

THE BYLAWS OF THE BLUEFIELD STATE UNIVERSITY FACULTY ASSEMBLY

Article 1: ORGANIZATION AND PURPOSE

- 1.1 The Bluefield State University Faculty Assembly (“the Faculty Assembly”) is established pursuant to the legislative authority granted to the Board of Governors under Section three, Article six of Chapter eighteen-b of the West Virginia Code, as amended, as Bluefield State University’s (“the University) campus-level advisory group of faculty.
- 1.2 The purpose of the Faculty Assembly shall be to foster the collegiality necessary to promote the common good of Bluefield State University, and to effectively and efficiently provide all faculty members the opportunity to participate in the shared governance of the University, including accurate communications between faculty members and the Board of Governors, a meaningful opportunity for all faculty members to offer opinions and state positions on issues and concerns, and for all faculty members the opportunity to offer solutions to problems that affect the academic organization and operation of the University.

Article 2: MEMBERSHIP

- 2.1 Tenure, tenure-track and fixed term faculty members, as defined in Sections three and four of the Board of Governors Policy No. FC-403B, are members with voting rights in the Faculty Assembly. Faculty members serving in primarily administrative positions (including Deans, Associate Deans, and Chairs, are not members of the Faculty Assembly; provided that Chairs teaching an eighty percent workload or more, as defined by the University, shall be members of the Faculty Assembly. In the spirit of collegiality, Faculty Assembly meetings shall be open to attendance by administrators and other instructional personnel of the University.
- 2.2 Prior to each academic year, the Dean of each College shall provide the President and the Chair of the Faculty Assembly with a roster of the faculty members of each College who are qualified to participate in the Faculty Assembly.

Article 3: OFFICERS.

- 3.1 The officers of the Faculty Assembly shall be a Chair, a Vice-Chair, a Secretary, and a Parliamentarian.
- 3.2 **Chair:** The Chair shall serve as the presiding officer at all meetings of the Faculty Assembly. The duties of the Chair shall be:
 - Call meetings of the Faculty Assembly and preside at them;

- Consistent with West Virginia law and these by-laws, determine agendas for meetings in consultation with other officers, the Chairpersons of committees of the Faculty Assembly, the University's Administration, and the University's President;
- Consistent with West Virginia law and these by-laws, ensure that proper notice of meetings and agendas are provided for meetings of the faculty;
- Ensure that minutes of meetings are properly and timely distributed and posted to the Faculty Assembly's website to all faculty members, to the Provost, to the President, and to any administrator to whom the minutes relate;
- Serve as a liaison between the Faculty Assembly and the Provost;
- Forward proposals recommended by the Faculty Assembly to the Provost with a copy to the President;
- Attend meetings of the Board of Governors (as a non-voting member);
- At each meeting, announce the business of the Faculty Assembly in the order set forth by the agenda;
- At each meeting, state and put to vote questions which are regularly moved, or necessarily arise in the course of a meeting;
- At each meeting, announce the results of all votes;
- At each meeting, maintain and ensure debate on issues in an order and efficient manner;
 - shall call upon the registrants by the order of their registration
- At each meeting, enforce proper order and decorum within the conduct of the meeting;
 - may limit the number of speakers on a given topic;
 - may limit the total amount of time allocated for the Open Forum, provided that such time limit may not be less than 30 minutes nor more than one hour;
- When necessary, to authenticate by the Chair's signature all acts, orders and proceedings of the Faculty Assembly;
- Perform all other duties and responsibilities of a presiding officer set forth herein or set forth in Robert's Rules of Order;
- Appoint committees and committee chairs and prescribe their duties and functions.

3.3 Vice-Chair: The Vice-Chair shall (a) perform the duties and responsibilities of the Chair set forth in section 3.2 in circumstances in which the Chair is unable to perform

such duties and perform such other duties and assume such other responsibilities as assigned by the Chair.

- 3.4 Secretary:** The Secretary shall either in person or through the appointment of another member, record and maintain the minutes of all general and committee meetings of the Faculty Assembly. The Secretary shall also prepare appropriate and lawful notices of meetings, along with necessary attachments to such meetings, including agendas. The Secretary shall establish that a quorum is present in order to conduct business and, when a voting is to occur, establish that a quorum remains present. The Secretary shall record such vote.
- 3.5 Parliamentarian:** The Parliamentarian shall assure that meetings are conducted in accordance with Roberts Rules of Order and these By-Laws, as well as are conducted in accordance with state law, Board of Governors' policies and procedures, and such authorities which supersede Roberts Rules of Order.
- 3.6 Qualifications to Serve as Officer:** All members shall be qualified to serve as an officer of the Faculty Assembly.
- 3.7 Election and Term of Officers:** The Faculty Assembly shall elect the Chair and Vice Chair for an initial seventeen-month term, ending June 30, 2024, at the general meeting held in February 2023, for the first election, and thereafter for a two-year term at the general meeting held in April of the last year of an officer's expiring term, beginning in April of 2024, provided that a quorum of voting members is present. Such term shall commence on July 1, following election.
- 3.7.1** The President of the University or his or her designee shall serve as the presiding officer during the election of officers.
- 3.7.2** For elections held in April of 2024 and thereafter, terms will commence on the 1st day of July following the election of officers and shall expire on the 30th day of June of the second subsequent year.
- 3.7.3** Elections for Faculty Assembly offices shall be performed by written ballot, which ballots shall be recorded and maintained by the Secretary.
- 3.7.4** If upon the initial balloting for an officer, no candidate receives fifty percent of the vote plus one, a second vote shall be taken among the two candidates receiving the most votes during the initial balloting. In such case, the candidate receiving the most votes on the second ballot shall be declared elected.
- 3.7.5** If a vacancy occurs in an elected office, an election shall occur at the next scheduled general meeting for the remainder of that office's term.
- 3.8 Appointment of Officers:** The Chair shall appoint the Secretary, Parliamentarian and such other officers he or she deems necessary for the effective and efficient conduct of the organization.

Article 4: MEETINGS & QUORUM

- 4.1 Regular meetings:** The Faculty Assembly shall meet and conduct regular meetings on the first Friday of the months of September, October, November, February, March and April of each academic year.
- 4.1.1** Upon the approval of the President, the Chair may postpone or reschedule a regular meeting of the Faculty Assembly until a date and time certain.
- 4.1.2** At the April meeting of each year, the Faculty Assembly shall adopt a proposed schedule of regular meetings for the following academic year.
- 4.2 Special Meetings:** Upon the approval of the President or by a petition of ten percent of the members of the Faculty Assembly, the Chair may call a special meeting subject to appropriate notice requirements.
- 4.2.1** The President may call and convene a special meeting of the Faculty Assembly upon providing the Chair and the members three days' notice of such meeting, subject to lawful notice requirements.
- 4.3 Quorum:** A quorum for the conduct of any business at any meeting of the Faculty Assembly shall be thirty-three percent of the total membership.
- 4.3.1** The Chair may conduct a meeting of the Faculty Assembly with less than a quorum provided that the meeting is conducted solely for informational purposes and no action may be taken.
- 4.4 Conduct of Meetings:**
- 4.4.1 Roberts Rules of Order:** Except where provided herein or by state law or Board of Governors policy or procedure, meetings of the Faculty Assembly shall be conducted in accordance with Roberts Rules of Order. Roberts Rules of Order may be suspended temporarily by a vote of two-thirds of the members present so long as a quorum has been established.
- 4.4.2 Notice:** Notice of all meetings of the Faculty Assembly shall be in accordance with the West Virginia Open Meetings Act (Chapter 6, Article 9A of the West Virginia Code).
- 4.4.2.1** In addition, such timely notice of all meetings shall be given to all members of the Faculty Assembly, the President, and the chief academic officer of the University.
- 4.4.3 Agenda:** In consultation with the President, the Chair shall establish the agenda for each meeting.
- 4.4.3.1** The agenda for each meeting shall be established and posted on the University's website at least three days prior to each meeting.
- 4.4.3.2** In addition, the agenda for each meeting shall be provided to all members of the Faculty Assembly, the President, and the chief

academic officer of the University at least three days prior to each meeting.

4.4.3.3 The agenda for each regular meeting of the Faculty Assembly shall include a report from the President.

4.4.3.4 The agenda for each regular meeting shall provide all faculty members an open forum.

4.4.3.5 The Chair, in consultation with the Vice-Chair, the President, the Provost, the Deans, and faculty members may include items for consideration by the Faculty Assembly under New Business on the agenda.

4.4.3.6 Resolutions, proposals or other requests for actions may be proposed for discussion and consideration by the Faculty Assembly directly by any voting member. Such resolution, proposal or request for action must be in writing and joined by ten per cent of the Faculty Assembly. Any vote related to such a request under this subsection shall be in writing and recorded by the Secretary. Such written request shall be sent to the Chair at least ten (10) days prior to the scheduled meeting and shall be added to the agenda by the Chair. The present initiator of any such request shall present the request to the Faculty Assembly.

4.4.3.7 Requests for actions and discussion may be proposed for consideration by the Faculty Assembly in writing to the Chair directly by the President, the Provost or the University's Executive Vice President. Such written request shall be sent to the Chair at least ten (10) days prior to the scheduled meeting and shall be added to the agenda by the Chair. The President, Provost or Executive Vice President, or their designee, of such a request shall present the request to the Faculty Assembly.

4.5 Actions: All resolutions or other actions to be considered by the Faculty Assembly must be presented and included with the agenda as set forth in section 4.4.3.

4.6 Minutes: The Secretary shall (1) record the minutes of each meeting; (2) post a draft of the minutes of each meeting on the University's website no more than seven days after the conclusion of the meeting; and (3) present such minutes for amendment and acceptance at the next regular meeting of the Faculty Assembly.

4.7 Appearances Before the Faculty Assembly: The report of the President as set forth in section 4.4.3.3 herein may be presented by the President or the President's designee; provided that the President shall meet with the Faculty Assembly and provide such a report in person at a minimum of four of the six regular meetings.

- 4.8 Open Forum:** The open forum as set forth in section 4.5.3.4 herein shall provide all faculty the opportunity to address the Faculty Assembly and the Chair or the President may respond.
- 4.8.1** Faculty members wishing to address the Faculty Assembly for a period not to exceed three minutes shall register with the Secretary during a thirty-minute time period prior to the call to order of the meeting.
- 4.8.2** The Chair shall call upon the registrants by the order of their registration.
- 4.8.3** The Chair may limit the total amount of time allocated for the Open Forum, provided that such time limit may not be less than thirty minutes nor more than one hour.
- 4.8.4** The Chair may limit the number of speakers on a given topic.
- 4.8.5** The Open Forum rules set forth above may be waived upon the majority vote of the members present and voting.
- 4.9 Electronic Attendance:** The Chair shall indicate whether or not members may attend a meeting by electronic means. If no mention is provided in the notice, members shall be required to attend in person in order to participate.

Article 5: COMMITTEES

- 5.1 Establishment and Appointment of Chairs:** The Chair may appoint committees and committee chairs and prescribe their duties and functions.
- 5.2 Standing Committees:** The Chair shall appoint committees that correspond to committees established and conducted by the Board of Governors of the University. It is understood that such committees shall be represented at the meetings of the Board's corresponding Committees.
- 5.2.1** Standing Committees shall be limited to three members.
- 5.2.2** No member of the Faculty Assembly shall serve on more than one standing committee.
- 5.3 Proceedings:** All committees shall keep a record of their proceedings and shall report to the Faculty Assembly as required by the Chair. The delegation of any authority of the Faculty Assembly to any committee shall not operate to supersede any authority retained by the Chair or the Faculty Assembly as imposed by the law or by the University's Board of Governors.
- 5.4 Matters in Writing:** All resolutions and all committee reports offered which involve matters for record in the minutes shall be made in writing.

Article 6: PROPOSED AMENDMENTS & RECOMMENDATIONS TO THE BOARD OF GOVERNORS:

- 6.1** Subject to the approval of the University's Board of Governors, in consultation with the President, the Faculty Assembly may propose amendments to these By-Laws by a two-

thirds vote of the members present and voting at any regular meeting or at a special meeting called for such a purpose, provided that such meeting meets these By-Law's requirements for a quorum of voting members being present and members of the Faculty Assembly receive a written notice detailing such proposed amendment at least ten days prior to such meeting.

6.2 The University's Board of Governors may, in consultation with the President, amend these By-Laws as it deems appropriate, provided that the Board of Governors provide the Chair of the Faculty Assembly written notice of such proposed By-Law amendments at least ten (10) days prior to the meeting of the Board of Governors at which the proposed By-Law amendments will be considered.

6.3 No amendment to these By-Laws is effective until approved by the University's Board of Governors.

Article 7: Effective Date of By-Laws: These By-Laws shall take effect after a two-thirds vote of the faculty and when approved by the University's Board of Governors, in consultation with the President. In the event that a two-thirds vote of the Faculty Assembly does not occur prior to the February 2023 general meeting, the University's Board of Governors may adopt By-Laws to govern the Faculty Assembly.

Approved by the Board of Governors of Bluefield State University, this ____ day of February 2023.

Charles M. Cole
Chairman

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thirds vote of the members present and voting at any regular meeting or at a special meeting called for such a purpose, provided that such meeting meets these By-Law's requirements for a quorum of voting members being present and members of the Faculty Assembly receive a written notice detailing such proposed amendment at least ten days prior to such meeting.

- 6.2** The University's Board of Governors may, in consultation with the President, amend these By-Laws as it deems appropriate, provided that the Board of Governors provide the Chair of the Faculty Assembly written notice of such proposed By-Law amendments at least ten (10) days prior to the meeting of the Board of Governors at which the proposed By-Law amendments will be considered.
- 6.3** No amendment to these By-Laws is effective until approved by the University's Board of Governors.

Article 7: Effective Date of By-Laws: These By-Laws shall take effect after a two-thirds vote of the faculty and when approved by the University's Board of Governors, in consultation with the President. In the event that a two-thirds vote of the Faculty Assembly does not occur prior to the February 2023 general meeting, the University's Board of Governors may adopt By-Laws to govern the Faculty Assembly.

Approved by the Board of Governors of Bluefield State University, this ____ day of February 2023.



Charles M. Cole

Chairman

Joseph S. Remines
vice chair