

# **A CONSTITUTION for the FACULTY OF SOUTHERN OREGON UNIVERSITY**

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## **Preamble**

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The primary responsibilities of an institution of higher education are teaching, research and service. Specifically the institution preserves, augments, analyzes, creates, criticizes and transmits knowledge; develops skills; and fosters creative capacity and activity. These responsibilities are met by a community of scholars who must be free to exercise independent judgment in the planning and execution of their educational responsibilities. The governance of an institution of higher education shall, by deliberate and obvious design, enhance the ability of these scholars who form the institution to select and carry out their responsibilities with maximum effectiveness and integrity.

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The governance and operation of Southern Oregon University are the common responsibility of the Board of Trustees of Southern Oregon University, the University President, and the faculty. The faculty functions to meet the primary responsibilities for which the University has been organized. The faculty shall continue to be recognized as an essential participant in both the making and the implementing of educational policy.

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Therefore, to ensure the orderly development and evaluation of educational programs and policies, to perform the functions and fulfill the responsibilities of the University, to facilitate communication and cooperation among the officers of the Administration and the members of the faculty, and to promote the stability and improvement of higher education in our geographic region and in the State of Oregon, we, the President and the faculty of Southern Oregon University, do hereby establish and subscribe to this Constitution.

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## **Article 1 Name**

The organization herein defined shall be known as the faculty of Southern Oregon University, or the general faculty, or the faculty.

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## **Article 2 Membership of the Faculty**

The faculty shall consist of the President of Southern Oregon University and all persons who hold appointments with a rank of professor, associate professor, assistant professor, senior instructor, or instructor, and whose full-time equivalent is at least fifty percent teaching, research, or administration at Southern Oregon University.

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## **Article 3**

### **Faculty Participation and Authority**

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#### **Section 1. Faculty Authority**

The authority of the faculty is subject to federal law, state law, the Oregon Administrative Rules, and The Internal Management Directives of the Board of Trustees of Southern Oregon University.

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#### **Section 2. Faculty Participation**

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##### **I. Advice to the President**

The faculty shall have the right to act upon all matters of educational policy within the limits prescribed by federal and state law and the regulations of the Board of Trustees of Southern Oregon University and make recommendations to the President.. Educational policy pertains to but is not limited to such fundamental matters as curriculum, methods of instruction, program evaluation, facilities, materials for instruction, standards for admission and retention of students, and criteria for granting of degrees. This participation also includes those aspects of student life that relate directly to the educational process, such as the establishment of regulations on extracurricular activities, and freedom of action and expression.

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##### **II. Participation in Faculty Appointments, Tenure, and Promotion**

The faculty shall have the right to make recommendations in the establishment and implementation of all policies and procedures related to faculty appointments, faculty tenure and faculty promotion.

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##### **III. Participation in Selection of Academic Officers**

Presidents, Directors, and other academic administrative officers must have the confidence of the rest of the faculty and should be qualified for full faculty membership by training, experience, and continued interest in teaching and research. Therefore, the faculty shall make recommendations to the Board of Trustees of Southern Oregon University and/or the University President regarding the selection of such officers, the evaluation of their performance and the creation or abolition of their offices.

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##### **IV. Participation in Budgetary Matters**

Budgetary matters affect educational policies and practices, and the public image of the University. Therefore, the faculty shall review University operations and make recommendations to appropriate authorities regarding budget planning within the Board of Trustees of Southern Oregon University and the allocation of institutional funds to and within Southern Oregon University.

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##### **V. Faculty Senate**

The faculty will normally exercise the above participation and advisory roles through its representative body, the Faculty Senate, and its standing and ad hoc committees. Whenever the Faculty Senate makes a written recommendation to an Administrator, this Administrator or their delegate must report to the Senate how the recommendation was acted upon. The faculty shall have the right, however, to review and approve or disapprove any action of the Faculty Senate as hereinafter provided.

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### **Section 3. Divisional Authority**

Within the limits of policies established by the general faculty and its Senate working with the University President, the policies and the practices within a program or Division shall be determined by the faculty members of the program or Division and will normally be implemented by the person administering the program or Division.

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## **Article 4 Organization of the Faculty**

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### **Section 1. Faculty Officers**

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#### **I. Presiding Officer**

The University President is the presiding officer of the faculty. In the president's absence, or by delegation of the President, the Provost shall preside at meetings of the faculty. In the absence of both the President and the Provost, the Faculty Senate Chair shall preside.

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#### **II. Secretary of the Faculty**

The elected Secretary of the Faculty Senate concurrently shall hold the office of the Secretary of the faculty. The Secretary shall record minutes only for faculty business meetings (see 0.423) and circulate copies to all faculty members within one week following those meetings. In the absence of the Secretary, the presiding officer shall appoint a Secretary pro tem for that particular meeting.

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### **Section 2. Meetings of the Faculty**

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#### **I. Schedule**

Meetings of the faculty may be called by the University President, by the Faculty Senate, or by written petition to the Faculty Senate Chair by ten percent of the faculty. Faculty meetings may be either informational or business in nature. There shall be at least one informational meeting of the faculty scheduled within the first three weeks of each academic term, exclusive of summer session. Written notice of any meeting of the faculty must be circulated to all faculty members by the University President or by the secretary of the faculty at least one week prior to the date of the meeting.

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#### **II. Rules of Procedure for Informational Meetings**

Informational meetings, in addition to the one scheduled each academic term, may be called (as provided in 0.421) whenever a need arises to provide information to or to obtain comment from the faculty. No formal action by the faculty may occur at an informational meeting; therefore, no quorum is necessary. The agenda for informational meetings shall be determined by the person or group calling the meeting and will normally be circulated along with the written notice. The person or group setting the agenda may provide time for announcements by members of the general faculty.

### III. Rules of Procedure for Business Meetings

#### A. Faculty Voice in Meetings

The presiding officer shall assure that every member of the faculty shall have free and equal voice in its deliberations and conclusions.

#### B. Agenda

1. Any member of the faculty may submit agenda items to the secretary of the faculty up to four days prior to announced meetings.
2. To ensure proper consideration, the agenda for a meeting of the faculty shall be circulated to all faculty members at least three working days prior to the meeting.

#### C. Policy Issues

No matter concerning educational policy shall be considered at any meeting if it does not appear on the printed agenda, nor may a policy issue appear on the printed agenda if it has not previously been approved for inclusion by the Faculty Senate or by written petition to the Faculty Senate Chair by ten percent of the faculty.

#### D. Quorum

Forty percent of the faculty shall constitute a quorum at any business meeting of the faculty.

#### E. Voting

1. Actions of the faculty shall normally be determined by simple majority of those present and voting at a faculty meeting.
2. Written balloting by the faculty may be called for by a majority of those present and voting, or by a written petition signed by 25 percent of the faculty and submitted to the Chair of the Faculty Senate within two weeks, excluding vacation periods, after the faculty meeting. In such cases, action shall be determined by a majority of the ballots returned, provided a majority of the eligible faculty participates in the voting. The Elections Committee of the Faculty Senate shall conduct such balloting.

#### F. Parliamentary Rules

In the absence of special regulations to the contrary, the latest edition of Roberts Rules of Order shall govern the procedure of all meetings. The Senate Chair shall appoint, from the faculty-at-large, a parliamentarian to rule on all matters of procedure.

### Section 3. Faculty Review and Veto

The faculty reserves the right to veto any action taken or recommendations made by its representative body, the Faculty Senate. Such veto shall require a majority vote of those present and voting at a faculty business meeting. A written ballot of the faculty may be called for by a majority of those present and voting, or by a written petition signed by 25 percent of the faculty and submitted to the Faculty Senate within two weeks, excluding vacation periods, after the faculty meeting at which the action to be reviewed occurred. In such cases action shall be determined by a majority of the ballots returned, provided a majority of the eligible faculty participate in the voting. The Elections Committee of the Faculty Senate shall conduct the balloting. If faculty review by written ballot is ordered, the University President may appoint two poll observers to monitor the balloting process.

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## **Article 5 The Faculty Senate**

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### **Section 1. Membership**

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#### **I. Composition**

The Senate shall consist of 24 members elected from the faculty. As many as 20 members shall be elected by subdivisions of the faculty in accordance with the bylaws, section 1, of this Constitution. Positions not allocated to subdivisions shall be elected at large. No fewer than four members of the Senate shall be nominated and elected at large from the faculty.

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#### **II. Term of Office**

A faculty member elected to the Senate serves for three years and is eligible for reelection.

Upon completing a second consecutive full term, a senator becomes ineligible for reelection; one year must pass before that faculty member is eligible to serve again.

There is no limitation to the number of terms that a faculty member may serve on the Senate.

Eight of the Senate seats shall become vacant annually.

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#### **III. Responsibility**

All members of the Senate are uninstructed representatives. It is their responsibility, however, to seek the views and opinions of their colleagues. Having exercised such responsibility, the members shall be free to make decisions and vote on matters according to their own judgments.

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### **Section 2. Authority and Functions of the Senate**

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#### **I. Authority**

The Senate shall have the *sole* authority and responsibility to act for and on behalf of the faculty. Actions of the Senate shall be effective without further approval of the faculty except that such actions shall be subject to appeal, review and veto (see 0..430 above).

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#### **II. Functions**

Within the framework established by the Board of Trustees of Southern Oregon University, the Senate as the representative body of the faculty shall:

- A. Maintain such committees and councils as are necessary for the welfare and operation of the University.
- B. Receive and consider reports from committees and councils and take appropriate action thereon.
- C. Act upon all new courses and curricula, as well as changes in established courses and curricula.

- D. Inform the faculty concerning its actions and recommendations.
- E. Take all necessary steps to ensure the successful operation of the functions and procedures provided by this Constitution and its Bylaws. And, when appropriate, the Senate shall:
  - 1. Recommend requirements for admission and for degrees.
  - 2. Review the University budget and the allocation of institutional funds and make recommendations as needed.
  - 3. Conduct studies on matters affecting University policy.
  - 4. Review such rules and regulations as desirable to promote the interests of the faculty and the policies of the University and make recommendations as needed.
  - 5. Evaluate the various units and operations of the University--academic, financial, administrative--and forward recommendations to appropriate authorities concerned.

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### **Section 3. Organization of the Senate**

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#### **I. Officers**

- A. The Senate shall elect from its membership a Chair, a Chair-Elect, and a Secretary. The election shall take place at the Faculty Senate meeting described in Bylaw Section 1.126.
- B. The Chair shall be afforded release time for each academic quarter of service. Such release time shall be equal to 0.333 FTE service.

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#### **II. Meetings**

##### **A. Regular Meetings**

Regular meetings of the Senate will be held at 4:00 p.m. on the first and third Mondays of each month throughout the academic year.

##### **B. Special Meetings**

Special meetings may be called at any time during the calendar year by the Chair of the Senate, by a majority vote of the Senate, or by any five members of the Senate through petition to the Chair. The Chair of the Faculty Senate shall circulate notification of such meetings with an agenda to the Senate membership at least three days prior to the meeting.

##### **C. Emergency Meetings**

Emergency meetings of the Senate may be called by the University President or by the Chair of the Senate when action is required that cannot be delayed until a regular or special meeting of the Senate. Members will be notified at least twenty-four hours prior to the emergency meeting.

- 1. The agenda of an emergency meeting will be restricted to emergency items only.
- 2. The first agenda item of an emergency meeting will be a presentation of the need for the meeting. A simple majority vote declaring an emergency shall be required before the meeting may continue.

3. Actions at an emergency meeting of the Senate shall require a two-thirds majority of those present, or a majority of the Senate membership, whichever is the smaller number.
4. A review of the actions taken at an emergency meeting will be reported by the Chair at the first regular or special meeting of the Senate. At the time of this review any Senate member may call for reconsideration of the actions taken at the emergency meeting.

#### **D. Open Meetings**

1. The Senate is not a public body subject to public meetings laws and therefore its meetings are not open to the general public. The regular, special and emergency meetings of the Senate are, however, open to all members of the faculty unless a meeting, or a portion of a meeting, is declared to be in executive session by a vote of the Senate. Additional visitors are welcome to attend Senate meetings at the discretion of the Chair. An executive session is open only to the members of the Senate. The use of executive session by the Senate shall be limited to those purposes allowed by ORS 192.610(2) of the Oregon Open Meeting Law.
2. Visitors at Senate meetings may be allowed to enter into the discussions with permission of the Senate Chair.

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### **III. Rules**

The Senate is empowered to make rules governing its own internal organization and procedures subject to the conditions of this Constitution and the following rules:

#### **A. Quorum**

A majority of the membership (Senate) shall constitute a quorum for Senate meetings.

#### **B. Voting**

All actions of the Senate shall be by simple majority of the members present and voting except as specified otherwise in this Constitution and its Bylaws.

#### **C. Minutes**

The minutes of Senate meetings shall be distributed to the faculty no later than ten calendar days following a specific meeting.

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### **IV. Agenda.**

#### **A. Publication**

At least three school days prior to any regular or special meeting, the Chair of the Senate will publish an agenda for the meeting and circulate it to the faculty.

#### **B. Items Submitted by Faculty**

The Chair must place on the agenda of the next regular meeting all items that are submitted by petition signed by at least ten percent of the faculty.

#### **C. Items Not on Agenda**

Items not on the agenda of a regular or special meeting may not be voted upon at that meeting if two members of the Senate request a delay.

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## **Article 6 Amendment**

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### **Section 1. Amendment of the Constitution**

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#### **I. Proposal of Amendment**

An amendment to this Constitution may be proposed either:

##### **A. By the Senate**

by two-thirds of the Senate present and voting at a meeting following the meeting at which the amendment was introduced for discussion, or

##### **B. By Initiative Petition of the Faculty**

by an initiative petition signed by 20 percent of the faculty and presented to the Chair of the Senate.

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#### **II. Discussion of Proposed Amendment by Faculty**

The proposed amendment shall be placed on the agenda for discussion at the next meeting of the faculty and circulated to the faculty at least one week prior to the meeting.

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#### **III. Vote on Amendment**

Following the faculty meeting, the Elections Committee of the Faculty Senate shall conduct a secret ballot vote on the proposed amendment. Approval requires a two-thirds vote of those eligible faculty voting or a majority of the faculty, whichever is larger.

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#### **IV. Approval of Amendment**

Once approved by the faculty, the proposed amendment shall be submitted to the President for approval. Should the President disapprove the proposed amendment, it shall be returned to the Chair of the Faculty Senate.

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#### **V. Incorporation into the Constitution**

The proposed amendment shall become part of this Constitution once approved by the faculty and the President.

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### **Section 2. Amendment of the Bylaws**

The Bylaws of this Constitution may be amended by two-thirds of the Senate present and voting, provided the amendment has been circulated to the faculty by the secretary of the Senate at least seven school days before it appears on the agenda of a regular Senate meeting, and by approval of the President.