

FACULTY CONSTITUTION and BYLAWS

(Adopted April 2004)

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BLUEFIELD STATE UNIVERSITY
BLUEFIELD, WEST VIRGINIA

PREAMBLE

Whereas, we recognize the strength of participatory governance and the role of our faculty in fulfilling our responsibilities with respect to academic affairs and policies, and assuring forceful and articulate representation of faculty interests, for the common good of the University, we do hereby establish a representative Faculty Assembly Executive Committee (FAEC).

The purpose of the Faculty Assembly Executive Committee (FAEC) is to enable the faculty to fulfill its function with respect to academic and educational policies and other affairs of Bluefield State University. The FAEC is intended to assure forceful and articulate representation of faculty interests and of the faculty view of the common good of the University community, in accordance with recognized principles of participatory college governance.

The FAEC shall serve as the official voice and policy formulating body of the faculty on all matters which fall within its jurisdiction. The FAEC may express an opinion, take a stand on any issue, or recommend solutions to decision makers on any issue affecting the faculty, academic life, or the academic environment at Bluefield State University. To be effective in this role, faculty members must be willing to stand up, speak out, and take responsibility, in an atmosphere of integrity and trust in elective faculty assembly representation.

The FAEC, through its officers, shall serve as the official voice of the faculty in communication with the president's administration and the Board of Governors. Accordingly, the FAEC shall be a legislative and advisory body representing the faculty and shall consist of elected and *ex-officio* members.

The functions, duties, and privileges of the FAEC are set forth in the document as follows:

ARTICLE I. NAME

§1 The name of this organization shall be the Bluefield State University Faculty Assembly Executive Committee.

ARTICLE II. FUNCTIONS OF THE FACULTY ASSEMBLY EXECUTIVE COMMITTEE:

- §1 Upon approval of the University president, there shall be a line item in the college's budget to cover financial needs of the FAEC.
- §2 The FAEC shall establish such committees as are necessary for the performance of its duties.
- §3 The FAEC may consider any matter of academic policy or faculty welfare which has been recommended by any standing or special committee of Bluefield State University, or may initiate consideration of any such matters as it deems desirable. The FAEC may, at its own discretion, seek the advice and counsel of any member of the Faculty Assembly.

- §4 The FAEC shall make recommendations on behalf of the faculty on matters including (but not restricted to) the following specific areas:
- A. admission, recruitment, and retention policies
 - B. academic policies: class attendance, examinations, class withdrawal, grading, registration, scheduling, and academic advising
 - C. new undergraduate and graduate degrees, programs
 - D. general education requirements
 - E. the university calendar
 - F. the university budget and fiscal exigency plan
 - G. procedures for assessment of faculty and academic programs
 - H. policies concerning faculty recruitment and appointments
 - I. policies concerning faculty raises and promotions
 - J. tenure standards and procedures
 - K. academic freedom and due process procedures for faculty
 - L. procedures for release of non-tenured faculty and dismissal of tenured faculty
 - M. policies for selection and compensation of summer and adjunct faculty
 - N. policies governing selection & roles of Department Chairs & Academic Deans
 - O. faculty role in selection of the President, Executive Vice President, & Vice President of Academic Affairs
 - P. process for faculty evaluation, if any, of Department Chairs
 - Q. process for faculty evaluation, if any, of Academic Deans
 - R. professional responsibilities and duties of faculty
 - S. fringe benefits and faculty welfare
 - T. summer school policies
 - U. traffic and parking policies
 - V. professional conduct of faculty
 - W. instructional technology and academic computing
 - X. web-based instruction
 - Y. library holdings
 - Z. matters of campus safety

In each of these areas, the FAEC shall initiate recommendations for changes in policy, as well as monitor and comment on the implementation and execution of existing policies. The FAEC may monitor and comment on the implementation and execution of existing policies of internal governance and also may initiate and recommend changes related to internal governance policies.

§5 The FAEC may comment on any matter which affects the University as a whole.

§6 The FAEC, shall serve as the primary formal voice of the faculty in direct communication with the President, Vice Presidents, and the Bluefield State University Board of Governors.

ARTICLE III. AGENDA OF THE FACULTY ASSEMBLY

- §1 The Faculty Assembly Executive Committee shall establish the agenda for Faculty Assembly meetings
- §2 The minutes of each meeting of the FAEC shall specify the disposition of all matters brought before the Committee, including tabled items and shall be made publicly available on the faculty assembly website

ARTICLE IV. PURPOSE

- §1 The purpose of this organization shall be to provide for the participation of the faculty in the formulation, implementation, and review of institutional policies and procedures and to provide the means by which the faculty may participate in the governance of the University and take action on matters with which it is directly concerned.
- §2 The Bluefield State University FAEC shall act in an advisory capacity on all matters of institutional policy with respect to educational purposes, including degree requirements established by the Higher Education Policy Commission and the Bluefield State Board of Governors, academic standards, student conduct, student and faculty welfare, and general University development. If the president of the University disapproves any faculty initiative, the proposal shall be returned to the faculty with objections noted.

ARTICLE V. MEMBERSHIP

- §1 The Bluefield State University FAEC shall consist of individuals holding a tenured, tenure-track, or clinical classification, who have been full-time employees of Bluefield State University for at least 5 consecutive years. Resident Faculty may be voted in as FAEC members only in the case where a College does not have enough qualified tenured, tenure-track, or clinical faculty members to fulfill their 3 seats. Professors emeriti shall be welcomed as ex-officio, non-voting observers at FAEC meetings. All other faculty types (including but not limited to adjunct and research) shall be welcomed observers at FAEC meetings.
 - A. Faculty Appointment Classification Definitions (from BOG Policy FC-403B):
 - 4.2.1 Clinical track. The appointment of a full-time faculty member to a position within the College of Health Sciences shall be classified as a clinical-track faculty appointment.
 - 4.2.2 Visiting scholars. The appointment of a full-time faculty member from another college or university pursuant to an agreement approved by the faculty member's primary place of employment shall be classified as a visiting faculty appointment.
 - 4.2.3 Executive-in-residence. The appointment of a highly qualified professional as a full-time faculty member shall be classified as an executive-in residence faculty.

4.2.4 Adjunct faculty. The appointment of an individual to serve as a part-time faculty member as determined by criteria established by the President shall be classified as an adjunct faculty.

4.2.5 Research faculty. The appointment of a full-time or part-time faculty member whose primary responsibility shall be the conduct of research shall be classified as a research faculty.

4.2.6 Resident faculty. The appointment of any full-time faculty member whose appointment is not described in sections 4.2.1, 4.2.2, 4.2.3 or 4.2.5 shall be classified as a resident faculty. (The previously used term "Visiting Instructor/Faculty falls under this category)

5.8 Emeritus status. The President may award a retiring professor or administrator the honorary rank of professor emeritus for meritorious service to the University.

- B. A member of the FAEC who spends more than one semester performing functions which do not include teaching at least one class or performing functions which are not normally associated with teaching must resign from the FAEC, with a College replacement being elected to serve the remainder of the term. (Functions not normally associated with teaching include, for example, faculty development academic leave or other leave to do research.)

ARTICLE VI. OFFICERS

§1 The officers of the FAEC shall be a Chair, a Vice-Chair, a Secretary, and a Parliamentarian. The Chair and the Vice-Chair must come from different Colleges. These officers shall perform the duties prescribed by this constitution and by the parliamentary authority adopted by the faculty. An Officer position may not be filled with a Resident or Adjunct faculty member. Additionally, the Chair should be a tenured faculty member. The four (4) Officer positions will count towards the 3 FAEC members from their respective Colleges. (Note: This is to make all colleges weighted equally.)

§2 At the regular Faculty Assembly meeting held in March of each year, it shall be announced that FAEC Officers will be elected at the Faculty Assembly meeting in April. Candidates for office must be members of the FAEC and can be nominated by any tenured, tenure-track, or clinical faculty member, and nominations will be forwarded to the current Secretary of the FAEC before the election at the Faculty Assembly meeting in April. Additional nominations from the floor shall be permitted. The officers of the FAEC will also serve as the officers of the Faculty Assembly.

§3 The officers shall be elected by ballot to serve for two years, and their term of office shall begin July 1st following the Faculty Assembly meeting at which they are elected. At the end of the two-year term, the officer must be re-elected through the election process and may not serve more than two consecutive terms.

§4 No faculty member shall hold more than one office at a time.

ARTICLE VII. MEETINGS

§1 The FAEC shall hold regular monthly meetings during the academic year, at a time and place to be determined by the Faculty Assembly except when the FAEC determines that such meetings are not needed. Due notice will be given so the faculty can participate in these meetings. The Chair, Vice-Chair, or a representative designated by the Chair shall preside at all meetings. The rules of parliamentary procedure shall be observed.

§2 The President of the University, the Executive Vice President, and/or the FAEC shall be empowered to call special meetings of the faculty when circumstances requiring such action arise.

§3 The President of the University shall meet at least quarterly with the FAEC to discuss matters affecting faculty and the effective and efficient management of the institution.

§4 The Bluefield State Board of Governors shall meet at least annually with the FAEC to discuss matters affecting faculty and the effective and efficient management of the institution.

§5 A quorum for meetings of the Faculty Assembly shall consist of 33% of Faculty holding a tenured, tenure-track, or clinical classification, who are full-time employees of Bluefield State University excluding Resident Faculty verified by the Provost office. A quorum for meetings of the FAEC shall consist of three-fifths of the **current** members of the elected faculty members of the FAEC. As per Robert's Rules of Order Revised, 12th ed. (Note: If a member(s) leave FAEC for whatever reason and have not been replaced, it is three-fifths of the remaining members.)

§6 All meetings shall be conducted in accordance with the constitution and by-laws of the FAEC and with the latest edition of *Roberts' Rules of Order*.

§7 Each elected member of the FAEC shall have one vote. All matters shall be decided by a majority vote of those senators present and voting except as stated in this constitution.

§8 A College may appoint a substitute FAEC representative from the same constituency. The member shall inform the Chair and the Secretary of the FAEC in advance of the

meeting at which the substitute will serve. The substitute committee member shall have full voting privileges.

§9 According to Roberts' Rules of Order, a tie vote fails.

ARTICLE VIII. RECORDS

§1 A Secretary of the faculty shall be elected by majority vote of members present and voting at the regularly scheduled meeting of the Faculty Assembly in April and shall serve for two years. The Secretary will serve as a voting member of the FAEC.

§2 The function of the FAEC Secretary shall be to record and distribute the minutes of all Faculty Assembly and FAEC meetings.

§3 The duties of the FAEC Secretary shall be:

- a. to record, reproduce, and distribute to all faculty members and other concerned individuals complete minutes of all Faculty Assembly and FAEC meetings.
- b. to handle, on direction of the FAEC and/or its Chair, all written communication between that body and other groups or individuals.

§4 Each faculty committee and each recognized College of the University shall keep minutes of its meetings. The Chair of each faculty committee and the Dean of each College is responsible for sending a copy of minutes from all meetings to the Secretary of the FAEC.

ARTICLE IX. FACULTY ASSEMBLY EXECUTIVE COMMITTEE

§1 There shall be a Faculty Assembly Executive Committee (FAEC).

§2 The voting membership of the FAEC shall consist of three (3) representatives **elected by faculty** from each of the four Colleges. 1) Cole College of Business, 2) College of Arts, Education, and Social Sciences, 3) College of Science, Technology, Engineering, and Mathematics (STEM), and 4) College of Health Sciences. In accordance with WV State Code §18B-6-3, during the month of **April** of each even-numbered year, each president of a state institution of higher education, at the direction of the faculty and in accordance with procedures established by the faculty, shall convene a meeting or otherwise institute a balloting process to elect the members of the FAEC. Members serve a term of two years, which the term begins on July 1, of each even-numbered year. Members of the FAEC are eligible to succeed themselves. The Faculty Assembly shall elect a Chairperson, Vice-Chair, Secretary, and Parliamentarian from among the FAEC members. Each officer will serve a term of two years, and may serve no more than two consecutive terms.

The Chair and the Vice-Chair must come from different Colleges. If, at the Faculty Assembly meeting where the elections are held, two individuals from the same College receive the greatest number of votes for each position, the one receiving the greatest number of votes for the position of Chair will serve in that capacity; and the individual presiding over the election will call for a new vote for the Vice-Chair, with no one from the school represented by the new Chair being eligible for Vice-Chair.

The faculty representatives to the Advisory Council of Faculty (ACF) and the Board of Governors shall be ex-officio, non-voting members of the FAEC, unless elected by a College as its voting representative to the FAEC. These representatives serve a term of two years and are eligible to succeed themselves with a maximum of two consecutive terms being served.

- §3 The FAEC shall serve as the official voice and policy-formulating body of the faculty on all matters which fall within its jurisdiction.

Actions of the FAEC are subject to amendment or disapproval by the Faculty Assembly for a period of 10 calendar days that the University is in session following distribution of the minutes of the meeting at which such action was approved by the FAEC. Such amendment or disapproval is to be by vote to that effect by two-thirds of the membership of the Faculty Assembly at a meeting of the Faculty Assembly called for that purpose by petition of at least 20 percent of the members of the Faculty Assembly. The meeting shall be called by the Chair of the FAEC; if the Chair of the FAEC is unable or unwilling to do so, by any other member of the FAEC; or, that failing, by the senior members of the faculty.

ARTICLE X. COMMITTEES OF THE FACULTY ASSEMBLY

- §1 The Faculty Assembly shall maintain standing committees during the academic year. All committee members are elected for a 2-year term with a limit of 2 consecutive terms. The committees and their areas of responsibility are listed below, with the subcommittee structure, should one be established by a committee, not necessarily as implied by the sub-listing.
- §2 The Chair of the FAEC shall request monthly reports from the Chairs of the standing committees to determine items of faculty business to be included in the monthly recorded meeting minutes of the FAEC meeting.

A. Academic Affairs Committee

Membership: three representatives from each College
Executive Vice President of Academic Affairs [ex-officio, non-voting]

(Note: This is essentially the same composition as the FAEC itself.)

Responsibilities:

- Academic Policies and Procedures
 - Registration, Advising, Probation and Suspension, Class Load, Commencement, Part-Time and Adjunct Faculty, Academic Calendar, Release Time
- Tenure Buyout Policies and Procedures
- Development of Promotion and Tenure Review Policies and Procedures
- Grievance and Due Process
- Curriculum Management
- Program Review
- Management of FAEC Constitution/Bylaws, amendments
- Agenda & minutes management (for FAEC and Faculty Assembly meetings)
- Communication with the Board of Governors
- [Reports Findings to Executive Vice President for Academic Affairs]

Subcommittee: Enrollment Management (to be activated at a later date)

Membership: (4) One Non-FAEC member from each College [elected within each College specifically to serve on this committee] [ALL committee members are elected for a two-year term with a limit of 2 consecutive terms], Executive Vice President of Academic Affairs [ex-officio, non-voting], Retention Specialist [ex-officio, non-voting], Marketing Specialist [ex-officio, non-voting]

Responsibilities:

- Enrollment Management and Planning, Recruitment and Admissions, Catalogs and other Publications, Summer, Night, and Weekend School, Web-based Enrollment, etc....

Subcommittee: Curriculum Committee (to be activated at a later date)

Membership: (?) One Non-FAEC member from each College of which the Curriculum change affects [elected within each College specifically to serve on this committee] [ALL committee members are elected for a two-year term with a limit of 2 consecutive terms] Executive Vice President of Academic Affairs [ex-officio, non-voting] (Note: The composition of the committee could be 2, 3, or 4, depending on how many Colleges are affected by the proposed change.)

Responsibilities:

Undergraduate Curriculum

Requirements for Graduation, Degree Programs (Adding Programs, Discontinuing Programs, merging Departments or Schools, Creating Departments or a new School)

Graduate and Extended Education

Broad Policy in Graduate Programs, Continuing Education (Adult Degree Program, Non-traditional Programs) Off-Campus Courses and Programs, Cooperative Programs

Subcommittee: Technology Committee (to be activated at a later date)

Membership: (4) One member per College [elected within each College specifically to serve on this committee] [ALL committee members are elected for a two-year term with a limit of 2 consecutive terms]
Associate Director of Instructional Technologies [ex-officio, non-voting]

Responsibilities:

Evaluate LMS platforms

Evaluate programs/resources for online instruction (i.e., video streaming, file sharing, etc.)

Develop policies for online education

Determine faculty qualifications to administer online courses

Evaluate potential areas of growth for online curriculum

Evaluate and advise on other systems used by the University

[Reports to VP for Academic Affairs]

B. Assessment Committee

Membership: one representative from each College [elected within each College to serve on this committee]
Executive Vice President of Academic Affairs [ex-officio, non-voting]

Responsibilities:

Faculty Evaluation Procedures

Undergraduate Program Evaluation

Student Evaluation Procedures

Continual Improvement

Graduate Program Evaluation

College & Program Accreditations Data Evaluation

Extended Learning Evaluation

[Reports Findings to Executive Vice President for Academic Affairs]

C. Planning and Budgeting Committee

Membership:

- (1) One FAEC member chosen by FAEC
- (4) One representative from each College [elected within each College specifically to serve on this committee]
- [ALL committee members are elected for a 2-year term with a limit of 2 consecutive terms]
- Chief Financial Officer [ex-officio, non-voting]

Responsibilities:

- Fiscal Exigency
 - Facilities, Space Utilization, Physical Plant, College Budget
 - Priorities, Long-Range Planning, Communications, Administrative Support
- College Budget and Priorities
- Long-Range Planning
- Academic Resources
 - Library, Technology Support, Departmental Equipment and Supplies, Grants and Contracts

D. Professional & Personnel Development & Standards Committee

Membership:

- (4) One FAEC member from each College [elected by each College]
- (4) One Representative from each College [elected within each College specifically to serve on this committee]
- [ALL committee members are elected for a 2-year term with a limit of 2 consecutive terms]
- Board of Governors Rep‡,
- WV HEPC Advisory Council of Faculty Rep‡ (ACF)
- [‡elected by the General Faculty in April for a 2-year term with a limit of 2 consecutive terms, non-voting]
- President of BSC [ex-officio, non-voting]

Responsibilities:

- Faculty Morale
- Professional Standards
- Diversity Issues
- Salaries and Fringe Benefits
- Research and Development
- Buyouts and Sabbaticals
- Public Relations and Image Improvement
- Rights & Responsibilities

§3 Additional standing committees as defined below are established with representatives elected as specified.

A. Promotion and Tenure Review Committee

Membership:

(4) One Representative from each College [elected within each College specifically to serve on this committee]

[ALL committee members must be tenured and are elected for a 2-year term with a limit of 2 consecutive terms]

Responsibilities:

Promotion and Tenure Application Review

Post-Tenure Review

B. Student Academic Appeals Committee

Membership:

(4) One Representative from each College [elected within each College specifically to serve on this committee] [ALL committee members are elected for a 2-year term with a limit of 2 consecutive terms]

Two students elected by the Student Government Association

Executive Vice President for Academic Affairs or designate [ex-officio, non-voting]

Registrar or designate [ex-officio, non-voting]

Director of Financial Aid or designate [ex-officio, non-voting]

Responsibilities:

Implementation and Maintenance of Academic Standards

Conduct Hearings Involving Student Appeals of Academics

Reports Recommendations to the Vice President for Academic Affairs

ARTICLE XI. AMENDMENTS TO THE CONSTITUTION AND BYLAWS OF THE FAEC

§1 Proposed amendments to the constitution and/or bylaws of the FAEC shall be presented first at a regular meeting of the FAEC for discussion and voted upon at the next regular meeting. An amendment approved by the FAEC becomes effective upon approval by a majority of the members of the Faculty Assembly voting in a meeting for that purpose, as determined by the FAEC. A proposed amendment not approved by the FAEC shall require a two-thirds affirmative vote of the members of the Faculty Assembly for approval in a meeting called for that purpose by petition of at least 20 percent of the

members of the Faculty Assembly. The meeting shall be called by the Chair of the FAEC, and in his/her absence, by the Vice Chair. Voting by the Faculty Assembly on proposed amendments to the constitution and/or bylaws of the FAEC at a meeting called for that purpose shall be administered and supervised by the Chair and Vice-Chair of the FAEC which shall promptly report the results of such voting to the Faculty Assembly and maintain a written record of the proposed amendments and results of voting by the Faculty Assembly.