

9-15-1977

Report of the Constitution, By-Laws and University Manual Committee (July 15, 1977)

University of Rhode Island Faculty Senate

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UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

FACULTY SENATE
BILL

Adopted by the Faculty Senate

RECEIVED
UNIVERSITY OF R. I.
SEP 20 1977
OFFICE OF THE PRESIDENT

TO: President Frank Newman


FROM: Chairman of the Faculty Senate

1. The attached BILL, titled Report of the Constitution, By-Laws and University Manual Committee (July 15, 1977)

is forwarded for your consideration.

2. The original and two copies for your use are included.
3. This BILL was adopted by vote of the Faculty Senate on September 15, 1977 (date)
4. After considering this bill, will you please indicate your approval or disapproval. Return the original or forward it to the Board of Regents, completing the appropriate endorsement below.
5. In accordance with Section 8, paragraph 2 of the Senate's By-Laws, this bill will become effective on October 6, 1977 (date), three weeks after Senate approval, unless: (1) specific dates for implementation are written into the bill; (2) you return it disapproved; (3) you forward it to the Board of Regents for their approval; or (4) the University Faculty petitions for a referendum. If the bill is forwarded to the Board of Regents, it will not become effective until approved by the Board.

September 16, 1977
(date)


Robert M. Gutchen
Chairman of the Faculty Senate

ENDORSEMENT 1.

TO: Chairman of the Faculty Senate

FROM: President of the University

1. Returned.
2. Approved ✓. Disapproved _____.
3. (If approved) In my opinion, transmittal to the Board of Regents is not necessary.

Sept 21, 1977
(date)


President

(OVER)

ALTERNATE ENDORSEMENT 1.

TO: Chairman of the Board of Regents

FROM: The University President

1. Forwarded.
2. Approved.

(date)

President

ENDORSEMENT 2.

TO: Chairman of the Faculty Senate

FROM: Chairman of the Board of Regents, via the University President.

1. Forwarded.

(date)

(Office)

ENDORSEMENT 3.

TO: Chairman of the Faculty Senate

FROM: The University President

1. Forwarded from the Chairman of the Board of Regents.

(date)

President

Original received and forwarded to the Secretary of the Senate and Registrar for filing in the Archives of the University.

(date)

Chairman of the Faculty Senate

UNIVERSITY OF RHODE ISLAND

Kingston, Rhode Island

FACULTY SENATE

CONSTITUTION, BY-LAWS AND UNIVERSITY MANUAL COMMITTEE

Report to the Faculty Senate

July 15, 1977

Faculty Senate CBUM
Report

The Dean

3.40.13 ~~the~~ shall be the administrative authority for offerings of any approved course in the division and summer session, including all courses for credit such as seminars, special problems and workshops and including conferences, institutes, short courses and in-service courses off-campus. Professors are not authorized to make individual arrangements for special courses without the approval of the academic deans of colleges concerned and of the Dean of the Division of University Extension. The Registrar shall not accept nor record grades for students in any course not previously authorized by the dean of the division.

6. Change sections 4.60.15, 8.46.13, and 8.46.20 as follows:

Change "Dean of the Summer Session" to "Dean of the Division of University Extension."

I. Matters of Information:

The Constitution, By-Laws and University Manual Committee has prepared the following changes to the University Manual in order to implement Faculty Senate Bills #76-77--41 "One Hundred and Thirty-Fourth Report of the Curricular Affairs Committee" and #76-77--44 Recommendations from the Graduate Council for Changes in Procedures Relating to Graduate Assistantships" which were approved by the Faculty Senate on May 19, 1977 and by President Newman on June 8, 1977. All changes are editorial and are presented to the Faculty Senate for information.

A. Senate Bill #76-77--41

1. Delete "Dean of the Summer Session" from sections 2.11.11, 4.11.10, 4.12.11, and from the organizational chart under "Vice President for Academic Affairs" in appendix D.
2. Delete sections 2.32.10, 3.41.11 and 3.41.12.
3. Renumber section 3.41.10 as 3.40.11 and 3.40.11, 3.40.12, 3.40.13, 3.40.14 and 3.40.15 as 3.40.12, 3.40.13, 3.40.14, 3.40.15 and 3.40.16.
4. Change section 3.40.12 (3.40.11) as follows:
3.40.12 The Dean of the Division of University Extension shall be responsible for the administration of the division and of Summer Session. ~~The Dean~~ shall appoint temporary lecturers in consultation with the department chairmen and with approval of the deans of colleges concerned.
5. Change section 3.40.13 (3.40.12) as follows:

B. Senate Bill #76-77--44

1. Add the following new sections 7.81.10 and 7.81.11:

7.81.10 Allocation of Graduate Assistantships. General allocation of graduate assistantships shall be made to colleges and by them to departments on a three-year basis, subject to review in the Fall of the third academic year. This provision shall not preclude an interim review and reallocation where a major change occurs in the underlying premises for allocation (e.g. change in undergraduate or graduate enrollment, consolidation or separation of departments or programs, or a change in the budget).

7.81.11 The triennial and interim reviews of allocation of graduate assistantships shall be conducted by the Dean of the Graduate School and the Assistant Vice President for Academic Affairs in cooperation with the Dean of the College or head of the Administrative unit concerned. Recommendations based on these reviews shall be submitted to the Vice President for Academic Affairs. In cases of disagreement, the decision of the Vice President for Academic Affairs shall be final.

2. Add the following new section 7.82.10:

7.82.10 Guidelines on Apportionment and Assignment of Graduate Assistantships. Each department or other unit shall draft guidelines on how its graduate assistantships are apportioned and assigned. These guidelines shall be made available to graduate students with the initial and each subsequent offer of an assistantship and upon request. Currently enrolled graduate assistants shall be notified of their status for reappointment about April 1 of each year.

3. Add the following new sections 7.83.10 and 7.83.11:

7.83.10 Written Description of Duties of Graduate Assistants and Graduate Research Assistants. Each department or other unit to which assistantships have been allocated shall prepare a written list of duties normally assigned to graduate assistants (7.11.12) and graduate research assistants (7.11.13). This list shall be provided to each prospective graduate assistant and graduate research assistant at the time of the initial offer of the assistantship. When a graduate student is assigned or reassigned to a specific position, the department shall provide the student with a written description of the specific duties to be performed. This description shall include the extent of responsibilities (including where applicable the extent of responsibility for determining grades), the approximate working hours per week and the way in which the assistant is to be supervised. Copies of this description shall be provided to the immediate supervisor, the College Dean or administrative head of the unit concerned, and the Dean of the Graduate School.

7.83.11 Questions arising over the conditions of employment of graduate assistants, when not settled at the department level shall be referred to the College Dean or administrative head and Dean of the Graduate School, who shall consult with each other. If the questions are not resolved at this level, they shall be referred to the Assistant Vice President for Academic Affairs, whose decision will be final.

II. Matters Which Require Confirmation by the Faculty Senate:

The Constitution, By-Laws and University Manual Committee recommends that the Faculty Senate adopt the following changes to the University Manual in order to implement Senate Bill #76-77--23 "Recommendations of The Ad Hoc Committee on Judicial System Review," approved by the Faculty Senate on March 10, 1977 and by President Newman on March 23, 1977 and Senate Bill #76-77--41 "One Hundred and Thirty-Fourth Report of the Curricular Affairs Committee," approved by the Faculty Senate on May 19, 1977 and by President Newman on June 8, 1977.

A. Senate Bill #76-77--23

1. That the Faculty Senate rescind its vote of March 10, 1977 adopting the recommendations proposed by the Ad Hoc Committee on Judicial System Review.
2. That the following new sections be added to the University Manual and present sections 5.19.10 through 5.20.14 and 9.20.10 through 9.22.10 be deleted:

5.19.10 The University Board on Student Conduct shall hear cases of alleged violations of non-academic community standards of behavior or university policies, referred to it by the Department of Student Relations and Research. Procedures to be followed are found in sections 9.20.12, 9.21.10 and 9.23.10 - 9.23.18.

5.19.11 The Board shall comprise six student members and one Faculty member. A student member shall be elected to chair the board by a majority vote of the board.

5.19.12 The faculty member shall hold the rank of assistant professor or above. He/She shall be appointed by the Chairperson of the Faculty Senate. One faculty alternate shall be appointed by the Chairperson of the Faculty Senate. The term for the faculty member and alternate shall normally be two years. Appointments shall be made on a staggered basis.

5.19.13 At least one student out of each of the following groups shall be represented: graduate students, fraternities/sororities, university dormitory residents and commuters. Only full-time students shall be allowed to serve. New student members shall be selected by the existing board at a meeting toward the end of the spring semester. Vacancies for student members shall be widely publicized to the campus community at least 14 days prior to the selection, and applications shall be solicited. Care shall be taken that the interests of minority groups be considered in the solicitation and selection process. New students shall, when first selected, be appointed for one academic year. After having served for one year, they shall be eligible for permanent membership which is conferred by a favorable vote of a majority of the board members (excluding the student under consideration) and the approval of the Student Relations and Research Advisor. A permanent student member shall remain on the Board as long as he/she is a full-time student and as long as he/she does not resign. If a vacancy occurs prior to the regularly scheduled selection, a special meeting shall be held to select a new member. A new member selected at a special meeting shall be eligible to become a permanent member if his/her selection precedes the regular selection of members by at least 60 days. The names of new members shall be forwarded to the Presidents of the Student Senate and Graduate Student Association and to the Chairperson of the Faculty Senate.

5.19.14 Any member of the board who does not fulfill his/her duties may be impeached by a majority vote of the permanent members. Impeachment is defined as having formal charges of malfeasance, misfeasance or misconduct brought against a member, and will result in a formal impeachment hearing. The

impeachment hearing shall be chaired by the Student Relations and Research Advisor who shall not vote. Following a hearing the member may be removed from the board by a two-thirds vote of the permanent members.

5.20.10 The University Board on Scholastic Integrity shall hear cases concerning alleged violations of academic standards, including cheating and plagiarism. Procedures to be followed are found in sections 9.20.12, 9.21.10, and 9.23.10 - 9.23.18.

5.20.11 The board shall comprise one full-time undergraduate student appointed by the President of the Student Senate, one full-time graduate student appointed by the President of the Graduate Student Association, two members of the teaching faculty appointed by the Chairperson of the Faculty Senate and a chairperson holding the rank of assistant professor or above appointed by the President of the University. Alternates for each position shall be appointed by the appointing authorities.

5.20.12 Excepting the chairperson, board members shall be appointed for two-year terms on a staggered basis, with one student and one faculty member completing their terms each year. The chairperson shall be appointed for a three-year term. A vacancy occurring prior to the expiration of a term of office shall be filled by the alternate for the remainder of the term. If the alternate is not available, ~~the chief executive of~~ the original appointing authority shall appoint a person to serve for the remainder of the term of the vacating member.

5.20.13 A member of the board may be impeached according to procedures outlined in section 5.19.14 with the exception that the University Board on Scholastic Integrity shall conduct the formal impeachment hearing.

5.21.10 The University Appeals Board on Student Conduct and Scholastic Integrity shall hear all appeals of administrative actions (9.20.10-12) appeals of decisions of the University Board on Student Conduct, appeals of decisions of the University Board on Scholastic Integrity and appeals of decisions of any other board which may be formed at the direction of the Director of Student Relations and Research. Procedures to be followed are found in sections 9.23.10-9.23.18 and 9.24.10.

5.21.11 The board shall comprise one full-time student appointed jointly by the Presidents of the Student Senate and Graduate Student Association, one member of the teaching faculty appointed by the Chairperson of the Faculty Senate and a chairperson holding the rank of assistant professor or above appointed by the President of the University. Alternates for each position shall be appointed by the appointing authorities.

5.21.12 Excepting the chairperson, members and alternates shall be appointed for two-year terms on a staggered basis with one student and one faculty completing their terms each year. The chairperson shall be appointed for a 3 yr. term. Vacancies occurring in a board position shall be filled by the alternate for the remainder of the term. If a board position becomes vacant and no alternate is available, the original appointing authority shall appoint a replacement for the completion of the remainder of the term.

5.21.13 A member of the board may be impeached according to the procedures outlined in section 5.14.19 with the exception that the University Appeals Board shall conduct the formal impeachment hearing.

9.20.10 Disciplinary Action may be implemented only through referral of violations to the Department of Student Relations and Research. Reports of violations or complaints from campus or local police, students, faculty and administrators regarding university rules and regulations shall be submitted to the department of Student Relations and Research. A staff member of the department shall gather the facts, investigate and evaluate them. In cases of alleged non-academic violations it shall be the decision of the Department of Student Relations and Research whether the matter should or should not be referred to the Judicial System. If the situation warrants it, the Director of Student Relations and Research may appoint special judicial boards in addition to the regular boards described in sections 5.19.10 through 5.21.13.

9.21.10 Procedures for Cases of Violation of Community Standards of Behavior and University Policies. In cases where the department of Student Relations and Research decides that there is evidence of a non-academic violation which warrants referral to the judicial system, the student may admit guilt and choose administrative action (9.22.10) or either plead innocent or guilty and request a hearing before the University Board on Student Conduct (5.19.10). The accused student must choose one of the options within 72 hours of receipt of the written charge. If the alleged violation is academic, a hearing will be arranged before the University Board on Scholastic Integrity (5.20.10)

9.22.10 Procedures for Administrative Action. Within twenty (20) school days of written notification of charges, the student shall meet with a staff member of the department of Student Relations and Research to discuss the full circumstances of the charge (s). The department of Student Relations and Research shall notify the student by letter of the decision, confirming the action taken and reasons for it.

9.22.11 A record of the administrative action, including a summary of the evidence presented and decision rendered, shall be made. Such records are confidential and shall be maintained by the Director of Student Relations and Research for five years after the date of the administrative action. Access to such records is governed by University Policies for the Release and Disclosure of Information from Student Records (see section 6.12.21).

9.22.12 If a student fails to attend the initially scheduled meeting she/he may be given a rescheduled meeting or referred directly to the University Board on Student Conduct. Failure to attend the rescheduled meeting will result in an automatic referral to the University Board on Student Conduct. If the student fails to attend the initially scheduled judicial board hearing, the board shall determine whether the student's absence is for reasons that justify a rescheduled hearing or the board may judge the student in contempt. If a ruling of contempt is made, the board may either: (1) consider the case on the basis of the evidence available despite the student's absence, render a verdict, and, if the verdict is guilty, impose an appropriate penalty; or (2) assign a penalty for contempt. A further hearing will then be set for the original violation. Failure to attend the rescheduled hearing following the judgement of contempt may result in suspension.

9.23.10 Procedures for Hearings Before the University Board on Student Conduct and the Board on Scholastic Integrity. A hearing shall be held before the appropriate judicial board within 20 school days from the date of notification of formal charges to the student. Hearings will be closed with the provision that they may be open at the request of the accused. The Board may close the hearing to protect the privacy rights of individuals or to preserve order at the hearing. Notice in writing of the charges against the student and of the facts in the report of the incident in which she/he is allegedly involved, with a copy of the complete statement of judicial board procedures, shall be delivered to the student either in person or by certified mail at least 72 hours in advance of the hearing. A staff member from the Department of Student Relations and Research shall be available prior to the hearing at the request of the student for advisement regarding the alleged violation and procedural matters.

9.23.11 Each board member shall be informed of the student's name and charges at the time of the hearing. Any board member may disqualify himself/herself and either party to the case may be permitted to disqualify a prospective member if he/she can satisfy the remaining members of the board that there is "good cause" for disqualification. An alternate member may take the place of the

disqualified member. Each judicial board must have a method of choosing and seating replacements without changing the board's faculty/student ratio.

9.23.12 The student shall have the right to request the assistance of an advisor of his/her choice from the University community. The advisor may not serve as a witness. Neither party shall be permitted to employ professional legal counsel or other persons from outside the University community to present the case before the board. The student must be present at the hearing (except as provided in 9.23.18). She/he and/or her/his advisor may present evidence and introduce witnesses in the student's behalf. No oaths shall be requested or allowed and the technical rules of evidence applicable to civil and criminal cases shall not apply. The board shall rule on the admissibility of evidence.

9.23.13. The accused student and/or his/her advisor shall have the right to cross-examine all witnesses and to view and question all evidence presented to the judicial board during the hearing. Written testimony from absentee witnesses may be received for consideration only upon mutual consent of the board, the accuser and the accused. Proof of the authorship but not content of such testimony must be made by certification by a notary public.

9.23.14 In cases in which the student denies the allegation, the burden of proof shall rest upon the person bringing the charges.

9.23.15 All boards shall have a staff member from the Department of Student Relations and Research serve as advisor in all stages of the judicial process including hearings and deliberations. Responsibilities of the Student Relations and Research advisor shall include: (1) advising the board regarding the requirements and provisions of substantive and procedural due process, (2) serving as a resource person in those cases where an accused student has a past history of involvement in the judicial system, (3) providing continuity in board operations and procedures, (4) facilitating the implementation of judicial procedures at all levels of the judicial system, (5) acting as a liaison between boards and the University community, and (6) assisting the board in fulfilling its educational responsibility.

9.23.16 The judicial board shall make one of the following decisions upon completion of the hearing: (1) a finding of not guilty; (2) a finding of guilty and a determination of the penalty; (3) dismissal of the charges due to lack of evidence; or (4) continuance of the case for the purpose of obtaining additional information or of providing for further consideration. Decisions shall be based only upon evidence and testimony introduced at the hearing. All decisions shall be made by a majority vote. The chairperson shall have the right to vote in all matters.

Faculty Senate CBUM
Report

9.23.17 A record of each hearing, comprised of a summary of the testimony and evidence presented and of the decision rendered, shall be made. Such records are confidential and shall be maintained by the Director of the Department of Student Relations and Research for five years after the date the hearing ended. Access to such files is governed by the University Policies for the Release and Disclosure of Information from Student Records (see Section 6.12.21).

9.23.18 A student shall have the right to one rescheduled hearing if she/he fails to attend the originally scheduled hearing, through no fault of her/his own as determined by the Director of the Department of Student Relations and Research. The rescheduled hearing will take place after proper notification. If the student fails to attend the second hearing, the judicial board shall determine whether the student's absence is for reasons that justify scheduling a third hearing, or the board may judge the student in contempt. If such a ruling is made, the board may either: (1) consider the case on the basis of the evidence available despite the student's absence, render a decision, and, if the decision is guilty, impose an appropriate penalty; or (2) assign a penalty for contempt. If the finding is contempt of the board, a further hearing shall be set for the original violation. Failure to attend the rescheduled hearing following the judgement of contempt may result in suspension.

9.24.10 Right to Appeal. An accused student shall have the right to appeal the decision of a Board or an administrator to the University Appeals Board (5.21.10) Such appeals shall be based only on specific evidence, presented in writing, of fraud, denial of rights, procedural error, or on the claim of new evidence not previously available which would have materially affected the decision of the Board. Appeals must be filed within one week of receipt of the letter confirming the judicial action. If the Appeals Board determines that a written request for appeal has merit, it shall re-hear the case. Upon completion of the appeal hearing, the Appeals Board may either uphold the original decision and sanction imposed, or adjust the original decision and/or sanction.

9.25.10 Range of Judicial Action. Actions which may be taken as a consequence of violations range from no further action to dismissal. Conditions may be attached to the action depending upon, and appropriate to, the nature and severity of the violation, the degree to which the student has participated or been involved, his/her motivations and intent in connection with the infraction, and any record of past violations as well as a consideration of all facets of the specific individual situation. Actions listed in Sections 9.25.11 through 9.25.15 shall not take effect until approved by the Director of the Department of Student Relations and Research.

Faculty Senate CBUM
Report

9.25.11 No Further Action. In cases where the student is found guilty of the violation(s) and the discussion with the Administrative Officer or the hearing before the appropriate judicial board has been sufficient in and of itself, further action may not be deemed necessary. However, the guilty verdict is still noted in the student's record in the Department of Student Relations and Research.

9.25.12 Warning. In instances of minor violations the student may be warned in writing of the possible consequences of continuing such behavior. Additional conditions may be applied as appropriate.

9.25.13 Residence Probation. A student who is placed on residence probation is not in good standing with his/her living unit for a specified period of time and conditions may be placed on his/her actions. The status of residence probation reminds the student that his/her infraction has become part of his/her record and that repetition of similar or other unacceptable behavior may be cause for removal from the living unit.

9.25.14 Removal from Living Unit. This action precludes either the student's continued residence in a particular living unit or in any campus living unit. Such action would normally be taken after one serious violation or repeated violations related to the living unit environment.

9.25.15 Disciplinary Probation A student who is placed on disciplinary probation is permitted to remain enrolled at the University under certain stated conditions, depending upon the nature of the violation and the potential learning value that may be derived from such conditions. The probation usually extends over a stated period, during which it is clearly understood that the student is subject to further disciplinary action, including suspension or dismissal, if he/she violates the terms of the probation or in any way fails to conduct himself/herself as a responsible member of the University community. Probation is a final warning to the student to help him/her reevaluate his/her behavior.

9.25.16 Suspension is an involuntary separation of the student from the institution. Suspension differs from dismissal because it implies and states a time limit when return will be possible. Suspension may extend for a semester, for a specified period, until a specifically designated date, or until a stated condition is met. Such action does not take effect until approved by the President of the University.

9.25.17 Dismissal is the permanent involuntary separation of the student from the institution. Such action does not take effect until approved by the President of the University.

Faculty Senate CBUM
Report

9.26.10 Emergency Suspension. Pending final action on violation of University regulations, the status of a student shall not be altered or his/her right to be present on the campus and to attend classes suspended, except for reasons relating to his/her physical or emotional safety or well-being or for reasons relating to the safety and well-being of the University community. The decision to separate a student from the campus under these conditions shall be made only by the President of the University after consultation with the Chairperson of the Faculty Senate and either the President of the Student Senate or the President of the Graduate Student Association. If a student is separated from the campus by this procedure, the University Board on Student Conduct shall be convened within 10 class days after the separation to provide a full hearing for the student with all deliberate speed. The continuation of the suspension will be subject to the approval of the Board.

~~3. Renumber present sections 5.21.10 through 5.23.10 as 5.22.10 through 5.24.10.~~

B. Senate Bill #76-77--41

That Article III of the Faculty Senate Constitution be changed by deleting "Dean of the Summer Session."

UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

FACULTY SENATE

May 19, 1977

Faculty Senate Curricular Affairs Committee One Hundred and Thirty-Fifth Report

At its meeting of May 19, 1977, the Faculty Senate Curricular Affairs Committee considered the following matters now presented to the Faculty Senate:

SECTION I

Informational Changes (Including Temporary Courses):

College of Arts and Sciences

1. Department of Journalism

CHANGE: Prerequisite for JOR 212 to "Sophomore standing or permission of department."

2. Department of Physics

PHY 130X Physics and Climatic Change (S.3) a qualitative presentation of physical principles used to describe atmospheric climate on global and smaller scales. Examination of the physical basis for climatic change. (Lec. 3) Intended primarily for non-science majors. Not open to those who have passed ESC 104. Hartt

SECTION II

Curricular Matters which require confirmation by the Faculty Senate:

A. College of Arts and Sciences

Department of Journalism

CHANGE: Curricular Requirements for the B.A. degree in Journalism:

Students selecting this field of concentration must complete a minimum of 30 credits in the print or broadcast journalism sequence, including JOR 210 (3), JOR 212 (3), JOR 434 (3), JOR 438 (3).

Those following the print sequence must complete JOR 325 (3) and one from the group JOR 324 (3), JOR 326 (3), or JOR 436 (3).