

CHAPTER II THE CONSTITUTION OF THE FACULTY OF CLEMSON UNIVERSITY

The faculty of Clemson University was first formally organized in 1956, with separate constitutions and bylaws for the academic faculty and for the research faculty. In 1970 these two bodies were unified under a single constitution and bylaws of the Clemson University Faculty, with the Faculty Senate as the sole representative assembly of the faculty. A second major revision, approved by the Clemson University faculty on December 11, 1981, and by the Clemson University Board of Trustees on January 22, 1982, incorporated the collegiate faculties and the university curriculum committees into the formal faculty organization. As part of this thorough revision, a unitary *Constitution* format was adopted in place of the previous constitution and bylaws structure.

THE CONSTITUTION OF THE FACULTY OF CLEMSON UNIVERSITY

PREAMBLE

To fulfill its role of preserving, interpreting, and advancing knowledge, a university depends upon the scholarship and professionalism of its Faculty. It is by virtue of that scholarship and professionalism that university faculties are entrusted with major responsibilities with respect to academic issues and concerns. In recognition of these principles, Clemson University makes provision for faculty participation in planning, policy-making, and decision-making with regard to academic matters. The university also provides for such participation in matters of faculty welfare and general university concern.

To facilitate such participation the Faculty is formally organized in accordance with this *Constitution* as approved by the Clemson University Board of Trustees. Various faculty functions are assigned to an elected assembly, the Faculty Senate; to the Undergraduate and Graduate Curriculum Committees; and to the collegiate faculties and their respective departmental faculties. For the purposes of this *Constitution*, the term “department” shall designate a discipline-specific, self-governing unit within a school or college. In addition, the faculty is represented on various university councils, commissions, and committees, which act in concert with the university administration in developing university policies and procedures.

ARTICLE I: THE FACULTY

Section 1. Membership

The Faculty of Clemson University consists of the President; Executive Vice President for Academic Affairs and Provost; other administrators with faculty rank; faculty with regular appointments as Professor, Associate Professor, Assistant Professor, or Instructor; Librarians; Emeritus Faculty; and such other individuals as the faculty may duly elect. A petition for the election to membership in the Faculty of any person who is not automatically a member must be submitted to the Faculty Senate and referred by that body, with its recommendation, to the faculty for action at the next regular meeting of the faculty. Election to membership shall be by simple majority vote of the members present.

Section 2. Functions

The functions of the Faculty shall be to approve candidates for degrees; to fulfill its responsibilities in academic matters such as curriculum, requirements for earned degrees, academic regulations, admissions, and registration; through departmental and collegiate review processes to recommend the appointment, tenure, and promotion of its prospective and current members; to participate in the selection and evaluation of academic administrators as provided for in established university policies; to participate in formulating policies affecting the teaching, research, and public service functions of the university; and to consider any matters that may affect the welfare of its members.

On matters pertaining specifically to the individual colleges, these functions are exercised by the collegiate faculties, with review at the university level as specified by established university policies. Similarly, the collegiate faculties recognize the primary authority of the faculty of each academic department on academic matters pertaining to that department. The faculty may refer to the Faculty Senate for investigation and action matters that relate to the welfare of the faculty, as well as to the teaching, research, and public service policies of the university, and other matters of general institutional concern. The Undergraduate and Graduate Curriculum Committees act for the faculty in reviewing curricular proposals emanating from the several collegiate faculties, and recommend their disposition to the Executive Vice President for Academic Affairs and Provost.

The faculty shall receive regular reports from the Faculty Senate, and may act upon any matters brought before it by the Faculty Senate or by individual faculty members.

Section 3. Officers

The Executive Vice President for Academic Affairs and Provost shall be the chair of the Faculty. The Provost shall appoint a secretary and, when necessary, shall appoint an acting chair to serve in his or her absence.

Section 4. Meetings

A regular meeting of the faculty shall be held at the beginning of the academic year. Special meetings of the faculty may be called by the Chairperson, by the Faculty Senate, or by written petition of at least ten percent of the faculty. A notice of the meeting and the agenda shall be distributed to the faculty at least ten days in advance of the meeting.

The quorum for any meeting of the Faculty shall be that number of members deemed necessary by the chair to transact business other than the amendment of this *Constitution*.

For any meeting of the Faculty, the following order of business shall be adhered to:

1. Call to Order;
2. Reports;
3. Unfinished business;
4. New business;
5. Adjournment.

The Minutes of each faculty meeting shall be approved by the Faculty Senate.

Section 5. Rules of Order

The Faculty shall conduct all parliamentary procedure in accordance with the most recent edition of *Robert's Rules of Order*.

ARTICLE II: THE FACULTY SENATE

Section 1. Functions

The Faculty Senate is the representative assembly of the faculty. It represents the faculty of Clemson University in its relationship with the university administration; recommends new policies or changes in existing policies to the Executive Vice President for Academic Affairs and Provost; and promotes the welfare of the faculty and of its individual members. Specifically, the Faculty Senate acts:

1. to review and recommend academic policies, procedures, and practices at the university level;
2. to preserve collective and individual faculty prerogatives as they are set forth in established university policies and procedures;
3. to make recommendations on matters affecting faculty welfare;

4. to provide good offices for the redress of faculty grievances; to articulate and promulgate faculty positions on issues of general concern within the university;
5. to maintain liaison with the faculties of other colleges and universities on matters of common concern.

The Faculty Senate President shall report annually at the meeting of the faculty held at the beginning of the academic year. To keep the faculty adequately informed, special reports shall be made as necessary.

Section 2. Membership

Members of the Faculty Senate shall be elected by the faculty, voting by colleges in accordance with policies and procedures set forth in the bylaws of the several collegiate faculties. These bylaws may also establish provisions for the recall of faculty senators from the college, with the exception of those holding elected Senate office. Senate terms shall be three years except as otherwise provided. For the allocation of Senate seats and all other provisions of this article, the librarians shall be considered as a faculty representing a college.

Any member of the Faculty may be eligible for membership on the Faculty Senate, except department chairs, school directors, deans, the Executive Vice President for Academic Affairs and Provost, vice Provosts, vice presidents, the president, and others with primarily administrative duties.

Elections shall be held in March of each year, with terms of office to begin with the April meeting of the Senate. The election of members of the Faculty Senate shall be by secret ballot.

When a new college is officially established it shall be entitled to representation in the Faculty Senate as soon as an election can be held. A new college shall have one member in the Faculty Senate until the next allocation of seats. Whenever a new college is established, the next allocation of seats shall be obtained in the February following official establishment.

Vacancies created on the Faculty Senate for any cause shall be filled for the unexpired terms by supplementary elections within the colleges concerned as soon as such vacancies occur. Senators absent for the summer or for other temporary leaves such as sabbaticals, or appointed to temporary or interim administrative positions, shall request leaves of absence from the Senate and shall be replaced during their absences by substitutes elected by the Collegiate Faculty.

Each college, except the Library, shall elect two alternates on a yearly basis; the Library shall elect one. Alternates may twice succeed themselves. An alternate shall have the status of a full member at any Senate meeting attended in place of a regular member.

With the exception of those Senators who have served one year or less, members of the Faculty Senate may not succeed themselves.

As a rule, there shall be thirty-five members of the Faculty Senate. Emeritus faculty are excluded from the Faculty count for the purpose of Senate seat allocation. Senate seats shall be allocated according to the ratio of the number of members of the Faculty in a college to the total number of members of the Faculty in the university. Each college shall have as many seats as are in the nearest whole number when its ratio is multiplied by thirty-five, provided each college has at least one representative. For the purposes of this calculation, the Library is considered a college.

If the total number of seats allocated thus far is less than thirty-five, the remaining seats are allocated to the colleges with the larger fractions until there is a total of thirty-five members. If this formula produces an exact tie for a seat, each college involved shall be awarded a seat.

The Faculty Senate President shall obtain a new allocation from the Chairperson of the Faculty during February of every odd-numbered year after the most recent allocation. This allocation shall be given to the dean of each college in time for the March election and shall control the numbers elected to the Faculty Senate at that time. If one or more members are gained, the collegiate faculty

may designate new seats to have terms of less than three years in order to balance the terms within the college delegation. If one member is lost in the new allocation, one fewer member shall be elected to the Faculty Senate at that election. If the new allocation results in the loss of one or more members whose terms have not expired, the membership of the Senate shall be temporarily enlarged to accommodate the new allocation. New allocations shall be based on the number of members of the Faculty at the beginning of the fall semester.

Section 3. Officers

The officers of the Faculty Senate shall be the President, the Vice President, who shall be the President-Elect, and the Secretary. The Vice President and the Secretary shall be elected at the regular meeting in March of each year. The term of a Senator shall be extended one time, if necessary, to permit him or her to initiate or complete his or her service as an officer. Should such an extension of term be necessary, his or her successor will serve a three-year term, which will commence at the completion of the officer's term. The advisory committee shall submit to the Senate no less than two nominees for each elective office. Election of officers shall be by secret ballot, with a simple majority required for election.

In order to recall an officer of the Faculty Senate, a petition signed by not less than two-thirds of the elected members of the Senate shall be required. If an office is vacated by recall, resignation, or other cause, the Faculty Senate shall elect at the next regular meeting a successor for the unexpired term.

The retiring officers shall serve at the April meeting through the completion of Unfinished Business. The retiring president shall give the Senate report at the subsequent meeting of the Faculty.

Section 4. Meetings

The date and time of the regular monthly meetings of the Faculty Senate shall be determined by the advisory committee. The schedule of the meetings for the year shall be announced not later than the first day of May through appropriate communications. With the approval of a majority of the advisory committee, special meetings of the Faculty Senate may be called at any time by the Faculty Senate President.

Except for executive sessions, all meetings of the Faculty Senate shall be open to any member of the faculty. Any member of the faculty may present any problem or suggestion to the Senate for the Senate's consideration, provided the faculty member notifies the Faculty Senate President at least one week prior to the Senate meeting. Visitors may be invited by a member of the advisory committee to participate in any specific discussion.

Two-thirds of the membership of the Faculty Senate shall be the quorum for the transaction of all business.

Section 5. Committees

The chairperson and at least a majority of the members of all committees of the Faculty Senate shall be members of that body, and any other members shall be members of the faculty. The basic functions of such committees shall be to consider matters pertaining to faculty concerns and to make recommendations to the Senate. Committees may act on their own initiatives or on instruction from the Senate or its presiding officer. The committees, through the Faculty Senate, may be requested by the faculty, Executive Vice President for Academic Affairs and Provost, or the President to consider and report on any matter of faculty concern.

The standing committees of the Faculty Senate shall be as follows:

The Executive Committee: shall consist of the Officers of the Faculty Senate and the chairpersons of the standing committees and the Finance Committee. The Faculty Senate President shall be chair of this committee.

The Advisory Committee: shall be composed of the officers of the Faculty Senate, a Senator from the library, two members from each college elected by the delegation of that college prior to the April meeting, and also the Immediate Past Faculty Senate President and the Faculty Representative to the Board of Trustees (both of whom shall serve in a non-voting capacity and be excluded from serving on grievance hearings). The Faculty Senate President shall be the Chair of this committee. It shall be the function of this committee to advise the Faculty Senate President and to serve as the nominating committee for the Faculty Senate. In no case shall nominations by the advisory committee preclude nominations from the Senate floor. The advisory committee shall appoint the members of the other standing committees and any special committees and shall designate the chairpersons thereof. The chairpersons of the standing committees shall as a rule be from different colleges.

The Welfare Committee: shall make recommendations concerning such policies as relate to: workloads; extra- curricular assignments; summer employment; non-university employment; salaries; leaves of absence; sabbatical leaves; professional travel; retirement; and such other policies as affect faculty welfare and morale.

The Scholastic Policies Committee: shall be concerned with all policies of an academic nature which pertain to students. Such policies include recruitment; admissions; transfer credit; class standing requirements; academic honors policies; graduation requirements; class attendance regulations; student counseling and placement; and other related policies.

The Research Committee: shall study and make recommendation on policies, procedures, and practices primarily related to research.

The Policy Committee: shall concern itself with general university policies, particularly as they relate to the Faculty. Such policies include those which pertain to: academic freedom and responsibility; faculty professional ethics; the appointment, tenure, and promotion of faculty; and faculty participation in university governance. Other matters of particular faculty interest, which are not within the purview of the other standing committees and which are not of such a specialized nature as to justify ad hoc committees, would normally be referred to the Policy Committee.

Section 6. Rules of Order

The Faculty Senate shall conduct all parliamentary procedures in accordance with the most recent edition of *Robert's Rules of Order*. A parliamentarian shall be appointed by the Faculty Senate President. The Faculty Senate shall be empowered to develop those procedural bylaws which facilitate the achievement of its purposes.

Section 7. Permanent Committees

Permanent committees, in addition to the standing committees provided for in the *Constitution*, may be created for purposes, which extend beyond those normally associated with ad hoc committees. The permanent committees of the Faculty Senate and their duties are:

The Finance Committee: investigates and reports to the Faculty Senate relevant financial matters of the university.

Section 8. Boards

The Grievance Board. The Grievance Board consists of members elected by the members of the Faculty Senate from a pool of nominees named by the Executive and Advisory Committees of the Faculty Senate in a joint meeting, and from nominations made from the floor at the Senate election meeting. The Senate shall hold an election each January to replace Grievance Board members whose terms have expired and to fill positions that have become vacant during the previous calendar year. If necessary, the Faculty Senate Advisory Committee may make interim appointments to ensure a sufficient number of members on the Grievance Board. The Faculty Senate Advisory Committee shall appoint the Chair of the Grievance Board.

Members of the Grievance Board must be tenured regular faculty at the time of their election, and shall be members, alternates, or former members of the Faculty Senate. These Grievance Board members shall consist of a representative from the Library and two representatives from each college with two-year terms of service. The Board, through selected hearing panels, hears grievances brought to it in accordance with the faculty grievance procedure.

ARTICLE III: THE COLLEGIATE FACULTIES

Section 1. Definition

The faculty members of each college within the university are organized as Collegiate Faculties according to individual college bylaws approved by the Executive Vice President for Academic Affairs and Provost.

Section 2. Functions

Each collegiate faculty exercises the authority and responsibility of the faculty on academic matters pertaining to the individual college, subject to the primary authority of the several departmental faculties on academic matters pertaining to the respective departments. Specifically, a collegiate faculty approves candidates for all graduate and undergraduate degrees, and recommends all proposals for new or revised academic requirements, courses, and curricula within the college.

Where provided by college bylaws, collegiate peer review processes offer recommendations on appointment, re-appointment, tenure, and/or promotion in addition to the primary recommendations which emanate from the review processes of the several academic departments.

ARTICLE IV: THE CURRICULUM COMMITTEES

Section 1. Definition

The University Curriculum Committees act for the faculty in reviewing all proposals for curricular changes, and recommend such changes to the Executive Vice President for Academic Affairs and Provost. The Undergraduate and Graduate Curriculum Committees shall have jurisdiction over undergraduate and graduate matters respectively.

Section 2. Membership

The Undergraduate Curriculum Committee shall be comprised of the Dean of Undergraduate Studies or other member of the Provost's staff designated by the Provost as non-voting Chairperson, plus two representatives of the undergraduate curriculum committees of the several colleges, one of whom will be the chair of the college committee and the other elected by the college committee. Similarly, the Graduate Curriculum Committee shall likewise be composed of a non-voting Chairperson from the Provost's staff, plus representatives of the graduate curriculum committees of the several colleges, one of whom will be the chair of the college committee and the other elected by the college committee. Should a college have a single curriculum committee, the chairperson and one other representative elected by the college committee shall serve on the University Undergraduate Curriculum Committee and the college committee shall elect two representatives to the University Graduate Curriculum Committee.

Section 3. Procedure

The curriculum committees shall review all curricular proposals in their respective areas of jurisdiction that emanate from the several collegiate faculties, and shall ensure the adherence of such proposals to all applicable university policies and regulations. The curriculum committees may initiate curricular proposals whose effects would be university-wide, but may not act upon such proposals until all collegiate faculties have had an opportunity to review and respond to them.

Curricular proposals recommended by either university curriculum committee shall be submitted to the Executive Vice President for Academic Affairs and Provost. The Provost shall forward these

curricular proposals with his or her recommendations to the President for final approval. The Provost shall inform the curriculum committees and all affected collegiate faculties of the President's actions.

ARTICLE V: AMENDMENT

Constitutional amendments may be proposed by either of two methods.

A proposed amendment may be submitted by at least ten members of the faculty to the Faculty Senate at a regular meeting of that body. The Faculty Senate must vote on the proposed amendment at no later than the fourth meeting after submission. A simple majority vote is required for the proposed amendment to be submitted to the faculty. Alternatively, a proposed amendment to this *Constitution* may be submitted in writing to the Executive Vice President for Academic Affairs and Provost one month before the next scheduled faculty meeting. Signatures of at least ten percent of the members of the faculty must accompany the proposed amendment in order to validate the proposal.

The Provost shall publicize a proposed amendment at least three weeks prior to the meeting at which action is to be taken. Amendments may be considered at any duly called meeting of the Faculty where the required quorum is present. A two-thirds majority vote is required of the members who are present at a duly called meeting, where a quorum exists of at least one-half of the faculty (exclusive of emeritus faculty). The vote may be taken by voice or by ballot (the form of the ballot to be approved by the Faculty Senate); however, only one methodology may be utilized for all members voting at the meeting. Participation in the meeting, whether corporal or by means of conference telephone, videoconferencing equipment, or similar communications equipment shall constitute presence at such meeting so long as all members participating in the meeting can hear each other. The similar communications equipment must include a synchronous, two-way audio communication channel. Any amendment passed by the faculty shall become effective upon approval by the Clemson University Board of Trustees.