

MEMORANDUM

TO: Fort Wayne Senate

FROM: Andrew Downs, Chair
Ad hoc committee created by SD 14-34

DATE: March 2, 2016

SUBJ: Amendments to the Constitution of the Fort Wayne Senate

WHEREAS, SD 14-34 was passed by the Senate April 20, 2014; and

WHEREAS, the ad hoc committee reviewed the Constitution of the Fort Wayne Senate; and

WHEREAS, the ad hoc committee invited comments on the proposed changes to the
Constitution of the Fort Wayne Senate;

BE IT RESOLVED, that the Fort Wayne Senate approve the revised Constitution.

CONSTITUTION OF THE FACULTY OF INDIANA UNIVERSITY-PURDUE UNIVERSITY FORT WAYNE

I. Definitions

- A. The Fort Wayne Senate shall be referred to as the Senate in this document.
- B. **Positions of academic rank** shall include professor, librarian, associate and assistant professor or librarian, instructor, affiliate librarian, and lecturer.
- C. **The Faculty** shall be composed of the chief administrative officer of Indiana University-Purdue University at Fort Wayne (hereafter referred to as "IPFW"), the Presidents of Indiana University and Purdue University, and those employees of the University who hold academic rank.

A member of the Faculty who serves in more than one major unit shall be counted among the Faculty of the unit to which the most service is assigned; a member of the Faculty who serves equally in two or more major units shall inform the chief academic officer, prior to the annual certification, of the unit in which the Faculty member wishes to be counted.

- D. **The Voting Faculty** shall consist of those full-time members of the Faculty and those faculty who are on partial retirement, who are not enrolled in an undergraduate degree program at IPFW nor in a graduate degree program in their home department and who:
1. Are tenured or hold tenure-track appointments in units subject to those powers of the Fort Wayne Faculty detailed in Section VI, below, and perform duties at least half of which consists of teaching or other creative/scholarly work; or
 2. Are tenured or hold tenure-track appointments with the rank of librarian or associate, assistant, or affiliate librarian; or
 3. Hold the rank of assistant, associate, or full clinical professor.
- E. **Associate Members of the Faculty** shall consist of emeritus, continuing lecturers, and visiting members of the Faculty and persons who have academic appointments but who are not Faculty. These individuals shall have the privilege of attending Faculty assemblies and convocations, but shall not possess the right to vote except for the elected representative of the continuing lecturers.
- F. **University affiliation** shall lie with the institution assigned the academic mission for the unit in which the Faculty member holds an academic appointment. A member of the Faculty who serves in more than one unit shall be counted among the Faculty of the unit to which the most service is assigned; a member of the Faculty who serves equally in two or more units shall inform the chief academic officer, prior to the annual certification, of the unit in which the Faculty member wishes to be counted.

II. Certification

Certification of the names, affiliations, and classifications of all members of the Faculty shall be made annually, as of January 15 and by January 25, by the chief academic officer of IPFW to the Secretary of the Faculty. Changes in the eligibility of individuals to vote, speak, or stand for elective office shall be effective immediately, but the January certification shall apply in defining the size and distribution of the Faculty for procedures such as establishing a quorum, establishing a given fraction of the Faculty, and apportionment.

III. Officers

A. **The Presiding Officer of the Faculty** shall be the Presiding Officer of the Senate. In the absence of the Presiding Officer at a Faculty convocation or Senate meeting at which that person would ordinarily preside, the following shall preside in order of precedence:

1. The Speaker of the Indiana University Faculty in odd-numbered years, and the Speaker of the Purdue University Faculty in even-numbered years
2. The other Speaker of the Faculty
3. The Chair of the Executive Committee
4. The Parliamentarian
5. Another person chosen by the method prescribed by the rules of order adopted by the Senate.

B. **The Secretary of the Faculty** shall be the Secretary of the Senate.

C. **The Parliamentarian of the Faculty** shall be the Parliamentarian of the Senate.

D. There shall be two **Speakers of the Faculty**, each elected by secret ballot of the Voting Faculty of one university from among that Voting Faculty, and each serving a two-year term commencing with the fall Senate following election.

1. *The Speaker of the Indiana University Faculty* shall be elected prior to February 1 in even-numbered years.
2. *The Speaker of the Purdue University Faculty* shall be elected prior to February 1 in odd-numbered years.
3. A Speaker may not serve more than two consecutive terms.

E. **The Sergeant-at-Arms of the Faculty** shall be the Sergeant-at-Arms of the Senate.

IV. Convocations

The Executive Committee shall establish and announce the agenda, time, and place of all Faculty Convocations.

- A. On its own initiative, the Executive Committee may convene the Faculty in formal Convocation for the conduct of business.
- B. When petitioned by at least twenty percent of the members of the Voting Faculty, the Executive Committee must convene the Faculty in formal Convocation. The Secretary of the Senate shall publicize at the beginning of each semester a current list of the Voting Faculty as defined herein, and the minimum number required to convene the Faculty in such a manner.
- C. At any Faculty Convocation any item may be brought up for discussion, and the Senate, the chief administrative officer of IPFW, the Presidents, and the Boards of Trustees of Indiana University and Purdue University may be petitioned for action by the convened Voting Faculty.
- D. Faculty Convocations shall be conducted according to the rules of order adopted by the Senate.

V. Assemblies

Faculty Assemblies may be called by the chief administrative officer of IPFW or by either Speaker. No business may be conducted at an Assembly.

- A. Faculty Assemblies may be called and presided over by the chief administrative officer of IPFW for the purpose of transmitting communications from either President of the University, and/or the chief administrative officer.
- B. Faculty Assemblies may be called and presided over by a Speaker of the Faculty for the purpose of providing a broad and open forum for the discussion of matters that do, will, or may affect the Faculty.

VI. Powers

- A. The Voting Faculty shall possess and exercise, collectively, all powers and responsibilities common to the separate faculties of Indiana University-Purdue University Fort Wayne at the time this Constitution enters into force. These include the powers:

1. **To recommend policies concerning**
 - a. the admission and academic placement of students
 - b. student conduct and discipline
 - c. student participation in group extracurricular activities
 - d. the administration of the library and other educational support facilities
 - e. the conduct, welfare, privileges, tenure, appointment, retention, and promotion of the faculty.

2. **To make recommendations concerning**
 - a. changes in academic organization
 - b. the determination and management of the budget
 - c. the planning of physical facilities
 - d. increases and decreases in staff
 - e. the screening and selecting of academic and administrative officers.

3. **To determine**
 - a. the academic calendar
 - b. the policies for class scheduling
 - c. the policies for student participation in athletic affairs.

4. **To review and approve**
 - a. the titles of the academic degrees conferred at IPFW
 - b. the general requirements for the curricula leading toward academic degrees or certificates
 - c. the nomination of all candidates for degrees and certificates.

5. **To present its views concerning any matter pertaining to the conduct and welfare of IPFW to the Presidents and Boards of Trustees of Indiana University and Purdue University.**

B. Subject to the right of review by the Faculty through its governing body and the limitations which have been established to protect the interests of Indiana University or Purdue University, the power to review and approve academic degrees, to develop curriculum, instructional and examination procedures and undergraduate degree requirements, and to nominate candidates for these degrees is delegated to the school and division faculties, and the power to develop course content and new courses is delegated to the academic departments.

VII. Governing Body: The Senate

The Faculty shall govern itself through the Senate, which shall exercise the powers and responsibilities of the Voting Faculty. Its decisions in exercising these powers and responsibilities shall be final except under the circumstances specifically described below.

A. Membership

1. **Composition.** The Senate shall be composed of
 - a. The Presidents of Indiana University and Purdue University
 - b. The chief administrative officer of IPFW
 - c. The chief academic officer of IPFW
 - d. The chief financial officer of IPFW
 - e. The Speakers of the Faculty
 - f. The chief officer in charge of student affairs at IPFW
 - g. The chief academic officer of each major unit.
 - h. Additional members of the Faculty selected according to procedures in this Article.
 - i. The elected representative of the continuing lecturers at IPFW
2. **Eligibility.** Any member of the Voting Faculty is eligible for election to the Senate.
3. **Term of Office.** The term of office for an elected Senator shall be three years, beginning one week before the beginning of regular fall classes following election. Each major unit shall establish a method for promptly filling vacated seats.
4. **Apportionment.** Senate membership shall be apportioned among the major units according to the number of Voting Faculty comprising those units. One member shall be allocated to each unit for every six Voting Faculty in that unit. The representative of the continuing lecturers does not count toward a major unit's apportionment.
5. **Nomination and Election.** Apportionment for the following academic year, according to Part 4 above, shall be made known to the major units by February 1. Methods of nomination and election, and of filling seats vacated before the end of a term, shall be proposed and implemented by the Voting Faculty of those units according to methods consistent with generally accepted principles of democratic representation. These methods must be defined in the documents which define the protocols of faculty governance within each unit; and the protocols must be approved by the Senate by simple majority vote, and shall be periodically published, simultaneously with the Bylaws of the Senate, as and when the Bylaws are distributed. The names of the incoming Senators shall be made known to the Secretary of the Senate by March 1.

B. Organization

1. **Officers.** The Officers of the Senate shall be the Presiding Officer, the two Speakers of the Faculty, the Parliamentarian, the Secretary, and the Sergeant-at-Arms.

- a. *Presiding Officer.* The Presiding Officer of the Senate shall be a member of the Voting Faculty elected by the Senate. The election shall be conducted annually prior to March 1, with the term of office to commence with the fall Senate.
- b. *The Speakers of the Faculty.*
- c. *Parliamentarian.* The Parliamentarian shall be selected by the Executive Committee of the Senate for a one-year term beginning with the fall Senate. The Parliamentarian shall give to the Senate and its officers procedural advice concerning the conduct of business according to the rules of order and bylaws adopted by the Senate.
- d. *Secretary.* The Secretary shall be a non-Faculty professional selected by the Executive Committee. The Secretary's duties shall include, but not be limited to:
 - (i) Circulating notice of meetings and agendas
 - (ii) Informing the Presiding Officer of the presence of a quorum
 - (iii) Recording the attendance of Senators, guests and visitors
 - (iv) Keeping, producing and circulating minutes of all Faculty Convocations and Senate meetings
 - (v) Maintaining Senate Committee records and reports.
- e. *Sergeant-at-Arms.* The Sergeant-at-Arms shall be appointed annually by the Presiding Officer. The Sergeant-at-Arms shall assist the Presiding Officer in maintaining order, and assist the Secretary in seating guests.

2. *Meetings of the Senate*

- a. *Regular Meetings.* The Senate shall meet to conduct its business at least once a month during the academic year.
- b. *Special Meetings.* Upon petition by twenty percent of the Faculty, a special meeting of the Senate shall be called within a time limit determined by the bylaws adopted by the Senate. The Executive Committee may also call a special meeting. In either case, written notice must be given at least forty-eight hours in advance of the meeting, and only those items listed on the agenda distributed with the meeting notice may be considered.

3. ***Committees of the Senate.*** In order to exercise more effectively its rights and responsibilities, the Senate shall create appropriate committees. It may delegate specific Senate powers to these groups, but the Senate retains the right to amend any actions of its committees. The committees of the Senate shall include, but not be limited to, the following:

a. *Committees on Institutional Affairs*

Each of these two Committees shall consider those matters that are clearly relevant only to Faculty members of one university affiliation. The Speaker of that university's Faculty shall serve as chairperson, and the four other members shall be elected by the Senators of that university's affiliation from among continuing and newly elected Senators. The elected members shall include no more than two from any of the major academic units; their terms shall commence with the fall Senate and shall expire with their Senate terms.

(i) Indiana University Committee on Institutional Affairs

(ii) Purdue University Committee on Institutional Affairs

b. *Executive Committee.* The Executive Committee shall consist of the Presiding Officer; the Speakers of both Faculties; the Parliamentarian of the Senate as an ex officio, non-voting member; and four Senators elected by the Senate. The elected members shall include no more than one from any major unit; their terms shall commence with the fall Senate and expire with their Senate terms. The Committee shall select its own chairperson. The duties of the Executive Committee shall include, but not be limited to, the following:

(i) The Committee shall formulate the agenda for each Senate meeting and shall be responsible for the circulation of the meeting agenda at least one week prior to a regular Senate meeting.

(ii) The Committee shall, at the beginning of the academic year, establish and publicize twenty dates during that academic year to be reserved for the conduct of Senate business.

(iii) The Committee may, with the approval of the Senate, recommend a procedure for the efficient conduct of items of business on the agenda.

(iv) The Committee shall, at least twice each semester, circulate a list of Senate documents that are currently under deliberation in the various Senate Committees, along with document status and name of committee and committee chairperson.

- (v) The Committee shall formulate and submit for Senate approval bylaws for the Fort Wayne Senate. Amendments to the bylaws may be proposed by this Committee and must be promptly reported to the Senate if proposed by a Senator.

- (vi) The Committee shall periodically review the committee structure of the Faculty to encourage efficient Faculty participation.

VIII. Review Power

A. Review of Administrative Actions

1. The Faculty shall express its judgment on administrative actions by presenting its findings and giving its recommendation on each case presented to it which raises an issue of academic freedom, tenure, promotion, or the nature or conditions of work.

2. The review power of the Faculty of Indiana University affiliation shall be exercised by a Faculty Board of Review, elected by that Faculty; the review power of the Faculty of Purdue University affiliation shall be exercised by an Academic Personnel Grievance Board elected by that Faculty. Subject to the university provisions, the Senate shall establish the composition and procedures and the terms of office, qualification and disqualification, and replacement of the members of these bodies. The Senate may, through its Bylaws, permit joint meetings of these bodies when appropriate and when permitted by university regulations.

3. Any member of the Faculty may petition the appropriate review body for review of administrative action regarding academic freedom, tenure, promotion, or the nature or conditions of work.

B. Review of Senate Actions

1. Senate actions shall be subject to review and check by the Faculty through the following two procedures:
 - a. At any Convocation of the Faculty, past actions of its Senate may be brought to the floor for discussion. If a majority of those present so direct, the Senate must reconsider its action at its next regular meeting.
 - b. Any action taken by the Senate shall be forced back to that body for mandatory reconsideration if within two weeks after the circulation of the Senate minutes covering the action, a petition by at least twenty percent of the Voting Faculty stating the objections of the petitioners is received by the Presiding Officer of the Senate.

2. In either of the above procedures, if the Senate reaffirms its original action, the issue must be submitted by ballot to the Voting Faculty. The ballots shall be returned

and counted, and the decision announced, before the next regularly scheduled meeting of the Senate. The decision of a simple majority in such a ballot shall be final.

IX. Amendments

Amendment of the Constitution shall require the following:

A. **Publication** of the proposed amendment to all members of the Faculty and the Senate

B. **Approval of the proposed amendment by majority vote of the Senate**

C. **Approval** of the proposed amendment via secret ballot of the Voting Faculty by a two-thirds majority of those voting or by a simple majority of the Voting Faculty, whichever shall be the less. The Nominations and Elections Committee shall promptly notify the Faculty of the results of the ballot.

The amendment shall become effective as provided for in the amendment or, failing that, on the first day of the calendar month following the completion of the steps above.

(Corrected 10/16/1980)

(Amended 10/10/1983)

(Amended 4/9/1984)

(Amended 12/14/1987)

(Amended 11/14/1988)

(Amended 4/12/1993)

(Amended 4/11/1994)

(Amended 11/9/1998)

(Amended, 4/12/1999)

(Amended, 3/13/2000)

(Amended, 3/12/2001)

(Amended, 12/9/2002)

(Amended, 9/13/2010)

(Amended, 1/10/2011)

(Amended, 4/29/2015)