rejected at the end of the challenge period or after adjudication of a challenge, the Department Head/Director and the Faculty Senator representing the academic department or special academic program from which the proposal originated shall be notified. This notification shall initiate the appeals period for the Graduate Council Action.**
- (3) If a curricular proposal is recommended for approval at the end of the challenge period or after adjudication of a challenge, the Graduate Council Chair shall forward the recommended proposal to the Secretary of the Faculty.**

SEC 7 Rights to Challenge and Appeal Council Actions *[New section]*

- A Members of the ranked faculty of each academic college have a right to challenge the rejection or recommended approval of any curricular proposal by their College Council, as set forth in ART VII SEC 2 of these Bylaws.**
- B Ranked members of the graduate faculty have a right to challenge the rejection or recommended approval of any curricular proposal by Graduate Council, as set forth in ART VII SEC 2 of these Bylaws.**
- C The ranked faculty members of the University have an inherent right to appeal the rejection or recommended approval of any curricular proposal by any Council of the Faculty Senate, as set forth in ART VII SEC 3 of these Bylaws.**

SEC 7-8 Responsibility of Secretary of the Faculty *(Line 1924) [Text omitted for paragraphs A and B]*

- C All Department Heads/Directors of academic programs, all Faculty Senators, and the Faculty Senate Executive Committee shall be notified of recommended curricular proposals that are error-free and shall be given access to digital copies. This notification shall constitute dissemination to the ranked faculty and shall initiate the appeals period for Council Actions.**

~~CD~~ After lapse of the ~~challenge~~**appeals** period **for Council Actions**, recommended curricular proposals that are error-free shall be forwarded to the Faculty Senate Executive Committee for disposition as described in ART VI SEC 8 **9**.

~~DE~~ Curricular proposals that have been approved by the Faculty Senate Executive Committee shall be distributed to all college deans, department heads, and faculty senators. **This initiates the challenge period for Senate Actions.**

~~EF~~ Approved curricular proposals shall be forwarded to the Provost after ~~lapse of the appeals~~**challenge** period **for Senate Actions has lapsed without a challenge being submitted, or after a challenge to the Senate Action has been denied.**

SEC 8-9 Responsibility of Executive Committee of Faculty Senate *(Line 1934) [Paragraphs C and D omitted]*

- A [Text omitted] For curricular proposals that must be considered by the full Senate as described in ART VI SEC 9 ~~10~~, the Executive Committee issues final approval only after the proposal has been approved by a vote of the full Senate. [Text omitted] This normally is a pro forma process; however, if within a ~~challenge~~ **an appeals** period any member of the committee determines that a curricular change warrants further review by the faculty then the committee has the right to bring the proposal to the floor of the Faculty Senate, in which case approval or rejection of the proposal is determined by a vote of the full senate.**

- B Approved curricular proposals shall be forwarded to the Secretary of the Faculty for dissemination as described in ART VI SEC ~~7D,E~~ **8D and 8E**.

SEC ~~9-10~~ Responsibility of Faculty Senate (*Line 1945*)

The Faculty Senate shall consider and take action:

[Paragraphs A-E omitted]

- F On all challenges to approved curricular proposals.**

SEC 11 Right to Challenge Senate Actions (*New section*)

The ranked faculty members of the University have an inherent right to challenge any Faculty Senate Action, as set forth in ART VII SEC 4 of these Bylaws. Within the curricular process, Senate Actions include the approval of a curricular proposal and the upholding of an appeal of a Council Action.

SEC ~~10-12~~ Responsibility of University Administration (*Line 1969*)

All curricular proposals approved by the Faculty Senate become Faculty Senate Actions and shall be forwarded to the Provost by the Secretary of the Faculty after the lapse of the challenge and appeals period **for Senate Actions**.

SEC ~~11-13~~ Origination of Curricular Proposals (*Line 1974*) [*Text omitted*]

SEC ~~12-14~~ Approval Process for Individual Sections of Variable Content Courses and Special Topics Courses (*Line 2021*) [*Text omitted for paragraphs A, C, and D*]

- B Before a specific section (topic) of an existing variable content course or special topics course may be offered for the third time, it must be proposed and approved by means of the procedures outlined in Sections 3 through ~~1013~~ of the Article **VI**, as a “regular” section of that course just as if it were a new stand-alone course.

SEC ~~13-15~~ Approval Process for Courses Taught During an Intersession or Other Compressed-Time Format (*Line 2038*) [*Text omitted for paragraph A*]

- B Each proposal for a new course or a new “regular” section of an existing variable content or special topics course designed to be offered exclusively during an intersession or in another compressed time format must be approved through the normal curricular approval process outlined in Sections 3 through ~~1113~~ of the Article **VI**. For each such offering, each relevant curricular review body must consider, in addition to the normal issues related to content, quality, and rigor, the three criteria listed in Part A of this Section.

SEC 14-16 Accelerated Course Approval Procedure (*Line 2061*) [*Text omitted for paragraphs B, E, and F*]

- A This section applies *only* to new courses that cannot fit under existing variable content or special topics course designations. Before any course approved through this accelerated process may be offered for a third time, it must go through the regular curricular approval process outlined in Sections 3 through ~~11~~**13** of ~~this Article~~ **VI**.
- C Any college council may promulgate more stringent requirements than these; all councils should, however, observe at least the following minimum requirements:

[Requirements 1, 2, and 4 omitted]

- (3) If special consideration is granted, the Chair distributes materials to council members and arranges Internet posting. ~~, all with a five-calendar day turnaround for individual council members' responses to the council chair and for challenges to the curricular proposal decisions of the council.~~ **Each council member must respond to the Council Chair within five calendar days.**
- D The rights of **challenge and appeal of Council Actions** in the accelerated process shall be the same as set forth in ~~ART II, SEC 11~~ **ART VII, SEC 2 and SEC 3**, except that the **challenge and** appeal periods shall **each** consist of five calendar days.

ART VII Challenges and Appeals of Council and Senate Actions [*New Article*]

SEC 1 Overview of Challenges and Appeals [*New text added for clarification*]

- A **The ranked faculty have an inherent right to contest any Council Action (as defined in ART I SEC 10C) and any Faculty Senate Action (as defined in ART I SEC 7A).**
- B **Summary of the process for challenges and appeals:**
 - (1) **The ranked faculty of an undergraduate college may challenge any Action of their College Council within 10 days of its dissemination to the college faculty, as described in SEC 2 below.**
 - (2) **Ranked members of the Graduate Faculty may challenge any Action of the Graduate Council within 10 days of its dissemination to the Graduate Faculty, as described in SEC 2 below.**
 - (3) **The ranked faculty of the University may appeal any Action of any Council of the Faculty Senate within 10 days of dissemination of the Action to the faculty by the Secretary of the Faculty, as described in SEC 3 below.**
 - (4) **The ranked faculty of the University may challenge any Senate Action within 20 days of its dissemination to the faculty, as described in SEC 4 below.**

- (5) **Challenges** of Council Actions and Senate Actions may be initiated only by petition from the ranked faculty. **Appeals** of Council Actions may be initiated by petition from the ranked faculty, by a Department Head, or by a Council Chair.

SEC 2 Challenge and Veto of College Council and Graduate Council Actions *[Text moved from ART II SEC 10, with paragraph A clarified to indicate that it is the ranked faculty who possess the right of challenge]*

A Right of Challenge

The ranked faculty of each undergraduate college shall have the inherent right to challenge any College Council Action from its own college. The ranked members of the Graduate Faculty shall have the inherent right to challenge any Graduate Council Action. Such faculty challenges must be made within ten (10) calendar days following distribution of the Council Action to the faculty by the Council.

B Form of Challenge

A college faculty challenge of its own Council Action or a graduate faculty challenge of a Graduate Council Action may be made by no fewer than ten percent (10%) of the ranked faculty from that college or the Graduate College. Said challenge shall be made in writing and copies submitted to the chair of their college or graduate council, chair of the Faculty Senate and the Secretary of the Faculty.

The chair of the college or graduate council shall send a copy of such challenge to each ranked member of the college or graduate faculty. No sooner than three (3) school days, but no later than six (6) school days after copies of the challenge have been distributed to the faculty, the chair of the council shall call a session of the faculty for the discussion of the challenge. The dean of the college or his or her designee shall preside at this session. The secretary to the dean shall attend this session and record arguments for and against the challenge. No later than five (5) school days after the session, the secretary shall distribute to all ranked faculty members ballots for voting on the challenge. A summary of arguments for and against the challenge shall be prepared by the council chair and shall be sent with the ballots.

C Disposition of Challenge

An affirmative vote to support the challenge, equal to a majority of the votes cast by the ranked faculty of the college or by the graduate faculty, shall constitute a veto of the challenged Council Action.

SEC 3 Appeal and Veto of Council Actions *[Text moved from ART II SEC 11.] [A statement that appears at the ends of both paragraph A and paragraph C is removed from paragraph A where it seems less appropriate.]*

A Right of Appeal

[This paragraph has been simplified by removing a reference to the challenge period for College Council and Graduate Council Actions. This reference is not necessary since the Secretary of the Faculty will not disseminate proposals until the challenge period has ended.]

The ranked faculty of the University shall have the inherent right to appeal Actions of a College Council, Graduate Council, Educator Preparation Provider Council, and Council on General Education and Intercollegiate Programs. Appeals must be made no later than ten (10) calendar days during the regular academic year when classes are in session, excluding terminal week, following distribution of the Council Action to the faculty by the Secretary of the Faculty.

B Form of Appeal

An appeal of a Council Action may be made by an academic department through the Department Head or Director, by a council through the Council Chair or by petition of no fewer than thirty (30) members of the ranked faculty. Said appeal shall be made in writing to the Executive Committee of the Faculty Senate. If an appeal is made, the Executive Committee of the Faculty Senate shall place the issue on the agenda for the next Faculty Senate session.

C Disposition of Appeal

An affirmative vote to support the appeal, equal to a majority of the votes cast by the senators present and voting, shall constitute a veto of the Council Action. Since upholding an appeal would constitute a Faculty Senate Action, an upheld appeal is subject to the right of challenge as set forth in Article VII Section 4 below.

SEC 4 Challenge and Veto of Faculty Senate Action *[text moved from ART 1 SEC 8. Paragraph A is clarified to indicate that it is the ranked faculty who possess this right]*

A Right of Challenge

The ranked faculty of the University shall have the inherent right to challenge any Faculty Senate Action. Such faculty challenge must be made within twenty (20) calendar days following distribution of the Faculty Senate Action to the faculty. In extraordinary circumstances, but not on curricular matters, the challenge period may, by unanimous vote of the Faculty Senate members present when a Faculty Senate Action is made, be reduced from twenty days to a number stipulated by the Faculty Senate.

B Form of Challenge

A faculty challenge of a Faculty Senate Action may be made by no fewer than fifty (50) members of the ranked faculty. Said challenge shall be made in writing and

submitted to the Chair of the Faculty Senate, and the challengers shall file a copy of the challenge with the Secretary of the Faculty.

C Disposition of Challenge

The Chair of the Faculty Senate shall send a copy of such a challenge to each member of the faculty, and no sooner than three (3) school days, but no later than six (6) school days after copies of the challenge have been distributed to the faculty, the Chair of the Faculty Senate shall call a session of the ranked faculty for discussion of the challenge. Members of the administration may attend. The president of the university or the president's designee will preside at this session. The Secretary of the Faculty shall attend this session and record arguments for and against the challenge. No later than five (5) school days after the session, the Secretary of the Faculty shall distribute to all ranked faculty members ballots for voting on the challenge. The Secretary of the Faculty's summaries of the arguments for and against the challenge shall be sent with the ballots.

D Vote on Challenge

Voting shall be by secret ballot. Voted ballots must be returned to the Secretary of the Faculty within six (6) school days after the day on which the ballots are distributed. An affirmative vote to support the challenge, equal to a majority of the votes cast by the ranked faculty who are on active duty at the time of the challenge, shall constitute a veto of the challenged Faculty Senate Action.

ART ~~VH~~VIII AMENDMENT OF BYLAWS

Final Language
(comments italicized)

ART I FACULTY SENATE

SEC 5 Duties of the Officers – Faculty Senate

C The Secretary of the Faculty (*Line 431*)

- (9) Shall participate in the curricular process as described in ART VI SEC 8 of these *Bylaws*.

SEC 7 Faculty Senate Actions and Resolutions

A Faculty Senate Actions (*Line 541*)

[Text omitted]

- (1) The Secretary of the Faculty shall forward any Faculty Senate Action to the Provost who shall, within ten (10) calendar days after the expiration of the challenge period, forward the Faculty Senate Action to the president of the university with recommendation to approve or not approve.

SEC 8 Challenge and Veto of Faculty Senate Action (*line 607*)

The ranked faculty shall have the inherent right to challenge any Faculty Senate Action, as described in Article VII Section 4 of these Bylaws.

SEC 9 Committees of the Faculty Senate [*Paragraphs A, C, and D omitted*]

B Standing Committees [*Committees (2)-(8) omitted*]

- (1) Executive Committee of the Faculty Senate [*paragraph (b) omitted*]

(a) Purpose (*line 653*)

- (aa) Shall participate in the curricular process as described in Article VI, Section 9.

SEC 10 Councils of the Faculty Senate [*Proposed in response to charge one*]

A Definition and Duties of Councils [*Text omitted*]

B Council Responsibilities [*Text omitted*]

C Council Actions *[New section]*

Council Actions include all formal recommendations or decisions made by a Council in response to its charges. Council Actions include rejections of curricular proposals, recommendations to approve curricular proposals, and all formal recommendations and decisions made while engaged in non-curricular duties.

D Challenges and Appeals of Council Actions *[New section]*

The ranked faculty of the University shall have the inherent right to challenge and appeal Council Actions as described in ART VII SEC 2 and ART VII SEC 3 of these Bylaws.

ART II COLLEGE COUNCILS

SEC 10 Challenges and Appeals of College Council Actions *(line 1107)*

- A The ranked faculty members of each academic college have an inherent right to challenge any Action of their College Council, as set forth in ART VII SEC 2 of these Bylaws.
- B The ranked faculty members of the University have an inherent right to appeal any Action of any College Council, as set forth in ART VII SEC 3 of these Bylaws.

SEC 11 College Council Rules *(Line 1168)*

ART III EDUCATOR PREPARATION PROVIDER COUNCIL

SEC 10 Appeals of Educator Preparation Provider Council Actions *(Line 1387)*

The ranked faculty members of the University have an inherent right to appeal any EPPC Action, as set forth in ART VII SEC 3 of these Bylaws.

ART IV COUNCIL ON GENERAL EDUCATION AND INTERCOLLEGIATE PROGRAMS

SEC 4 Responsibilities of Council on General Education and Intercollegiate Programs *(Line 1534)*

- A *[Text omitted]* A recommendation for the approval of a course proposal will be forwarded to the Secretary of the Faculty for review and disposition as described in ART VI.
- B *[Text omitted]* A recommendation to approve changes will be forwarded to the Secretary of the Faculty for review and disposition as described in ART VI.

SEC 10 Duties of Council on General Education and Intercollegiate Programs (*line 1635*)

[Text omitted] All curricular proposals recommended for approval by the council, amended or not amended, shall be forwarded to the Secretary of the Faculty for disposition as described in ART VI.

SEC 11 Appeals of Council on General Education and Intercollegiate Programs Actions (*Line 1643*)

The ranked faculty members of the University have an inherent right to appeal any Action of the Council on General Education and Intercollegiate Programs, as set forth in ART VII SEC 3 of these Bylaws.

ART V GRADUATE COUNCIL

SEC 8 Challenges and Appeals of Graduate Council Actions [*New section*]

- A The ranked members of the Graduate Faculty have an inherent right to challenge any Action of the Graduate Council, as set forth in ART VII SEC 2 of these Bylaws.
- B The ranked faculty of the University have an inherent right to appeal any Action of the Graduate Council, as set forth in ART VII SEC 3 of these Bylaws.

SEC 9 Amendments of Bylaws (*Line 1797*) [*Text omitted*]

ART VI CURRICULAR PROCESS

SEC 4 Responsibility of College Councils (*Line 1863*) [*Paragraphs A and B omitted*]

- C A College Council shall recommend the approval of a departmental proposal, reject and return a proposal to the originating department, or amend and recommend approval of the proposal. A curricular proposal which has been amended may be tabled or withdrawn by motion of the representative of the academic department in which the proposal originated, without second or vote.
- D All Department Heads/Directors and Faculty Senators from within the College shall be notified of the disposition of each curricular proposal and shall be given access to either a digital or paper copy of the proposal. This notification shall constitute dissemination to the College faculty and shall initiate the challenge period within the College.
- E If a curricular proposal stands rejected at the end of the challenge period or after adjudication of a challenge, the Department Head/Director and the Faculty Senator representing the academic department or special academic program from which the proposal originated shall be notified. This notification shall initiate the appeals period for the College Council Action.

F Curricular proposals recommended for approval by a College Council, amended or not amended, shall be forwarded to the College Dean for review and comment as stipulated in Section 5 of this Article. Review by the College Dean may be concurrent with the challenge period.

G After review and comment by the College Dean, or after the expiration of the review/comment period, and after expiration of the challenge period or adjudication of a challenge, a proposal recommended for approval shall be forwarded by the College Council Chair as follows: *[Items (2) and (3) omitted]*

- (1) Program proposals for Bachelor of Science in Education and Bachelor of Music Education degrees, and proposals for Professional Education courses, to the Chair of the Education Preparation Provider Council. Criteria for designation as a Professional Education course and a list of current Professional Education courses can be found on the EPP web site.

SEC 6 Responsibility of Graduate Council, Educator Preparation Provider Council, and Council on General Education and Intercollegiate Programs *(line 1909)*
[Paragraphs A and B omitted]

C Council on General Education and Intercollegiate Programs

- (1) If a proposal is rejected, the CGEIP Chair shall notify the Department Head/Director and the Faculty Senator representing the academic department or special academic program from which the proposal originated. This notification shall initiate the appeals period for the CGEIP Action.
- (2) The CGEIP Chair shall forward to the Secretary of the Faculty all proposals recommended for approval.

D Educator Preparation Provider Council

- (1) If a proposal is rejected, the EPPC Chair shall notify the Department Head/Director and the Faculty Senator representing the academic department or special academic program from which the proposal originated. This notification shall initiate the appeals period for the EPPC Action.
- (2) Recommended proposals affecting graduate programs or courses shall be forwarded to the Chair of Graduate Council.
- (3) Recommended proposals affecting undergraduate programs or courses shall be forwarded to the Secretary of the Faculty.

E Graduate Council

- (1) After a curricular proposal has been reviewed, all members of Graduate Council and all Faculty Senators shall be notified of the disposition of the proposal and shall be given access to either a digital or paper copy of the proposal. This notification shall constitute dissemination to the Graduate Faculty and shall initiate the challenge period within the Graduate College.
- (2) If a curricular proposal stands rejected at the end of the challenge period or after adjudication of a challenge, the Department Head/Director and the Faculty Senator representing the academic department or special academic program from which the proposal originated shall be notified. This notification shall initiate the appeals period for the Graduate Council Action.
- (3) If a curricular proposal is recommended for approval at the end of the challenge period or after adjudication of a challenge, the Graduate Council Chair shall forward the recommended proposal to the Secretary of the Faculty.

SEC 7 Rights to Challenge and Appeal Council Actions *[New section]*

- A Members of the ranked faculty of each academic college have a right to challenge the rejection or recommended approval of any curricular proposal by their College Council, as set forth in ART VII SEC 2 of these Bylaws.
- B Ranked members of the graduate faculty have a right to challenge the rejection or recommended approval of any curricular proposal by Graduate Council, as set forth in ART VII SEC 2 of these Bylaws.
- C The ranked faculty members of the University have an inherent right to appeal the rejection or recommended approval of any curricular proposal by any Council of the Faculty Senate, as set forth in ART VII SEC 3 of these Bylaws.

SEC 8 Responsibility of Secretary of the Faculty *(Line 1924) [Text omitted for paragraphs A and B]*

- C All Department Heads/Directors of academic programs, all Faculty Senators, and the Faculty Senate Executive Committee shall be notified of recommended curricular proposals that are error-free and shall be given access to digital copies. This notification shall constitute dissemination to the ranked faculty and shall initiate the appeals period for Council Actions.
- D After lapse of the appeals period for Council Actions, recommended curricular proposals that are error-free shall be forwarded to the Faculty Senate Executive Committee for disposition as described in ART VI SEC 9.
- E Curricular proposals that have been approved by the Faculty Senate Executive Committee shall be distributed to all college deans, department heads, and faculty senators by the Secretary of the Faculty. This initiates the challenge period for Senate Actions.

- F Approved curricular proposals shall be forwarded to the Provost after the challenge period for Senate Actions has lapsed without a challenge being submitted, or after a challenge to the Senate Action has been denied.

SEC 9 Responsibility of Executive Committee of Faculty Senate (*Line 1934*)
[Paragraphs C and D omitted]

- A *[Text omitted]* For curricular proposals that must be considered by the full Senate as described in ART VI SEC 10, the Executive Committee issues final approval only after the proposal has been approved by a vote of the full Senate. *[Text omitted]* This normally is a pro forma process; however, if within an appeals period any member of the committee determines that a curricular change warrants further review by the faculty then the committee has the right to bring the proposal to the floor of the Faculty Senate, in which case approval or rejection of the proposal is determined by a vote of the full senate.
- B Approved curricular proposals shall be forwarded to the Secretary of the Faculty for dissemination as described in ART VI SEC 8D and 8E.

SEC 10 Responsibility of Faculty Senate (*Line 1945*)

The Faculty Senate shall consider and take action:

[Paragraphs A-E omitted]

- F On all challenges to approved curricular proposals.

SEC 11 Right to Challenge Senate Actions *[New section]*

The ranked faculty members of the University have an inherent right to challenge any Faculty Senate Action, as set forth in ART VII SEC 4 of these Bylaws. Within the curricular process, Senate Actions include the approval of a curricular proposal and the upholding of an appeal of a Council Action.

SEC 12 Responsibility of University Administration (*Line 1969*)

All curricular proposals approved by the Faculty Senate become Faculty Senate Actions and shall be forwarded to the Provost by the Secretary of the Faculty after the lapse of the challenge period for Senate Actions.

SEC 13 Origination of Curricular Proposals (*Line 1974*) *[Text omitted]*

SEC 14 Approval Process for Individual Sections of Variable Content Courses and Special Topics Courses (*Line 2021*) *[Text omitted for paragraphs A, C, and D]*

- B Before a specific section (topic) of an existing variable content course or special topics course may be offered for the third time, it must be proposed and approved by means of the

procedures outlined in Sections 3 through 13 of Article VI, as a “regular” section of that course just as if it were a new stand-alone course.

SEC 15 Approval Process for Courses Taught During an Intersession or Other Compressed-Time Format (*Line 2038*) [*Text omitted for paragraph A*]

- B Each proposal for a new course or a new “regular” section of an existing variable content or special topics course designed to be offered exclusively during an intersession or in another compressed time format must be approved through the normal curricular approval process outlined in Sections 3 through 13 of Article VI. For each such offering, each relevant curricular review body must consider, in addition to the normal issues related to content, quality, and rigor, the three criteria listed in Part A of this Section.

SEC 16 Accelerated Course Approval Procedure (*Line 2061*) [*Text omitted for paragraphs B, E, and F*]

- A This section applies *only* to new courses that cannot fit under existing variable content or special topics course designations. Before any course approved through this accelerated process may be offered for a third time, it must go through the regular curricular approval process outlined in Sections 3 through 13 of Article VI.
- C Any college council may promulgate more stringent requirements than these; all councils should, however, observe at least the following minimum requirements:

[Requirements 1, 2, and 4 omitted]

- (3) If special consideration is granted, the Chair distributes materials to council members and arranges Internet posting. Each council member must respond to the Council Chair within five calendar days.
- D The rights of challenge and appeal of Council Actions in the accelerated process shall be the same as set forth in ART VII, SEC 2 and SEC 3, except that the challenge and appeal periods shall each consist of five calendar days.

ART VII Challenges and Appeals of Council and Senate Actions [*New Article*]

SEC 1 Overview of Challenges and Appeals

- A The ranked faculty have an inherent right to contest any Council Action (as defined in ART I SEC 10C) and any Faculty Senate Action (as defined in ART I SEC 7A).
- B Summary of the process for challenges and appeals:
- (1) The ranked faculty of an undergraduate college may challenge any Action of their College Council within 10 days of its dissemination to the college faculty, as described in SEC 2 below.

- (2) Ranked members of the Graduate Faculty may challenge any Action of the Graduate Council within 10 days of its dissemination to the Graduate Faculty, as described in SEC 2 below.
- (3) The ranked faculty of the University may appeal any Action of any Council of the Faculty Senate within 10 days of dissemination of the Action to the faculty by the Secretary of the Faculty, as described in SEC 3 below.
- (4) The ranked faculty of the University may challenge any Senate Action within 20 days of its dissemination to the faculty, as described in SEC 4 below.
- (5) Challenges of Council Actions and Senate Actions may be initiated only by petition from the ranked faculty. Appeals of Council Actions may be initiated by petition from the ranked faculty, by a Department Head, or by a Council Chair.

SEC 2 Challenge and Veto of College Council and Graduate Council Actions

A Right of Challenge

The ranked faculty of each undergraduate college shall have the inherent right to challenge any College Council Action from its own college. The ranked members of the Graduate Faculty shall have the inherent right to challenge any Graduate Council Action. Such faculty challenges must be made within ten (10) calendar days following distribution of the Council Action to the faculty by the Council.

B Form of Challenge

A college faculty challenge of its own Council Action or a graduate faculty challenge of a Graduate Council Action may be made by no fewer than ten percent (10%) of the ranked faculty from that college or the Graduate College. Said challenge shall be made in writing and copies submitted to the chair of their college or graduate council, chair of the Faculty Senate and the Secretary of the Faculty.

The chair of the college or graduate council shall send a copy of such challenge to each ranked member of the college or graduate faculty. No sooner than three (3) school days, but no later than six (6) school days after copies of the challenge have been distributed to the faculty, the chair of the council shall call a session of the faculty for the discussion of the challenge. The dean of the college or his or her designee shall preside at this session. The secretary to the dean shall attend this session and record arguments for and against the challenge. No later than five (5) school days after the session, the secretary shall distribute to all ranked faculty members ballots for voting on the challenge. A summary of arguments for and against the challenge shall be prepared by the council chair and shall be sent with the ballots.

C Disposition of Challenge

An affirmative vote to support the challenge, equal to a majority of the votes cast by the ranked faculty of the college or by the graduate faculty, shall constitute a veto of the challenged Council Action.

SEC 3 Appeal and Veto of Council Actions

A Right of Appeal

The ranked faculty of the University shall have the inherent right to appeal Actions of a College Council, Graduate Council, Educator Preparation Provider Council, and Council on General Education and Intercollegiate Programs. Appeals must be made no later than ten (10) calendar days during the regular academic year when classes are in session, excluding terminal week, following distribution of the Council Action to the faculty by the Secretary of the Faculty.

B Form of Appeal

An appeal of a Council Action may be made by an academic department through the Department Head or Director, by a council through the Council Chair or by petition of no fewer than thirty (30) members of the ranked faculty. Said appeal shall be made in writing to the Executive Committee of the Faculty Senate. If an appeal is made, the Executive Committee of the Faculty Senate shall place the issue on the agenda for the next Faculty Senate session.

C Disposition of Appeal

An affirmative vote to support the appeal, equal to a majority of the votes cast by the senators present and voting, shall constitute a veto of the Council Action. Since upholding an appeal would constitute a Faculty Senate Action, an upheld appeal is subject to the right of challenge as set forth in Article VII Section 4 below.

SEC 4 Challenge and Veto of Faculty Senate Action

A Right of Challenge

The ranked faculty of the University shall have the inherent right to challenge any Faculty Senate Action. Such faculty challenge must be made within twenty (20) calendar days following distribution of the Faculty Senate Action to the faculty. In extraordinary circumstances, but not on curricular matters, the challenge period may, by unanimous vote of the Faculty Senate members present when a Faculty Senate Action is made, be reduced from twenty days to a number stipulated by the Faculty Senate.

B Form of Challenge

A faculty challenge of a Faculty Senate Action may be made by no fewer than fifty (50) members of the ranked faculty. Said challenge shall be made in writing and submitted to the Chair of the Faculty Senate, and the challengers shall file a copy of the challenge with the Secretary of the Faculty.

C Disposition of Challenge

The Chair of the Faculty Senate shall send a copy of such a challenge to each member of the faculty, and no sooner than three (3) school days, but no later than six (6) school days after copies of the challenge have been distributed to the faculty, the Chair of the Faculty Senate shall call a session of the ranked faculty for discussion of the challenge. Members of the administration may attend. The president of the university or the president's designee will preside at this session. The Secretary of the Faculty shall attend this session and record arguments for and against the challenge. No later than five (5) school days after the session, the Secretary of the Faculty shall distribute to all ranked faculty members ballots for voting on the challenge. The Secretary of the Faculty's summaries of the arguments for and against the challenge shall be sent with the ballots.

D Vote on Challenge

Voting shall be by secret ballot. Voted ballots must be returned to the Secretary of the Faculty within six (6) school days after the day on which the ballots are distributed. An affirmative vote to support the challenge, equal to a majority of the votes cast by the ranked faculty who are on active duty at the time of the challenge, shall constitute a veto of the challenged Faculty Senate Action.

ART VIII AMENDMENT OF BYLAWS

Faculty Senate Committee on Rules
Response to Charge Thirteen
Amended March 17, 2016

FACULTY SENATE CHARGE THIRTEEN

Charge: Incorporate the establishment of a standing senate committee on Benefits into the Bylaws as per the report from the Ad-Hoc Benefits Committee that was presented to Faculty Senate on 3 December 2015.

Rationale: The Senate approved the recommendation to create a standing Senate Committee on Benefits.

RULES PROCESS FOR CHARGE THIRTEEN

Findings and conclusions:

1. The language proposed by the ad hoc committee (see the attached committee report) would charge the Committee on Faculty Benefits with three distinct responsibilities:
 - (a) Maintain communications with the Office of Human Resources concerning current faculty benefits [paragraph (a)(aa) in the ad hoc committee report].
 - (b) Report annually to the Faculty Senate on the status of faculty benefits [paragraph (a)(dd) in the ad hoc committee report].
 - (c) Provide information and advice to all university faculty about their benefit options [paragraphs (a)(bb) and (a)(cc) in the ad hoc committee report].
2. The third one of these proposed responsibilities raises serious concerns:
 - (a) Providing information on benefits and election options is explicitly the responsibility of the Office of Human Resources. Employees in Human Resources have professional expertise in benefits, and it is unreasonable to expect that faculty members who serve on the Committee for Faculty Benefits would have comparable expertise.
 - (b) HR already provides detailed reports to faculty on their benefits options, via both email and printed documents mailed to home addresses, and provides multiple email reminders of the open enrollment period. It is not clear what value would be added by having a Senate committee duplicate this effort.
 - (c) Providing advice or recommendations about benefits options or elections would expose members of the Committee on Faculty Benefits to potential legal liabilities.
 - (d) Julie Dubinsky, Associate Director of Human Resources in charge of benefits, expressed the same concerns when shown this language. She is interested in increased dialog with the Faculty Senate with the goal of improving communication between HR and the university faculty. This seems like a more fruitful approach to improving communications about benefits.

- (e) Faculty Senate committees report to the Senate. It would be unusual for a Senate committee to report directly to the University faculty.
3. The Committee on Faculty Benefits would be interacting closely with Human Resources. It therefore would make sense for Human Resources to be represented on the committee by an *ex officio*, non-voting member. Julie Dubinsky in HR agrees that this would aid in communications and will cooperate in identifying an appropriate *ex officio* member.
 4. The process for selecting committee members that was proposed by the ad hoc Committee on Benefits (see attached report) seems impractical since it would require Faculty Senators to elect Committee members annually from a ballot containing the names of at least 45 candidates and their statements of interest and expertise. A process similar to that used by other standing committees and councils of the Senate, in which undergraduate colleges select representatives, seems more workable. We feel that obtaining broad representation is more important than ferreting out those individuals from across campus who possess the greatest expertise in benefits issues, especially in light of our recommendation that this committee should not be giving advice to individual faculty members.

Rules Recommendations:

1. Incorporate new language into the Bylaws, establishing the Committee on Faculty Benefits, as ART I, SEC 9B(9). No alterations to current language in Article I are required.
2. Update the table at <http://www.missouristate.edu/facultysenate/entities.htm> to include the Committee on Faculty Benefits and to identify all entities in the same way that they are identified for CGEIP (and for most other standing committees).

Summary of Proposed Changes to the language generated by the ad hoc committee:

1. Strike items (bb) and (cc) under “Purpose”, thus removing the responsibility for communicating directly with the university faculty about benefits options.
2. Members consist of one faculty representative from each undergraduate college and one *ex officio* member from the Office of Human Resources. The protocol for selecting members is modeled after other standing committees and councils of the Faculty Senate. [Note: On March 17, 2016, the Faculty Senate approved an amendment to the proposed Bylaws language that rejects this latter recommendation and requires that committee members be appointed by the Chair of the Faculty.]
3. All faculty members who are qualified to serve as Faculty Senators are also qualified to serve on the Committee on Faculty Benefits. This is consistent with changes that have been proposed for Faculty Concerns, CGEIP, and college councils in response to charge five. [Note: On March 17, 2016, the Faculty Senate approved an amendment to the proposed Bylaws language that rejects this recommendation and restricts committee membership to ranked faculty.]
4. The annual Committee report is due no later than the April session of the Senate.

PROPOSED BYLAWS CHANGES FOR CHARGE THIRTEEN

**Proposed Additions (as amended by the Faculty Senate on March 17, 2016)
(additions bold, comments italicized)**

ART I FACULTY SENATE

SEC 9 Committees of the Faculty Senate

B Standing Committees *[Text for committees (1) – (8) omitted]*

(9) Committee on Faculty Benefits

(a) Purpose

- (aa) Shall maintain communication with personnel in the Office of Human Resources concerning current faculty benefits.**
- (bb) Shall prepare an annual report on the status of faculty benefits, to be submitted to the Faculty Senate during the Spring semester and presented no later than the April Session, that includes:**
 - (i) A comparative review of benefits provided or available to faculty at MSU and benefits offered to faculty at other state and peer institutions.**
 - (ii) A review of data from the Faculty Concerns survey addressing satisfaction with faculty benefits.**
 - (iii) A summary of feedback solicited from the faculty about current and desired benefits.**
 - (iv) A list of Committee recommendations, if any.**

(b) Membership

- (aa) The Committee on Faculty Benefits shall include one representative from each undergraduate college and one representative from each entity so identified in <http://www.missouristate.edu/facultysenate/entities.htm>. Eligible college representatives include ranked faculty. College representatives shall be appointed by the Chair of the Faculty. The Chair of the Faculty shall choose members with interest in benefits. The Associate Director of Human Resources in charge of Benefits, or a designee of the Associate Director, shall be an *ex officio* member without vote.**
- (bb) College representatives shall serve for a term of three (3) years and may be reappointed indefinitely. Terms shall be staggered so that one-third of the membership is appointed each year.**

- (cc) The Committee on Faculty Benefits shall elect a chair annually from among its members. The chair must either have served on the Committee the previous year or have past experience serving on the committee, unless no current member meets these criteria.**
- (dd) When the Committee on Faculty Benefits is formed for the first time, the members shall first elect a chair who shall have a term length of three years. The initial terms of service for the remaining college representatives shall be determined by drawing lots so that initial terms of one (1), two (2), and three (3) years are each assigned to one-third of the representatives.**

Report

From Senate Ad Hoc Committee on Faculty Benefits

Charge 2 from the Faculty Senate Executive Committee:

This committee is charged with looking into the feasibility of establishing a standing senate committee on Employee/Faculty Benefits. The objective would be to (over time) build up a group of faculty on this campus who may be considered a valuable resource and experts on this topic such that senators and other faculty members would have a faculty resource, other than the Office of Human Resources in case they had questions or concerns related to benefits. This committee could be asked to present a current status of faculty benefits report to the senate on a regular basis similar to B&P and FCC.

Findings and Rationale

- The Faculty Handbook, 6.1.1, subscribes to faculty shared governance in the selection of faculty fringe benefits: "The faculty should participate in the selection of fringe benefit programs and in the periodic review of those programs."
- In addition, the FH, 6.1.1, invests faculty shared governance on fringe benefits in two committees: "The Fringe Benefits Committee (President's Committee) and Health Care Plans Review Committee (Vice President for Administrative and Information Services) have compositions that allow faculty input on benefits issues."
- However, The Fringe Benefits Committee has been inactive since at least 2009 and has currently been disbanded. According to the entry for the Fringe Benefits Committee in the University Committees Handbook, the "Committee will be formed as needed." The Health Care Plans Review Committee, once a subcommittee of the Fringe Benefits Committee, continues to be active. That committee has only 3 faculty members on the committee who are appointed, and has as its charge (University Committees Handbook), "To examine and make recommendations concerning the University's employee group health care plans."
- In reviewing standing committee structure at other institutions, we find that it is common to have a Faculty Senate committee that deals with faculty benefits.

Thus this Committee concludes that the current university level committee structure inadequately provides for faculty shared governance/input on issues of faculty benefits and recommends that a permanent standing committee of the Faculty Senate on Faculty Benefits be created.

(Please see next page)

Proposed Committee on Faculty Benefits

In response to Charge 2: We propose the formation of a Senate standing committee on faculty benefits with the following duties

Committee on Faculty Benefits

(a) Purpose

(aa) Shall maintain communication with personnel in the Office of Human Resources concerning current faculty benefits

(bb) Shall annually, no later than October of each year, communicate current and proposed benefits to faculty in order to enable informed participation during the open enrollment period.

(cc) Shall assist faculty members in understanding and/or obtaining benefits that are provided for or offered to faculty.

(dd) Shall annually submit a committee report on the status of faculty benefits to the Faculty Senate during the Spring semester that includes:

- a review of faculty benefits offered at other state and peer institutions
- an annual update of comparative data on the faculty benefits provided or available to faculty at MSU to that provided to faculty of state and peer institutions
- a review of data from Faculty Concerns Committee surveys concerning faculty satisfaction with fringe benefits
- a review of feedback solicited from the faculty in regard to current and desired benefits
- a listing of specific committee recommendations

(b) Membership

The Committee on Faculty Benefits of the Faculty Senate shall consist of six members. The members will be elected by the Faculty Senate from a list of tenured faculty compiled by the Secretary of the Faculty. Each Department/School shall send the name of a tenured faculty member who has expertise or interest in matters inherent to faculty benefits to the Secretary of the Faculty (a statement of expertise/interest should be included with the name of the nominee). Note: Greenwood Laboratory School may submit the name of a tenured faculty member for consideration. A ballot of all submitted names and statements of expertise/interests shall be prepared. To initially constitute the committee, Senators shall vote for six of the nominees. Terms of service shall be three years with the possibility of unlimited repeated terms. Following the constitution of the committee, each elected member shall draw for either a one, two, or three year term. Subsequently, each year, two members of the six members from those initially elected by the Senate shall either rotate off of the committee, per initial term expiration, or may be considered for re-election to a three year term. Annual elections shall be done in the same manner as the initial election, only selecting two committee members (or more if vacancies arise before term completion). The Committee shall elect the chair from among its elected members. The chair must have either served on the Committee the previous year or have past experience serving on the committee.

Report from Budget & Priorities Committee is in a separate document.

APRIL 2016 FACULTY SENATE CAW LINKS

CGEIP Course Change—ART 271 History of Western Art I

<https://mis.missouristate.edu/Student/ccr/edit/432>

CGEIP Course Change—ART 272 History of Western Art II

<https://mis.missouristate.edu/Student/ccr/edit/433>

CGEIP Course Change—ART 273 Survey of the Art of Africa, Oceania, and the Americas

<https://mis.missouristate.edu/Student/ccr/edit/434>

CGEIP Course Change—ART 274 Survey of Asian Art

<https://mis.missouristate.edu/Student/ccr/edit/1484>

New Program—Master of Science in Agriculture

<https://mis.missouristate.edu/Student/ccr/createProgramProposal/1691>

New Program—Graduate Certificate in the Education of Gifted and Talented Students

<https://mis.missouristate.edu/Student/ccr/createProgramProposal/160>

New Program—Graduate Certificate in Elementary Curriculum and Instruction

<https://mis.missouristate.edu/Student/ccr/createProgramProposal/254>

New Program—Data Analytics Minor

<https://mis.missouristate.edu/Student/ccr/createProgramProposal/1615>

New Program—Cybersecurity Minor

<https://mis.missouristate.edu/Student/ccr/createProgramProposal/1500>

New Program—Graduate Certificate in Environmental Monitoring and Sampling

<https://mis.missouristate.edu/Student/ccr/createProgramProposal/1684>

Faculty Handbook Revision Committee

The Academic Personnel Review Commission (APRC) dealt with two processes, one APGP (Chapter 12) and one PPRP (Chapter 13) during the second half of SP15 and into the summer. The outcome of which resulted in some questions and some suggestions related to the Handbook, these were forwarded to the FHRC. The FHRC dedicated several meeting sessions to discuss these issues and also sought input from a faculty member with Handbook expertise. The outcome of these discussions resulted in the following proposed changes to the current text.

Chapter 12 Proposed Changes

12.3. Academic Personnel Review Commission (APRC): Final paragraph reads,

Current Language:

The APRC duties shown marked with asterisks also apply to the Professional Practices Review Process (Chapter 13). Decisions made by the APRC must be supported by a majority of the commissioners. The APRC must inform the Associate Provost for Faculty and Academic Affairs of its activities, but is not required to include the Associate Provost in its discussions.

Proposed Language:

The APRC duties shown marked with asterisks also apply to the Professional Practices Review Process (Chapter 13). Decisions made by the APRC must be supported by a majority of the commissioners. The APRC must inform the Associate Provost for Faculty and Academic Affairs of its activities, but the Associate Provost shall not be included in APRC discussions.

Rationale:

The FHRC was made aware that in the past, the APRC had significant problems under the guidance of a different Associate Provost. The proposed changed is an attempt to prevent a similar situation in the future.

12.3.8. APRC Recommendations

Current Language:

If the parties fail to reach a resolution, the APRC shall produce a report divided into findings of fact and recommendations with supporting reasons. This report is given to the faculty member and the party against whom the grievance has been alleged. The faculty member and APRC should be informed in writing within five business days whether the party against whom the grievance has been alleged agrees to the recommendations. If the parties agree with the recommendations of the APRC, the case is resolved.

Proposed language

If the parties fail to reach a resolution, the APRC shall produce a report divided into findings of fact and recommendations with supporting reasons. This report is given to the faculty member and the party against whom the grievance has been alleged, and the provost. The faculty member and the party against whom the grievance has been alleged must inform the APRC in writing within five business days whether they agree to the recommendations. If both parties agree with the recommendations of the APRC, the case is resolved.

Rationale:

There is currently no mention that the Provost should receive the APRC's report, but it seems like it would make sense for that to be shared with the Provost. Note that the final report of the UHP (12.4.6) also goes to the Provost.

The third sentence focuses on the response by the party against whom the grievance has been alleged. It suggest that if that individual agrees with recommendations, then the case is over. However, it should say that both parties must agree. This would make it consistent with the final sentence.

12.3.9. Right to Initiate Formal Review Process

Current Language:

If the case is not resolved after the APRC report has been disseminated, the faculty member may initiate the formal review process for APGP by filing written notification with the APRC in the Faculty Senate Office and sending a copy to the Provost's Office. The notification must be filed within ten business days of the receipt of the APRC report or conclusion of mediation.

Proposal Language:

If the case is not resolved after the APRC report has been disseminated, the faculty member may initiate the formal review process for APGP by filing written notification with the APRC in the Faculty Senate Office and sending a copy to the Provost's Office. Absent exceptional circumstances, notification must be filed within ten business days of the receipt of the APRC report or the conclusion of mediation, or the APRC report will stand.

Rationale:

The proposal aims to clarify the status of the grievance process should the faculty member simply decide not to respond and does not give any indication to the APRC about the basis of that choice.

12.4.1. Composition of University Hearing Committee and Panels

12.4.1.1. University Hearing Committee

Current Language:

Twenty-four tenured, ranked faculty members shall be elected by the Faculty Senate to serve three-year staggered terms as the University Hearing Committee (UHC). The Faculty Senate shall select one-third of the UHC membership annually in the regular February meeting of the Faculty Senate for service beginning in the next academic year. These faculty members shall be nominated by their College Council, which shall send two names annually to the Faculty Senate Office by February 1st. At least three of the twenty-four faculty members shall be from each college. (Replacements, where necessary, shall be appointed by the Faculty Senate Executive Committee [FSEC] or filled by the Faculty Senate at the next annual appointment period.) A faculty member who is elected to the UHC may be re-elected to successive terms.

Proposal:

Thirty tenured, ranked faculty members shall be elected by the Faculty Senate to serve three-year staggered terms as the University Hearing Committee (UHC). The Faculty Senate shall select one-third of the UHC membership annually in the regular February meeting of the Faculty Senate for service beginning in the next academic year. These faculty members shall be nominated by their

College Council, which shall send three names annually to the Faculty Senate Office by February 1st. At least four of the thirty faculty members shall be from each college.

(Replacements, where necessary, shall be appointed by the Faculty Senate Executive Committee [FSEC] or filled by the Faculty Senate at the next annual election.) Replacements appointed by Faculty Senate Executive Committee serve until the next annual election. A faculty member who is elected to the UHC may be re-elected to successive terms.

Rationale:

Using the current 24 pool, during summers many UHC members are unavailable because of travel or other commitments and this has been problematic especially when two or more panels must be assembled. Therefore, the FHRC recommends an increase in the pool of UHC members from three to four, one additional faculty member from each college, and one additional faculty member being nominated by their perspective college council.

The FHRC recommends clarification of the replacement issue because it was not clear if the replacement selected by the FSEC served the remainder of the replaced faculty member's term or just until the next regular term.

12.4.1.2. University Hearing Panel

Current Language:

From the 24-member UHC, a five member University Hearing Panel (UHP) shall be selected by the Faculty Senate Executive Committee and empaneled by the APRC as needed. The faculty member and the administrator may request to replace up to three of the selected panelists prior to the first meeting of the UHP.

An orientation of the University Hearing Committee shall be conducted by the APRC and General Counsel annually. UHP decisions must be supported by a majority of the panelists.

Proposed Language:

From the 30 member UHC, a five member University Hearing Panel (UHP) shall be selected by the Faculty Senate Executive Committee and empaneled by the APRC as needed. The faculty member and the administrator may request to replace up to three of the selected panelists prior to the first meeting of the UHP.

An orientation of the University Hearing Committee shall be conducted by the APRC and General Counsel annually. UHP decisions must be supported by a majority of the panelists.

Rationale:

To be consistent with proposal in 12.4.1.1.

12.4.6. Report

Current Language:

The UHP shall prepare a written report divided into findings of fact and recommendations with supporting reasons. The report shall be presented to the Provost and the faculty member within five business days of the conclusion of the hearing. A minority report may also be prepared.

Proposed Language

The UHP shall prepare a written report divided into findings of fact and recommendations with supporting reasons. The report shall be presented to the Provost, the faculty member, and the administrator against whom the grievance was filed within five business days of the conclusion of the hearing. A minority report may also be prepared.

Rationale:

FHRC recommends that the report should also go to the administrator against whom the grievance was filed.

Chapter 13 Proposed Changes

13.3 Initiation of Formal PPRP.

Current language:

The PPRP is initiated by a Department Head, Dean, Provost, or President if the conduct of a faculty member is considered sufficiently grave to justify imposition of major sanctions and attempts at resolution by informal negotiations have been exhausted. After discussing the situation with the faculty member, the administrator institutes the PPRP by preparing a written complaint and providing it to the faculty member. Only the President of the University may institute the PPRP if a dismissal is a recommended sanction. Exercising academic freedom of speech or political speech/affiliation shall not be grounds for dismissal or imposition of major sanctions.

Although the PPRP may be initiated only by administrators, faculty or staff may present allegations of unprofessional conduct against another faculty member to the faculty member's Department Head who should investigate and proceed appropriately. If the Department Head is unable to resolve the complaint, the person alleging the impropriety may take the matter to the Dean of the faculty member's college or the Associate Provost for Faculty and Academic Affairs. If none of the three administrators chooses to initiate the PPRP, the matter is considered resolved.

Proposed Language:

The PPRP is initiated by a Department Head, Dean, Provost, or President if the conduct of a faculty member is considered sufficiently grave to justify imposition of major sanctions and attempts at resolution by informal negotiations have been exhausted. After discussing the situation with the faculty member, the administrator institutes the PPRP by preparing a written complaint and providing it to the faculty member. Only the President of the University may institute the PPRP if a dismissal is a recommended sanction. If the President has initiated the PPRP, the President may designate a representative to fulfill the role of the administrator in the hearings. Exercising academic freedom of speech or political speech/affiliation shall not be grounds for dismissal or imposition of major sanctions.

Although the PPRP may be initiated only by administrators, faculty or staff may present allegations of unprofessional conduct against another faculty member to the faculty member's Department Head who should investigate and proceed appropriately. If the Department Head is unable to resolve the complaint, the person alleging the impropriety may take the matter to the Dean of the faculty member's college or the Associate Provost for Faculty and Academic Affairs. If none of the three administrators chooses to initiate the PPRP, the matter is considered resolved.

Rationale:

Chapter 13 involves what appears to be a requirement that the President be present as a participant in any Professional Practices Review Process (PPRP) where dismissal is considered as a sanction. This is of particular concern especially when it is the President who has filed a grievance. This was actually the situation in a recent UHP.

This proposed change would make 13.4.5 parallel with language from Chapter 12. **Section 12.4.4. Hearings** includes the statement, “If the University is the only respondent, the President will designate a representative who will be allowed to present an opening statement and question the witnesses and parties.” Essentially, the President need not participate directly in Academic Personnel Grievance Process (APG) hearings, but may designate someone in his place.

Section 13.3 Initiation of Formal PPRP (Professional Practices Review Process), includes the statement, “Only the President of the University may institute the PPRP if a dismissal is a recommended sanction.” This section states that in cases involving dismissal as a possible sanction, the PPRP must be initiated by the President. This makes sense because of the President’s role in the University. The requirement that the President initiate the process confirms the President’s knowledge that the step is being taken and that the President would be willing to present the request for dismissal to the Board of Governors. However, to a great extent, the President is essentially a figurehead in the process – the rationale for dismissing a faculty member is provided primarily by the administrator initiating the PPRP and by the Provost.

Section 13.4.5. Hearing includes the statement, “The administrator initiating the PPRP and the faculty member will each be allowed to present an opening statement without interruption and orally question the witnesses and parties.” Essentially, it mandates that the President file the PPRP in any case where dismissal is a potential sanction, and this section requires that the administrator initiating the PPRP be a participant in the UHP hearings, hence the conflict. The proposed change alters this language to make it parallel with 12.4.4.