

The Constitution of the Faculty The University of North Carolina at Greensboro

(Approved by the Faculty Council, Spring Semester 1991)

(Revised by the General Faculty 3/2/94, 10/14/96, 1/21/98, 3/10/99, 3/8/00, 3/14/01, 4/2/03)

PREAMBLE

The Faculty of The University of North Carolina at Greensboro acknowledges the principle of faculty self-government and also recognizes the responsibility of the Faculty in the internal affairs of this institution. This Constitution establishes procedures whereby this responsibility shall be discharged.

ARTICLE I: STATEMENT OF AUTHORITY

SECTION 1. Authority

(1) The responsibilities and procedures of faculty self-government established herein derive from *The Code* of the Board of Governors of The University of North Carolina and especially Section 502 D, charging the Chancellor, among other duties, to define the scope of authority of faculties, councils, committees and officers of the institution. All projects, programs and institutional reports undertaken on behalf of the institution are subject to the Chancellor's authorization and approval. This Constitution defines the scope of authority of faculties, councils, boards and committees of the governing faculty.

(2) The College of Arts and Sciences, each professional school and the library shall establish governance structures in accordance with the provisions of *The Code* of the Board of Governors of The University of North Carolina, the "Regulations on Academic Freedom, Tenure and Due Process of The University of North Carolina at Greensboro," professional accreditation agencies and this Constitution.

SECTION 2. Governing Bodies

(1) This Constitution establishes the following governing bodies: The General Faculty, the Faculty Senate and Boards and Committees of the General Faculty.

(2) If any positions on the General Faculty, the Faculty Senate, boards and committees are not filled for any reason, these bodies may still function.

ARTICLE II: THE GENERAL FACULTY

SECTION 1. Functions

- (1) The General Faculty shall:
 - (a) Hear and request reports and information from the Faculty Senate, the Faculty Assembly, the Chancellor or any member of the administration;
 - (b) Approve all promotion and tenure policies and regulations recommended by the Faculty Senate;
 - (c) Consider any matter relating to the welfare of The University of North Carolina at Greensboro or of the members thereof;
 - (d) Modify or rescind actions of the Faculty Senate in accordance with the provisions of this Constitution, Article II, Sections 5 and 6 and
 - (e) Amend "The Constitution of the Faculty" in accordance with the provisions in Article II, Sections 5 and 6 and Article V.
- (2) Actions of the General Faculty shall be forwarded to the Chancellor.

SECTION 2. Membership

- (1) The voting members of the General Faculty shall consist of tenured and tenure-track faculty, faculty on leave, all full-time lecturers and instructors, full-time clinical faculty, the President of the University of North Carolina, the Chancellor, the Provost, all Vice Chancellors and such other officials having responsibility for making and administering educational, research and student welfare policies as shall be approved by the Faculty Senate.
- (2) The nonvoting members of the General Faculty shall consist of faculty emeriti, visiting faculty, writers-in-residence, artists-in-residence, part-time faculty, adjunct faculty and such other officials having responsibility for making and administering educational, research and student welfare policies as shall be approved by the Faculty Senate.
- (3) The official roster of the General Faculty shall be maintained in the Faculty Senate office and shall be open for inspection by any member of the University community.

SECTION 3. Organization

- (1) The Chancellor shall convene the meetings of the General Faculty and shall make opening remarks. In the absence of the Chancellor, the Chair of the Faculty Senate shall convene the meetings. The Chair of the Faculty Senate shall preside over the business session of the General Faculty meetings.

(2) Secretary. The General Faculty shall elect a Secretary from its own membership to serve for a two-year term. It shall be the duty of the Secretary to record and to certify the minutes of all General Faculty meetings and to oversee the distribution of the agenda and the minutes of all General Faculty meetings.

(3) Parliamentarian. The Chair of the Faculty Senate shall appoint the Parliamentarian of the General Faculty.

SECTION 4. Meetings

(1) A meeting of the General Faculty shall be held whenever there is business that requires General Faculty action or consultation. Meetings may be called by the Chancellor, by the Chair of the Faculty Senate, or by a petition to the Secretary signed by at least twenty-five members of the General Faculty.

(2) Gallery privileges shall be extended to all members of the University community.

(3) The General Faculty, by majority vote of members present and voting, may grant speaking privileges to members of the gallery.

(4) The General Faculty may go into executive session at any meeting by a majority vote of members present and voting.

(5) An executive session shall consist of only voting members of the General Faculty as defined in Article II, Section 2, (1).

SECTION 5. Agenda, Motions and Resolutions

(1) The Chair of the Faculty Senate in consultation with the Chancellor, the Provost, the Chair-Elect of the Faculty Senate and the Secretary of the General Faculty shall organize the agenda for each meeting.

(2) Items may be placed on the agenda by the Chancellor, by the Faculty Senate and by boards or committees of the General Faculty. Any member of the General Faculty may request that an item be placed on the agenda. The Chancellor shall have the right to address the General Faculty on such matters as the Chancellor deems appropriate.

(3) All proposals, motions or resolutions, in order to be included on the agenda, must be submitted in writing to the Secretary of the General Faculty at least ten working days before the meeting at which they are to be introduced.

(4) Motions to modify or rescind Faculty Senate action may not be introduced from the floor. Other motions or resolutions proposing General Faculty action may be introduced from the floor without

previous inclusion on the agenda only by consent of two-thirds of the members present and voting.

(5) The Secretary of the General Faculty shall post the agenda for each meeting on the University website, notify the voting members via email that the agenda has been posted, and circulate the agenda to the Senators, the Department Heads/Chairs, the Deans, and the University Librarian, at least five working days prior to the meeting. The Department Heads/Chairs shall make the agenda available to the members of their Departments.

SECTION 6. Voting

(1) Only members of the General Faculty as defined in Article II, Section 2, (1) shall be entitled to vote at General Faculty meetings.

(2) A quorum of 135 members of the General Faculty is required for modifying or rescinding Faculty Senate action.

(3) A quorum of 45 members of the General Faculty is required for amending this Constitution.

(4) For all other action of the General Faculty a quorum shall consist of voting members present.

(5) A two-thirds majority of the members present and voting is required for modifying or rescinding Faculty Senate action and for amending this Constitution. All other questions before the General Faculty shall be decided by a majority of those present and voting.

(6) Voting shall ordinarily be *viva voce* but a standing vote may be ordered by the Chair in cases of doubt or when requested by any member of the voting membership of the General Faculty. A vote by secret written ballot may be requested.

SECTION 7. Bylaws

(1) The General Faculty may adopt bylaws for the purpose of conducting its business. Such bylaws shall be in accordance with this Constitution.

(2) Bylaws adopted by the General Faculty may be amended by a majority vote of all eligible voters present and voting.

(3) In all cases not covered by this Constitution or the bylaws adopted by the General Faculty, the latest edition of *Robert's Rules of Order* shall be followed in the conduct of the business of the General Faculty.

ARTICLE III: THE FACULTY SENATE

SECTION 1. Powers and Duties

- (1) The Senate shall exercise the legislative powers of the General Faculty.
- (2) In addition, the Faculty Senate shall:
 - (a) determine what matters are to be delegated to other bodies established by this Constitution;
 - (b) provide for such standing and special committees of the General Faculty that the Senate may deem necessary;
 - (c) establish, review, evaluate and restructure the boards and committees of the General Faculty;
 - (d) act on reports and recommendations from the boards and committees of the General Faculty;
 - (e) approve the academic calendar for the University;
 - (f) promote high educational standards at the University;
 - (g) approve the minimum general University degree requirements;
 - (h) recommend the establishment or discontinuation of degrees;
 - (i) approve policies and regulations governing the conditions under which the instruction of students takes place;
 - (j) approve the academic honor policy;
 - (k) advise members of the administration regarding standards of admission to the University;
 - (l) recommend to the General Faculty for approval promotion and tenure policies and regulations;
 - (m) review policies and regulations pertaining to appointments, faculty development, teaching and research;
 - (n) make recommendations to the administration regarding faculty salaries and benefits;
 - (o) review and recommend policies governing continuing education, extension services and summer school;
 - (p) maintain and promote the welfare of all members of the University community;

(q) advise and counsel the administration upon any matters that the administration or the Senate may wish to present and to act upon any matters presented by the administration when action is appropriate and

(r) review the provisions of "The Constitution of the Faculty" at least every five years and make recommendations to the General Faculty and the Chancellor.

(3) Actions and resolutions of the Senate shall be forwarded to the Chancellor.

(4) The Senate may, at its own discretion, seek the advice and counsel of any member of the General Faculty.

SECTION 2. Members

(1) Elected Members. Members of the General Faculty holding the rank of professor, associate professor, or assistant professor and who are members or associate members of the Graduate Faculty, and professional librarians, are eligible for election to the Senate.

(2) The Senate shall consist of approximately thirty-five members elected as Senators of the electoral divisions defined below and apportioned among them in the same ratio as the number of voting members of the faculty in each electoral division to the number of voting members of the faculty in the University. The number of Senators for each electoral division shall be established according to the following procedure:

(a) An apportionment factor shall be computed by dividing the total number of voting members of the General Faculty into the number thirty-five. The factor shall then be rounded to three decimal places.

(b) The number of Senators from each electoral division shall be computed by first multiplying the number of voting members in each electoral division by the apportionment factor. The product shall be rounded to the nearest integer; if the product should round to one or less, an adjustment shall be made to two.

(c) The total number of voting members of the General Faculty used in the calculations shall be based on the number of voting faculty employed by the University at the beginning of the fall semester.

(3) The electoral divisions are:

(a) the College of Arts and Sciences,

(b) the Joseph M. Bryan School of Business and Economics,

(c) the School of Education,

(d) the School of Health and Human Performance,

(e) the School of Human Environmental Sciences,

(f) the School of Music,

(g) the School of Nursing and

(h) the Jackson Library.

(4) Departments and other units with faculty appointments that are not designated in an electoral division above shall be assigned to an appropriate division by the Faculty Senate.

(5) At least every five years the Faculty Senate shall adjust the apportionment factor according to the procedure described in Article III, Section 2, (2), (a-c). If necessary, the Faculty Senate shall adjust the terms of some Senators to be elected as Senators in those years to one or two years so that approximately one-third of the Senate shall be elected each year.

(6) The nonvoting members of the Faculty Senate shall consist of the Provost, the immediate past Chair of the Senate, all Vice Chancellors, the Dean of the Graduate School, the Associate Provost for Research, a representative from the Deans Council, the head of the Faculty Assembly delegation, the Chair of the Staff Council or the Chair's designee, two graduate students appointed by the President of the University Graduate Student Association and two undergraduate students appointed by the President of the Student Government.

SECTION 3. Officers

(1) Chair.

The Chair shall be a tenured member of the Faculty and shall preside over the Faculty Senate. The Chair of the Senate shall represent the General Faculty at all meetings of the Board of Trustees. The Chair shall serve a one-year term.

(2) Chair-Elect.

The Senate shall elect a Chair-Elect of the Senate who shall succeed the Chair upon expiration of the Chair's term. The term of the Senator elected Chair-Elect shall automatically be extended, if necessary, so that the Chair-Elect may succeed to the Chair of the Faculty Senate. The seat vacated by the Chair-Elect upon elevation to the office of Chair shall be filled according to Article III, Section 6, (2). The Chair-Elect shall perform the duties of the Chair in the absence of the Chair. The Chair-Elect shall be a tenured member of the faculty.

(3) Secretary.

The Senate shall elect a Secretary from its membership for a one-year term. The Secretary may be re-elected. The Secretary shall record and oversee the distribution of the minutes. The Secretary shall maintain an accurate set of Faculty Senate Bylaws.

(4) Parliamentarian.

The Chair of the Faculty Senate shall appoint the Parliamentarian of the Faculty Senate. The Parliamentarian shall be a nonvoting officer of the Faculty Senate.

SECTION 4. Election of Senators

- (1) Each electoral division shall establish written procedures for electing their Senators, conducting the elections and announcing the results.
- (2) Voting members of the General Faculty are eligible to vote for Senators.

SECTION 5. Terms of Senators

- (1) The normal term of service for members of the Faculty Senate shall be three years and shall begin on July 1 and end on June 30.
- (2) Approximately one-third of the Faculty Senate shall be elected each year.
- (3) A member of the Senate may serve two consecutive terms.
- (4) A member of the Senate who has served two consecutive terms shall be ineligible for Senate membership until one year following the last term of office shall have elapsed.
- (5) A member appointed to fill an unexpired term shall be eligible to be nominated for a full term.

SECTION 6. Vacancies

- (1) If a person elected to a position or office under this Constitution should temporarily withdraw from that office or position, the vacancy may be filled by an appointment to continue until the said member resumes the position or office or until the term has expired. The Senate shall make such appointments for persons elected by the General Faculty or the Senate. The electoral divisions shall make such appointments for persons elected by that electoral division.
- (2) If a person elected to a position or office under this Constitution shall permanently withdraw from that position or office, the vacancy may be filled by an appointment to continue until the expiration of the term of the person who has withdrawn from that position or office. The Senate shall make such appointments for persons elected by the General Faculty or the Senate. The electoral divisions shall make such appointments for persons elected by that electoral division.
- (3) Any person appointed by the Senate or an electoral division to fill a vacancy, temporary or permanent, on the Senate or an elected board or committee is eligible to be nominated for a full term when the next regular election is held.

SECTION 7. Meetings

- (1) The Faculty Senate shall schedule a regular monthly meeting. However, if no agenda items are submitted, then the Chair of the Faculty Senate may cancel the regular monthly meeting.
- (2) All members of the General Faculty shall have the right to attend and speak at Faculty Senate meetings.
- (3) Gallery privileges shall be extended to all other members of the University community.
- (4) The Faculty Senate may grant speaking privileges to members of the gallery.
- (5) The Faculty Senate may go into executive session at any meeting by a majority vote of Senators present and voting.
- (6) An executive session shall consist of the Senators, the nonvoting members of the Senate and other members of the General Faculty present who are eligible for election to the Senate.

SECTION 8. Agenda

- (1) The Chair of the Faculty Senate shall prepare the agenda in consultation with the Chancellor, the Provost, the Chair-Elect and the Secretary of the Faculty Senate.
- (2) Any member of the Senate may request that an item be placed on the agenda by submitting a written request to the Secretary of the Senate at least ten working days in advance of the meeting.
- (3) The agenda for all Senate meetings shall be circulated to the Senators, the Deans, and the University Librarian, and posted on the University website, at least five working days in advance of the meeting.
- (4) The agenda shall be followed unless set aside by consent of two-thirds of the Senators present and voting.

SECTION 9. Voting

- (1) Only elected members of the Faculty Senate as defined in Article III, Section 2, (1) shall be entitled to vote at Faculty Senate meetings.
- (2) Unless otherwise specifically provided, all questions put to the Faculty Senate shall be decided by majority vote of those voting. Voting shall ordinarily be viva voce but a standing vote may be ordered by the Chair in cases of doubt or when requested by any member of the Faculty Senate. A vote by secret written ballot may be requested.

SECTION 10. Minutes

- (1) The minutes of Faculty Senate meetings shall contain the essence of all viewpoints expressed and a report of actions rejected as well as actions approved, with a record of the vote when a count is made.
- (2) The minutes will be distributed after each meeting as an attachment to the subsequent agenda. Corrections of the minutes of each meeting shall be included in the minutes of the next regular meeting of the Senate.
- (3) The Secretary shall ensure that an official file of the minutes of Senate meetings is maintained in the Faculty Senate Office.
- (4) The Secretary shall ensure the deposit of the Senate records in the University Archives.

SECTION 11. Committees of the Faculty Senate

- (1) The Faculty Senate shall establish standing and special committees that it deems necessary or useful for the effective and expeditious conduct of its business.
- (2) Committees of the Faculty Senate shall consist of members of the Senate. Senators may not serve on more than one elected committee of the Senate.
- (3) Committee members may be either elected or appointed, as well as re-elected or re-appointed.
- (4) Each Senate committee shall develop and submit in writing to the Faculty Senate for approval rules and procedures for conducting the business of the committee.
- (5) All Senate committee assignments begin on July 1 and end on June 30.

SECTION 12. Committee on Promotions and Tenure

- (1) The Committee on Promotions and Tenure shall be a committee of the Senate.
- (2) The Committee on Promotions and Tenure shall consist of the Chair of the Faculty Senate and six Senators.
- (3) The six Senators on the committee must be tenured.
- (4) The six Senators shall be elected to the Committee on Promotions and Tenure by the Senators. If an elected member of the Promotions and Tenure Committee resigns or is unable to serve on the committee, the Chair of the Faculty Senate shall consult with the Provost and appoint a tenured Senator as a replacement. No department may have more than one member on the committee at the same time, with the exception of the Chair of the Faculty Senate.

- (5) Each elected member of the Committee on Promotions and Tenure shall serve for the full duration of a two-year term. The terms will be staggered, one-half being filled each year. No member may be elected to successive terms on the committee.
- (6) The Chair of the Faculty Senate shall serve as the chair of the Committee on Promotions and Tenure and shall be a voting member of the committee.
- (7) No faculty member who is a candidate for promotion may be a member of the Committee on Promotions and Tenure during the year of candidacy.
- (8) The Committee on Promotions and Tenure shall have the following duties and responsibilities:
- (a) The major purpose of the committee is to provide faculty counsel to the Chancellor in accord with the “University Promotions and Tenure Guidelines” (Section II, Part B). No member of the Committee on Promotions and Tenure may be present during the discussion of or vote on a tenure or promotion decision involving a candidate from the committee member's academic unit or a candidate reviewed by the committee member for tenure or promotion at a lower evaluative level. (The academic unit is that unit responsible for forwarding the initial recommendation for promotion and tenure.)
 - (b) For those cases considered by the Committee on Promotions and Tenure in accordance with the “University Promotions and Tenure Guidelines” (Section II, Part B), a report shall be sent directly to the Chancellor.
 - (c) After the committee has reported to the Chancellor, the Chancellor shall call a meeting of the committee to obtain its counsel.
 - (d) The Chancellor’s decision on candidates reviewed by the committee in accordance with the “University Promotions and Tenure Guidelines” (Section II, Part B) shall be shared with the committee, and they shall have an opportunity to comment before the decision becomes final. But in any case in which there is a negative decision by the Chancellor, this decision shall be shared with the committee, and they shall have an opportunity to review the case and convey their comments to the Chancellor before the decision becomes final.
 - (e) All meetings of the Committee on Promotions and Tenure shall be in executive session.
 - (f) The committee will review promotion and tenure policies and procedures yearly and will recommend modifications and changes in committee function and guidelines to the Faculty Senate.
 - (g) The Senate will provide opportunities for General Faculty review on all proposed modifications and changes before making recommendations to the General Faculty for approval.

SECTION 13. Senate Bylaws Committee

- (1) The Senate Bylaws Committee shall consist of at least three members of the Senate appointed by the Chair.
- (2) The Chair of the Senate shall appoint the chair of the committee.
- (3) The committee shall recommend to the Senate for its approval procedures for conducting its business.
- (4) The committee shall maintain an accurate record of the Senate Bylaws.

SECTION 14. Bylaws

- (1) The Faculty Senate shall adopt bylaws for the purpose of conducting its business. Such bylaws shall be in accordance with this Constitution.
- (2) The Senate Bylaws may be amended by a majority vote of Senators present and voting.
- (3) Any member of the University community may review the Senate Bylaws.
- (4) In all cases not covered by this Constitution or by the bylaws adopted by the Faculty Senate, the procedure in the latest edition of *Robert's Rules of Order* shall be followed.

ARTICLE IV: BOARDS AND COMMITTEES OF THE GENERAL FACULTY

SECTION 1. Composition

All boards and committees shall be composed of members of the General Faculty and, where appropriate, students and other University employees subject to or exempt from the State Personnel Act.

SECTION 2. Structure and Operation

- (1) The Senate, pursuant to the General Statutes of North Carolina, *The Code* of the Board of Governors of The University of North Carolina, the *Code of the Board of Trustees of The University of North Carolina at Greensboro* and the Chancellor, shall establish appropriate faculty hearings and grievance committees of the General Faculty. These committees shall submit to the Senate, for its information only, summary annual reports and when pertinent, interim reports. These reports shall adhere to rules of confidentiality imposed by law and *The Code* of the Board of Governors of The University of North Carolina.

(2) The Senate, pursuant to the *Charter of the Faculty Assembly of The University of North Carolina*, shall establish the procedure for electing the delegates and alternates of The University of North Carolina at Greensboro to the Faculty Assembly of The University of North Carolina. Reports from this delegation shall be submitted to the Faculty Senate.

(3) Consistent with the powers and duties enumerated in Article III, Section 1 (2), all other boards and committees shall report to the Faculty Senate for action and shall submit annual reports to the Senate.

(4) Each board and committee shall develop rules and procedures for conducting its business. These rules and procedures shall be approved by the Senate. Subject to approval by the Senate, boards and committees may modify their charges and rules and procedures when necessary.

(5) No member of the General Faculty shall be nominated for nor hold more than one elective office including election to the Faculty Senate or to membership on a board or committee, except as indicated in Article IV, Section 2 (7).

(6) Persons holding either elected or appointed membership on a board or a committee may serve two consecutive terms. They may not be re-elected or re-appointed to the same committee until one year after the expiration of their current term, except as indicated in Article IV, Section 2 (7).

(7) Article IV, Section 2 (5) and (6) do not apply to membership on a committee held by virtue of being chair of a committee within an electoral division.

(8) No faculty member shall serve as an appointed member on more than two committees at a time except for reasons of special competence.

(9) Vacancies on appointed committees shall be filled according to rules established by the respective units.

(10) Each board and committee is empowered to appoint *ad hoc* committees, special committees and sub-committees to conduct assignments relevant to its work.

(11) All members of the boards and committees shall have the right to vote unless specified otherwise.

(12) Election and appointments to all boards and committees shall be made no later than the last regular meeting of the Faculty Senate in the spring semester. All assignments begin on July 1 and end on June 30.

SECTION 3. Evaluation

(1) The Senate shall establish written procedures for the review and evaluation of all boards and committees of the General Faculty.

(2) As necessary, the Chair of the Senate, in consultation with the Chair-Elect and the Provost, shall appoint an *ad hoc* committee of the Senate to conduct a review of boards and committees.

(3) In its review and evaluation, the Senate may, together with the office, administrator or agency to be advised, terminate, consolidate, restructure, expand or create boards and committees.

(4) The reviews and evaluations shall be available for review by any member of the University community.

ARTICLE V: AMENDMENTS

Amendments to “The Constitution of the Faculty” shall be submitted to the General Faculty after such amendments have been reviewed and approved by the Faculty Senate. Any member of the General Faculty may submit amendments to the Faculty Senate. The Chair of the Faculty Senate shall forward all amendments to the appropriate committee for review and recommendations. The Faculty Senate shall submit to the General Faculty all amendments, together with the Senate’s recommendations and rationale, for the General Faculty’s debate and action. The General Faculty may act on amendments at the General Faculty meeting in which they are introduced provided that a copy of the amendment shall have been circulated to the Senators, the Department Heads/Chairs, the Deans, and the University Librarian, and posted on the University website with notification via email to the voting members of the posting. This process of circulation, posting, and notification must occur at least seven calendar days prior to the General Faculty meeting. The Department Heads/Chairs shall make a copy of the amendment available to the members of their Departments. Amendments must receive the approval of two-thirds of the required quorum of the General Faculty members present and voting. The Secretary of the General Faculty shall forward all amendments to the Chancellor for approval.