

**Official Charter**

**of the**

**Ferris State University**

**Academic Senate**

Revised May 2018

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## **PREAMBLE**

The Ferris State University Board of Trustees [formerly Board of Control] authorized the establishment of the Ferris State University Academic Senate by resolution of the Board on May 23, 1986, subject to stated stipulations.

In authorizing the Senate, the Board recognized that the faculty, along with the administration, have a responsibility for carrying out the mission of the University. The faculty is facilitated in this role through a formal organization structure that provides meaningful opportunities to participate in academic processes and academic decision-making. The Board also acknowledged that educational opportunity is achieved through teamwork and recognized the Senate as an appropriate vehicle for achieving such goals.

In authorizing the Charter of the Academic Senate, the Board stipulated in its authorizing resolution of May 23, 1986 that its approval was subject to the following stipulations:

- Any action by the Senate and President shall be of an advisory nature and subject to approval of the Board of Trustees. The provisions of the Academic Senate Charter shall not be construed as infringing upon or restricting the Board's authority to initiate and enact institutional policy.
- The Board holds the President responsible for working to ensure timeliness in the conduct of deliberations on matters covered by the Academic Senate Charter, including proposal, review or recommended changes in the academic policies, priorities, programs, curricula, and activities.
- Any amendments to the Academic Senate Charter shall be subject to the approval of the Board of Trustees and the Board of Trustees may of its own initiative, after opportunity for review and comment by the Senate, amend or rescind all or any part of the Senate Charter.
- The faculty is encouraged to work within the purposes and intent of its Charter to improve the academic programming at Ferris State University.

Approved by Board of Trustees, May 9, 1997

### **OFFICIAL CHARTER OF THE FERRIS STATE UNIVERSITY ACADEMIC SENATE**

## ARTICLE I - NAME AND PURPOSE

**Section 1.** The organization established by this document shall be known as the Ferris State University Academic Senate, hereinafter referred to as the Senate.

**Section 2.** The Senate shall serve as the deliberative assembly of the faculty for the purposes authorized by this Charter and as the official representative of the faculty of the University to the President of the University on matters relating to the academic policies and programs of the University, except where prohibited by the Public Employees Relations Act.

## ARTICLE II - FUNCTIONS

**Section 1.** All changes in academic policy and programming requiring the University Board of Trustees approval shall first be submitted for joint approval by the Senate and the President of the University. Efforts to reach joint approval include those provided for in Article VIII, Section 8 of this Charter.

**Section 2.** Senate decisions described in Article II shall be implemented with the approval of the President of the University. It shall be the function of the Senate to:

- A. Propose, review, or recommend academic policies of the University, new academic programs, and revision or discontinuance of current academic programs.
- B. Conduct an on-going evaluation of the academic priorities, programs, curricula, activities, and policies of the University and make recommendations for improvement.
- C. Represent the faculty in all matters affecting the welfare of the faculty and students excluding those areas reserved exclusively to the collective bargaining agent.
- D. Engage in such research as may contribute to: (1) the evaluation of the programs, curricula, activities and policies of the University; (2) the development of new programs, curricula, and activities; (3) recognition of faculty; or (4) the formulation of institutional policies.
- E. Have access to all information deemed necessary by the Senate for the performance of its duties, except where such access is prohibited by law, subject to a privilege, or an exception recognized by law.
- F. Review and evaluate the mission of Senate committees and recommend changes in committee composition and function. Establish new Senate committees and recommend termination of existing Senate committees. Appoint faculty representatives to Senate committees.
- G. Consider and make recommendations on any issue pertaining to the University.
- H. Engage in such activities and adopt such procedures as may be necessary to carry out the functions and responsibilities of the Senate.

## ARTICLE III - REPRESENTATION

**Section 1.** The Senate shall be divided into representative units in the following manner, with representatives chosen from each unit as specified in Section 3 of this Article.

- A. College Units: Full-time, tenure-track instructional faculty from each college of the University who, for purposes of representation, shall be members of that unit to which they report. . Each college shall be considered as a separate unit for purposes of representation on the Senate. These college units shall consist of the College of Health Professions, the College of Arts and Sciences, the College of Business, the College of Education and Human Services, the College of Engineering Technology, the Michigan College of Optometry, and the College of Pharmacy, For the purposes of representation, members of the developmental curriculum within Retention and Student Success will be represented by the Colleges of Arts and Sciences.
- B. Counselors and Librarians Unit: Librarians, Admissions, Educational, and Personal Counselors shall be considered as one (1) unit.
- C. Non-Tenure Track Instructional Faculty Unit: Instructional faculty, excluding those individuals whose primary responsibility is administrative or supervisory shall be considered as one (1) unit. The members of this unit shall elect three (3) Senators to represent them on the Senate. (Approved Dec. 2016, Board of Trustees meeting)

**Section 2.** Whenever a new representative unit is created at the University in addition to, or as a result of dividing or combining units listed in this Article, the Senate shall, within twenty (20) class days following the beginning of the semester during which the new unit begins to function, inform the electors of that unit, as defined in Article IV, Section 5, that a special election will be conducted by the Election Committee to elect representatives from that faculty unit to the Senate. The special election shall be conducted according to the provisions of Section 3 of this Article, Article IV, and other applicable articles of this Charter. The Election Committee shall designate those positions that shall be for two (2) years and those for one (1) year in order to balance terms of office.

**Section 3.** The number of senators from each representative unit shall be determined as follows:

Number of Senators from each of the representative units described in Section 1, Paragraphs A and B shall be equal to the nearest whole number (a fraction equal to exactly 0.50 or above shall be rounded up) obtained by dividing the number of electors of the representative unit by a number (computed to the nearest tenth) obtained by dividing the number of electors of all of the units represented in paragraphs A and B by thirty-five (35). However, each of these units shall be entitled to at least two (2) Senators.

**Section 4.** Ex-officio members of the Senate: The President of the University, the Provost and Vice President for Academic Affairs, and the President of the Student Government shall attend the meetings of the Senate and have the right to address the Senate on any issue during the conduct of business.

## ARTICLE IV - NOMINATIONS, ELECTIONS, AND REFERENDA

**Section 1.** Senators shall be elected from the representative units in an election conducted by the Election Committee as provided in Section 2 of this Article over two (2) consecutive class days between March 15 and March 30 of each year; the election dates shall be established by the Executive Committee. Until the annual organizational meeting of the Senate, those elected shall be known as Senators-elect.

**Section 2.** At the first regular meeting of the Senate during each fall semester the President of the Senate, hereinafter referred to as the President, shall appoint an Election Committee consisting of one (1) Senator from each of the units described in Article III, Section 1, Paragraphs A, B, and C; one (1) of these Senators shall be appointed to chair the Election Committee. No candidate for re-election to the Senate shall be appointed to the Election Committee. The duties of the Election Committee shall be to inform the electors of upcoming elections; certify the election results; provide copies of the election results to the President of the University, the President and Secretary of the Senate, and the electors of each representative unit. In case of a tie vote among candidates, the Election Committee shall conduct a second election to determine which of the candidates with the tie vote shall be the senator-elect from that unit. The Election Committee shall perform such other duties in connection with the elections as may be assigned to it by the Executive Committee of the Senate.

**Section 3.** The Election Committee shall conduct an election of three representatives from the Non-Tenure Track Instructional Faculty during the month of September. This election process shall be completed so that the newly-elected Senators can attend the regular meeting of the Senate in October. Their term runs until September 30th of the following year.

**Section 4.** In January of each year, the Election Committee shall determine the number of Senators to be elected from each unit, except the Non-Tenure Track Instructional Faculty Unit, as provided by Article III, Section 3. This information shall be presented to the Senate for its review and approval at the regular February meeting.

**Section 5.** Individuals who wish to appeal their placement by the Election Committee in a particular representative unit may direct such an appeal to the Executive Committee. Decisions of the Executive Committee shall be final.

**Section 6.** Each individual in any of the representative units described in Article III, Section 1, Paragraphs A, B, and C, who is an employee of the University at the time an election is conducted under the provisions of this Charter, shall be entitled to vote in a Senate election of the representative unit of which that individual is a member. No person shall be elected to the Senate who does not meet the requirements for electors.

**Section 7.** Members of the representative units, except the Non-Tenure Track Instructional

Faculty Unit, wishing to be on the ballot for a Senate election shall file a notice of intent after February 15<sup>th</sup> but before March 7<sup>th</sup>, with the Election Committee which shall verify each candidate's eligibility. The Election Committee shall circulate no later than March 13<sup>th</sup> a list of the candidates and the details of the election process.

**Section 8.** An official secret ballot for each representative unit shall be prepared by the Election Committee.

**Section 9.** The Election Committee shall count the votes and report the results within twenty-four (24) hours to the representative units, to the President of the University, the President, and Secretary of the Senate, and electors of each representative unit. Any elector may observe the counting and recording of votes of the election. Ballots shall be retained for thirty (30) days.

**Section 10.** Senators, except the Non-Tenure Track Instructional Faculty Unit, shall be elected for a term of two (2) years; elections for one (1) year terms may be held at the discretion of the Election Committee for the purpose of balancing terms. Non-Tenure Track Instructional Faculty Unit Senators shall be elected annually, as described in Article IV, Section 3.

**Section 11.** Any unsuccessful candidate who believes that an election was not conducted in accordance with the rules and regulations governing elections may, within five (5) calendar days of the election, petition the Executive Committee to declare that particular election in question null and void and request that a second election be conducted. The petition shall specify the rules and regulations that the candidate claims were violated. If the Executive Committee finds that a violation has occurred and that such violation could have affected the outcome of the election, it shall order that a new election be held within two (2) weeks in the representative unit involved. Only candidates nominated for the first election may be included on the ballot in the second election.

**Section 12.** In the event that a Senate seat shall be vacated prior to the expiration of the term, the Executive Committee shall appoint a replacement from the affected representative unit with the concurrence of the Senate. The appointee shall serve until the next regular Senate election, at which time a Senator shall be elected to serve the unexpired portion of the term in question, if any. In the event that a Senator is on a University-approved leave, the Executive Committee shall determine whether that Senator's position should be filled for the duration of the absence.

**Section 13.** Electors qualified to vote in a referendum or on Charter amendments shall be the members of the eleven (11) units described in Article III, Section 1, who are employed during the semester in which the elections take place. The Executive Committee shall adopt, as may be appropriate, rules and regulations and provide for procedures, consistent with the provisions of Article IV.

## ARTICLE V - OFFICERS AND DUTIES

**Section 1.** The officers of the Senate shall consist of the President, Vice President, and Secretary. All officers shall be nominated and elected by the Senate from among its membership for a term of one (1) year or until successors are elected and shall be eligible for re-election.

**Section 2.** The President shall preside over the meetings of the Senate and shall, in consultation with the Executive Committee, prepare the order of business for these meetings. The President shall be the representative of the Senate to the Ferris State University Board of Trustees. Under such rules and procedures as may be adopted by the Senate, the President shall have the power to call special meetings of the Senate. Except as may be otherwise provided by the Senate, the President shall submit to the President of the University all reports, documents, recommendations, and resolutions adopted by the Senate. The President shall be entitled to at least one-quarter (1/4) release time during the term of office.

**Section 3.** In the absence of the President, the Vice President shall assume the functions of the office of the President and perform such duties as are necessary for the conduct of business. The Vice President shall oversee and coordinate the activities of the Senate committees and assist in the performance of the duties of the office of the President as may be requested by the President. In the event that the President is unable to fulfill his or her term of office, the Vice President shall succeed to the office and the Senate shall elect a new Vice President to serve the remainder of the term. The Vice President of the Senate shall be entitled to at least one-quarter (1/4) release time during the term of office.

**Section 4.** The Secretary shall be custodian of the records and papers of the Senate and shall keep on file the Charter of the Senate and all amendments which may be adopted, the minutes and agenda of the Senate and of the Executive Committee meetings, a list of membership of the Senate and its officers and their terms of office, the actions taken and resolutions adopted by the Senate, the correspondence of the Senate including its communications with the President of the University and the Board of Trustees. The Secretary shall carry on such correspondence of the Senate as may be designated by the Senate. In such manner and by such procedure as the Executive Committee may prescribe, the Secretary shall keep the employees of the University and editors of the appropriate University publications informed of all actions taken by the Senate and any substantive matters being considered by it. The Secretary of the Senate shall be entitled to at least one-quarter (1/4) release time during the term of office.



**Section 5.** The University shall provide financial and material support for administrative assistance, as selected by the Senate, to perform the clerical functions of the Senate and prepare the minutes of the Senate at the direction of the Secretary.

## **ARTICLE VI - EXECUTIVE COMMITTEE**

**Section 1.** The Executive Committee of the Senate shall consist of the following members: President, Vice President, Secretary, and four (4) members elected at large from the Senators.

**Section 2.** The Executive Committee of the Senate shall meet regularly with the President of the University or his/her designee to discuss items for the agenda, decisions of the Senate, and other matters.

**Section 3.** The President shall consult with the Executive Committee on matters relating to the affairs of the Senate.

**Section 4.** In addition to the functions assigned by this Charter, the Executive Committee shall have such duties as the Senate may delegate.

**Section 5.** The President shall serve as the Chair of the Executive Committee and call it into session in accordance with procedures adopted by the Executive Committee.

**Section 6.** Any member of the Senate may move that the Senate consider the removal of any member of the Executive Committee. When such a motion is made and passed, the President, or the highest-ranking officer not named in said motion to remove, shall, in accordance with the rules established for calling special sessions, call a special session of the Senate for the purpose of such consideration. A two-thirds (2/3) vote of the entire Senate shall be required to remove the member of the Executive Committee.

## **ARTICLE VII - DUTIES OF THE MEMBERS OF THE SENATE**

**Section 1.** Senators shall represent the interests of their respective constituencies by regularly attending Senate meetings and shall faithfully serve their constituents and the University as the Senate may require. The seat of a Senator shall become vacant when the Senator ceases to be a member of the representative unit because of employment termination or reassignment.

**Section 2.** It shall be the duty of each Senator, excluding the members of the Executive Committee, to serve on at least one (1) Senate committee. A Senator who fails to volunteer for committee work will be assigned to a committee.

**Section 3.** The Senators shall report regularly to their constituents on the deliberations and actions of the Senate.

**Section 4.** A Senator shall be subjected to a recall upon the presentation to the Executive Committee of a petition signed by at least twenty-five percent (25%) of the electors of the representative unit. Recall elections shall be organized by the Election Committee. At least fifty percent (50%) of the members of the representative unit must vote in the recall election. If the recall is successful, the seat shall be filled in accordance with the provisions of Article IV, Section 11.

**Section 5.** A Senator may be removed from office by a two-thirds (2/3) vote of the entire Senate when it has been deemed that the Senator has neglected the duties of office as defined in Article VII, Sections 1, 2, and 3. If the removal of the Senator is successful, the seat shall be filled in accordance with the provisions of Article IV, Section 11.

## **ARTICLE VIII - ORGANIZATION AND PROCEDURE**

**Section 1.** Immediately following the last regular meeting of the Senate in the Spring semester, the Election Committee Chair shall convene the newly elected Senate. The Senate shall then elect an Executive Committee, which shall take office immediately.

**Section 2.** Candidates seeking an executive position will not be considered officially nominated until such nomination occurs at the first meeting. Campaigning may not be done through the Senate Office. Election results will be determined by the votes of the members present at the first meeting. Candidates must be present to accept their nomination, or provide documentation attesting to their willingness to accept.

**Section 3.** The President, Vice President, and Secretary positions will each be determined by the majority of votes received.

**Section 4.** At large members shall be elected by plurality vote on a single ballot with the opportunity to vote for three (3) members. In the event of a tie for the third member, there will be a re-vote of the tied candidates.

**Section 5.** In the event a position on the Executive Committee, other than the position of President, becomes vacant, a replacement shall be elected by the Senate at the next regular meeting, such meeting being presided over by the President or the highest-ranking continuing officer. The succession plan for a mid-term vacated President's position is described in Article V, Section 3.

**Section 6.** Regular meetings of the Senate shall be held each month during the Fall and Spring semesters of the academic year at such time and place as is determined by the Executive Committee. The President, in consultation with the Executive Committee, shall call additional

meetings during summer and semester breaks as are necessary to fulfill Senate responsibilities and functions. The Senate may authorize its Executive Committee to fulfill these obligations.

**Section 7.** The President may call for special meetings of the Senate, and shall also call for such meetings at the direction of the Executive Committee, or in response to a petition by one-third (1/3) of the Senate membership. Members shall receive an advance notice of a special meeting of at least twenty-four (24) hours.

**Section 8.** Special meetings shall not be called in lieu of a regular meeting nor shall regular meetings be designated as special meetings.

**Section 9.** The quorum necessary for the conduct of business by the Senate shall be a majority of the members of the Senate, and at least one (1) member from each of the majority of the units defined in Article III, Section 1. Formal action of the Senate shall be determined by a majority vote.

**Section 10.** In the event that a decision of the President of the University and a recommendation of the Senate are in conflict regarding a policy, priority, procedure, curriculum, or activity governed by this Charter and requiring Board of Trustees approval, a Conference Committee comprised of three (3) persons appointed by the President of the University and three (3) members of the Senate appointed by the Executive Committee of the Senate shall be formed. This Conference Committee shall meet in a timely fashion, solely to resolve the specific issue in dispute and report the results of its deliberations to the President of the University and to the Senate. Conference Committee Process:

1. The Senate Executive Board and the office of the President of the University will have ten (10) working days to select the Conference Committee members.
2. After appointment the Conference Committee will have five (5) working days to meet, discuss and report the results of their deliberations to the President and the Academic Senate.
3. At the first meeting of the Conference Committee both the President of the University or a designee and the President of the Senate or a designee, will be present to give the charge to the committee.
4. The Conference Committee will select a spokesperson at the first meeting.
5. At the conclusion of their deliberations the Conference Committee spokesperson will provide the President of the University and the President of the Academic Senate a written report of their deliberations.

6. The Academic Senate will meet to vote on endorsement of the report within ten (10) working days of its release.
7. If the Senate does not endorse the Conference Committee Report the Senate Executive Committee will prepare a Senate position paper to be approved by the Senate within ten (10) working days.
8. The President of the University will provide the Senate position paper to the Board of Trustees Academic Subcommittee at their next meeting.
9. The Academic Senate President and other Executive Committee members will attend the Board of Trustees Academic Subcommittee meeting to address the issues provided in the position paper.
10. The Academic Senate President will be present at the Ferris State University Board of Trustees meeting where the vote on the issue at hand is held. The Academic Senate President will present the views of the Senate as an agenda item prior to the vote.

**Section 11.** Whenever any resolution, recommendation, opinion, or report adopted by the Senate is submitted to the President of the University, any member who is in disagreement may submit a minority recommendation, opinion, or report to the President of the University. The President of the Senate shall be provided with a copy of the minority action by its sponsor and shall disseminate the document to the Senate.

**Section 12.** Any College, Department, Senate Committee, Representative Unit as defined in Article III, Section 1, or the President of the University may recommend matters to be considered by the Senate. When a matter is so recommended, it shall be referred to the Executive Committee.

**Section 13.** Any member of the Senate may on personal initiative present a motion at a Senate meeting that a matter be placed on the agenda. If the motion is passed by the Senate, the matter shall be placed on the agenda for discussion and disposition at the next regular Senate meeting.

**Section 14.** All records of the Senate enumerated in Article V, Section 4, shall be open to any member of the representative units, and in no manner shall the records of the Senate be considered private.

**Section 15.** Except when superseded by this Charter or by special rules adopted by the Senate, the rules of parliamentary law as contained in the most recent edition of *Robert's Rules of Order, Newly Revised* shall govern the conduct of meetings of the Senate and Senate committees. In order to facilitate this process at Senate meetings, a Parliamentarian shall be appointed by the Executive Committee following the organizational meeting.

## ARTICLE IX – SENATE COMMITTEES

**Section 1.** It shall be the function of the Executive Committee to appoint the faculty members of all Senate committees, subject to the requirements of state and federal regulatory bodies or law. All electors of the representative units shall be eligible to serve on such committees. Committee membership should be representative of a majority of the units, with no one unit having majority of membership, comprising the Senate, unless such representation is incompatible with the function of the committee. Ex-officio members will be assigned as needed and are non-voting.

**Section 2.** The Senate shall determine the composition, mission, and function of each committee. The Senate shall supervise the activities of these committees and recommend changes in the composition, mission, and function.

**Section 3.** Each year in April, the Executive Committee will appoint the chair and committee members of the University Curriculum Committee and the Academic Program Review Council. Faculty members will be appointed to the Athletic Advisory Committee in April and the committee will elect a chair in May. The Executive Board will assign all other faculty members to committees in the beginning of the academic year. Upon meeting for the first time of the academic year, the members of each committee will elect a chair for that year.

**Section 4.** All minutes and reports of all committees shall be transmitted to the Secretary of the Senate. The President of the Senate will transmit the reports to the President of the University and other appropriate offices.

**Section 5.** All requests for changes in composition, mission, or function of any committee established under provisions of this Article shall be submitted to the Senate for its approval.

**Section 6.** There shall be an elections committee as defined in Article IV, Section 2.

## ARTICLE X - AMENDMENT

**Section 1.** Proposals to amend this Charter may be submitted to the Senate by any of its members or by a resolution adopted by a majority of the members of any representative unit defined in Article III, Section 1. With the approval of the Senate, the proposed amendment shall be placed upon the agenda for consideration at the next regular meeting. If the proposed amendment is adopted by the Senate, it shall be submitted in a referendum to the eligible electors as defined in Article II, Section 2. If the amendment is approved in the referendum, it shall become a part of this Charter, subject to the approval of the Board of Trustees.

**Section 2.** No proposal for amendment shall be submitted to a vote unless a copy of such proposal has been distributed to the electors at least ten (10) class days prior to the date of the referendum. Such a referendum shall be conducted in the same manner and under all applicable rules and regulations provided by this Charter for the election of the members of the Senate. No referendum shall be conducted during the summer semester.