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10-19-1972

## Report of the Committee on Constitution and By-Laws dtd 30 March 1972, as amended by the Faculty Senate 72-5-18 and 72-10-21 and 72-10-19

University of Rhode Island Faculty Senate

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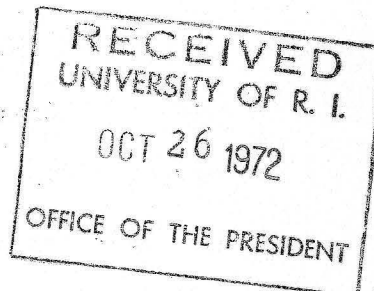
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FACULTY SENATE

BILL

Adopted by the Faculty Senate



TO: President Werner A. Baum  
FROM: Chairman of the Faculty Senate

1. The Attached BILL, titled Report of the Committee on Constitution and By-Laws dtd 30 March 1972, as amended by the Faculty Senate on 72-5-18 and 72-10-21 and 72-10-19.

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 72-10-19 (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 72-11-9 (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.

72-10-24

(date)

Stephen B. Wood /s/  
Chairman of the Faculty Senate

ENDORSEMENT 1.

RECEIVED

TO: Chairman of the Faculty Senate  
FROM: President of the University

NOV 3 1972

UNIVERSITY OF RHODE ISLAND  
FACULTY SENATE

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

10/31/72  
(date)

Werner A. Baum /s/  
President  
(OVER)

ALTERNATE ENDORSEMENT 1.

TO: Chairman of the Board of Regents.

FROM: The University President

1. Forwarded.

2. Approved.

\_\_\_\_\_/s/  
(date) President

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ENDORSEMENT 2.

TO: Chairman of the Faculty Senate

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

1. Forwarded.

\_\_\_\_\_/s/  
(date) \_\_\_\_\_  
(Office)

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ENDORSEMENT 3.

TO: Chairman of the Faculty Senate

FROM: The University President

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

\_\_\_\_\_/s/  
(date) President

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

\_\_\_\_\_/s/  
(date) Chairman of the Faculty Senate

UNIVERSITY OF RHODE ISLAND  
Faculty Senate

## Standing Committee on Constitution and By-Laws

## Report to the Senate

30 March 1972

Following are editorial corrections and new changes recommended in the Constitution and By-Laws of the Faculty Senate as printed in the 10th edition of the University Manual, Autumn 1971.

Recommendations for action by the Senate are on pages 7 and 8.

Item 1

Manual Page B-1. Constitution Preamble. The last sentence, beginning on line 12, should read as follows (correction underlined):

"This document was first approved by the General Faculty on April 19, 1961; amendments were proposed by the Attorney General on October 3, 1961; the former Board of Trustees approved the Constitution and By-Laws with these amendments on November 1, 1961; and the General Faculty subsequently approved the amendments in May, 1962."

Notes, Remarks and  
References

Correction of  
typographical error  
or omission.

Item 2

Page B-1. Constitution. Article II. Powers. Section 1.  
Line 4.

"eductional" should read "educational".

Correction of typographi-  
cal error

Item 3. Page B-2. Section 3.

"...to the Board of Trustees through the President..."  
has been changed to read: "...to the President and/or  
the Board of Regents..."

Note editorial changes  
made. Pursuant to dele-  
gation of authority by  
Board of Regents: Manual  
Pages A-1 to A-3. Note  
that in some matters this  
gives the President  
absolute veto power,  
which he previously did  
not have.

Item 4

Page B-2. Constitution Article II. Add a sentence at  
the end of Section 3, to read as follows:

"This section shall not<sup>an</sup> be construed to conflict with  
the rights delegated to exclusive collective bargaining  
agent duly authorized to represent the Faculty in con-  
formity with the public laws."

New change recommended.

(Recommendation II)

## Item 5

Page B-2. Constitution. Article III. Membership. The first sentence should read as follows:

"1. The Senate shall consist of designated ex-officio administrative members, an ex-officio student member and of elected members of the full-time teaching, library, research and extension faculty, chosen in the approximate ratio of one senator for each 10 full-time faculty members. For the purpose of determining the number of senators a college or the library is entitled to elect, part-time faculty members shall be counted according to the fraction of full-time which they serve."

## Item 6

Page B-2. Constitution. Article III. Membership. Change Section 1 to read as follows (new changes recommended are underlined):

"1. The Senate shall consist of designated ex-officio administrative members, an ex-officio student member and of elected members of the full-time teaching, library, research and extension faculty, chosen in the approximate ratio of one Senator for each 10 full-time faculty members. For the purpose of determining the number of senators to be elected by a college, the library, or other unit of the faculty authorized to conduct elections, part-time faculty members shall be counted according to the fraction of full-time which they serve. Any professor, associate professor, assistant professor, or instructor of the full-time teaching, library, research and extension faculty may be elected a member of the Senate. The Senate will provide means by which all eligible faculty members not in a college or the library have the opportunity to vote and to be candidates for election. The President, the Vice President for Academic Affairs, the Vice President for Student Affairs, the deans of the colleges and schools, the Dean of the Graduate School, the Dean of the Division of University Extension, the Dean of the Summer Session, the Registrar, and the President, or in his absence the Vice President, of the Student Senate shall be members of the Senate ex-officio without the right to vote, but with the right to make and second motions. Other officers of administration, including personnel deans, the Dean of Admissions, (deletion) and the directors and assistant directors of the University administrative divisions shall not be eligible for election to the Senate."

Correction of editorial errors of omission. Refer to Senate Minutes 18 April 1968, 20 May 1971. (Will be superseded if Recommendation III is adopted.

New changes recommended. (Recommendation III)

To ensure representation for all eligible faculty members not in a college or school.

(III a)

(III b)

Editorial deletion. Deans deleted have been made members ex-officio. (Extension, Summer Session)

Item 7

Page B-3. Constitution. Article V. Executive Committee. The last two sentences should read as follows (correction underlined):

"...It shall serve as the steering committee of the Senate and shall represent, or designate persons to represent, the Senate in meetings with the President, Board of Regents, the Administrative Council or its representatives and other University bodies. Meetings between the Senate or its representatives and the Council may be requested either by the Senate or by the Council, and such requests shall be honored promptly by the other body."

Correction of typographical error.

Item 8

Page C-1. By-Laws, Sections 2.2. The last sentence should now read as follows:

"...Each college or school and the Graduate Curriculum in Community Planning and Area Development is entitled to elect at least one senator, regardless of the number of members in its faculty."

Correction of unauthorized editorial change. Senate Minutes 18 Feb. 1971 (will be superseded if Recommendation IV, Item 13, adopted).

Item 9

Page C-1. By-Laws. Section 2.3. The first sentence should now read as follows:

"2.3 In April of each year the secretary of the Senate shall inform the faculty of each college or school and the Graduate Curriculum in Community Planning and Area Development of (1) the names of senators whose terms will expire during the current academic year and (2) any changes in apportionment.

Correction of unauthorized editorial change. Senate minutes 18 Feb. 1971 (will be superseded if Recommendation IV, Item 13, is adopted).

Item 10

Page C-2. By-Laws. Section 2.4. The first sentence should now read as follows:

"2.4 The dean of each college or school and the director of the Graduate Curriculum in Community Planning and Area Development shall provide the secretary of the Senate with a complete description of the election procedures established by his faculty.

Correction of unauthorized editorial change. Senate minutes 18 Feb. 1971 (will be superseded if Recommendation IV, Item 13, is adopted).

Item 11

Page C-4. By-Laws. Section 14. The first sentence should now read as follows:

"The Executive Committee shall hold a meeting not less than 10 days before each regular meeting of the Senate.

Correction of unauthorized editorial change.



Item 12.

Page C-5. By-Laws. Section 5.1. The first sentence should now read as follows:

Correction of unauthorized editorial change.

"5.1. Each year at its organization meeting in May or June, the Senate shall elect...."

Item 13

Pages C-1, C-2. Change Section 2 of the By-Laws to read as follows (changes underlined): (Contingent on amendment of the Constitution Article III, as contained in item 6 above):

New change recommended. Recommendation IV. To provide mechanisms for representation of eligible faculty members not in a college or school or the library.

"Section 2. Election of Senators"

"2.1 Senators shall be elected for three-year terms by the faculties of the several colleges and schools and other authorized faculty units participating in elections, but in these elections only persons eligible to elective membership in the Senate shall vote."

"2.2 Each faculty or other faculty unit shall elect one senator for each 10 of its full-time members or majority fraction thereof. For the purpose of determining the number of senators a college or other authorized faculty unit is entitled to elect, part-time faculty members shall be counted according to the fraction of full-time which they serve. Terms shall be so arranged as to provide that one-third, or approximately that number of senators shall be newly elected members each year. No college, school, or other authorized faculty unit shall have a majority of the elected senators, and if this should be imminent following the membership apportionment as prescribed elsewhere in the Constitution and By-Laws, the faculty involved shall be entitled to elect no more than one less than a majority of the elected members of the Senate. All full-time faculty members, as set forth in Article II of the Constitution, shall be entitled to vote and to be candidates in Senate elections, but none shall vote or be eligible for election in more than one college or other unit. Each college or school, the library and other authorized unit not included in a college or school or in the library is entitled to elect at least one senator, regardless of the number of members in its faculty. The Executive Committee, with the concurrence of the Senate, shall determine how faculty members not included in a college or school or the library shall be grouped for participation in elections and shall designate a leader to organize elections; but the number of units so formed shall be kept to a minimum consistent with adequacy of representation of distinct disciplines. Normally the principle of not more than one unit for 10 faculty members will be applied, so that the total number of senators will not be excessively increased and the ratio of 1 senator for 10 faculty members will not be unduly disturbed. Faculty units so designated shall be announced at the regular Senate meeting in April of each year, and recorded in the minutes."

Item 13 - Continued

"2.3 In April of each year the secretary of the Senate shall inform the faculty of each college or school or other authorized faculty unit participating in elections of: (1) the names of senators whose terms will expire during the current academic year, and (2) any changes in apportionment. College and school faculties and other authorized faculty units shall then elect new senators in accordance with such election procedures as they have established. A secret ballot shall be used."

"2.4 The dean of each college or school and the designated leader of each other faculty unit participating in elections shall provide the secretary of the Senate with a complete description of the election procedures established by his faculty. Any proposed changes in this procedure shall be reported to the secretary of the Senate before they are put into effect."

"2.5 Disputes over election procedure or results of elections shall be adjudicated by the Executive Committee of the Senate."

"2.6 No more than two members of any one department shall serve in the Senate at the same time, except that departments with more than 25 faculty members may have 3."

(Recommendation V)

"2.7 A senator whose three-year term expires may not be re-elected until after the lapse of one year."

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*as they accounted for apportionment*

"2.8 Results of the elections of all new members of the Senate may be made known by the deans of the college faculties and the leaders of the other faculty units as they may see fit, but they shall in any case be announced officially by the chairman of the Senate not later than the regular meeting of the Senate the date of which is nearest to May 15. Newly elected senators shall assume their duties within two weeks after the official announcement of their election by the chairman of the Senate, at a Senate meeting designated by the out-going chairman and Executive Committee for this purpose and for the election of new officers."

(Recommendation IV)

"2.9 Vacancies created as provided in 1.2 or by resignation or by leaves of absence of more than one semester shall be filled by election by the faculty involved. If the leave or illness is one semester or less in probable duration, determination of a vacancy shall be at the discretion of the faculty unit represented. Whether a person elected to fill a vacancy shall serve for the unexpired portion of the term or for the period of absence of the person regularly elected shall be determined at the time of the election. A person serving a partial term shall be eligible for election to a full term without lapse of time."

(Recommendation IV)

New change recommended.  
Recommendation IV.  
To provide mechanisms for representation of eligible faculty members not in a college or school or the library.



Item 14

Manual Page C-4. By-Laws. Change Section 4.7 to read as follows (changes underlined):

New changes  
recommended

"4.7 Committee reports to be placed on the agenda for a regular Senate meeting must be submitted to the Executive Committee at least seven days in advance of the Executive Committee meeting at which said reports are to be considered for inclusion on the agenda, and shall be distributed with the agenda to members of the Senate.

(Recommendation VI)

Item 15

Manual Page C-4. By-Laws. Change Section 4.14 to read as follows (changes underlined):

New changes  
recommended.

"4.14 The Executive Committee shall hold a meeting not less than 15 days before each regular meeting of the Senate to establish the agenda. It shall approve the agenda proposed by the Chairman for meetings of the Senate and shall cause the agenda and relevant committee reports to be published and distributed to all members of the faculty at least one week prior to regular Senate meetings, and as early as practicable prior to special meetings. In no event shall a proposal be acted upon by the Senate unless the proposal and the time for its consideration by the Senate have first been made available to the members of the Faculty."

(Recommendation VI)

(Recommendation VII)

Recommendations of the Committee on Constitution and By-LawsRecommendation I

That the editorial corrections contained in items 1, 2, 5, 6, 7, 8, 9, 10, 11 and 12 of this report be endorsed by the Senate and that the necessary corrections be made in the next printing of University Manual changes.

Comment. Each correction recommended is explained in the marginal notes accompanying it.

Recommendation II

That the Senate Constitution, Article II, Powers, Section 3, authorizing the Senate to act for the faculty in matters of salaries, contracts, faculty welfare be amended as described in item 4 of this report, subject to ratification by the General Faculty.

Comment. Section 3 of Article II is now in conflict with the laws of the U. S. and of the State of R. I., following the designation of an exclusive bargaining agent by the Faculty election in December 1971. Although the other powers of the Senate listed in Article II are granted to the Faculty by public laws enacted by the General Assembly and in turn delegated by the Faculty to the Senate, those contained in Article II, Section 3, were granted only by the Faculty which has now granted them to the URI Chapter of the American Association of University Professors instead. Thus the Senate is now not authorized to exercise these powers. This proposed amendment provides for that fact.

However, it also seems wise to make provision now that these powers would revert to the Senate, should the Faculty at some future time vote not to be represented by a collective bargaining agent; there would then occur no void or lapse of time in the representation of the faculty's interests.

### Recommendation III

That the Senate Constitution, Article III, Membership, Section 1, be amended as recommended in Item 6 of this report, in order:

a) to delete separate representation for the faculty of the Graduate Curriculum in Community Planning and Area Development (which will be incorporated into the faculty of the College of Resource Development on July 1, 1972).

b) to provide that such unattached faculty will be ensured representation in the future without the necessity of amending the Constitution or By-Laws.

A N D

c) to clarify the eligibility of the Vice President of the Student Senate to serve in place of the President during the President's absence. (This provision was suggested once before as part of a proposed amendment including also provision for representation of the Graduate Student Association, and the right to vote, which was not ratified by the Faculty. (Refer to Senate Minutes 18 March 1971).

### Recommendation IV

Amend the By-Laws, Section 2, as described in Item 6 above (contingent upon ratification of amendment of the Constitution, Article III, Recommendation III, above) to provide procedures for implementation of the constitutional amendment ensuring representation and voting privileges of unattached faculty members.

Comment. This change will give the Executive Committee the responsibility to provide organization by which faculty members not in a college or school or the library can participate in elections and be elected to the Senate, without unduly enlarging the Senate, and without the necessity in each case of amending the Constitution or the By-Laws.

### Recommendation V

Amend the By-Laws, Section 2.6, as described in Item 13 above, to provide that very large departments (over ~~25~~ members), now limited to 2 senators, may elect 3.

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as they are counted for apportionment)

Comment. The Senate requested the Committee on Constitution and By-Laws to study this matter. Refer to minutes 18 February 1971. The total number of Senators will not be increased by this amendment, because the number to be elected is limited by colleges or other units. The 1 in 10 ratio now denied large departments may be better preserved if this amendment is adopted.

Recommendation VI

Amend the By-Laws, Sections 4.7 and 4.14, as described in Items 14 and 15 above, to provide a longer time for the Executive Committee to study reports submitted to them for inclusion in an agenda (from 4 days to 7 days) and for distribution to the faculty before regular meetings (from 10 days to 15 days).

Comment. The Executive Committee has requested this amendment because they have difficulty complying in the shorter time periods.

This amendment of Section 4.14 has erroneously been included in the 10th edition of the University Manual; it has not been authorized.

Recommendation VII

Amend the By-Laws, Section 4.14, as described in Item 15 of this report, to clarify a rule that has generally been understood and followed in the Senate, and which is implied in the Constitution and By-Laws, i.e., that the Senate will not take actions without the Faculty members having the opportunity to study the matter and to make their opinions known.

Respectfully submitted,

Beverly H. Bowman  
Gerald B. Haggerty  
Robert W. Harrison, Chairman