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Constitution, By-Laws and University Manual Report #2001-02-1: Amendments to the Constitution of the Faculty Senate - Recommendations for Referendums

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University of Rhode Island
Office of the Provost

TO: Robert L. Carothers

FROM: Richard C. Rhodes III



DATE: December 21, 2001

Attached are copies of legislation from the December 13, 2001 Faculty Senate meeting:

Bills:

01-02-6 The Four Hundredth Report of the Curricular Affairs Committee

01-02-7 Curricular Report No. 2001-2002-3 from the Graduate Council to the Faculty Senate

01-02-8 Constitution, By-Laws and University Manual Report #2001-02-1: Amendments to the Constitution of the Faculty Senate – Recommendations for Referendums

Resolution:

01-02-2 Endorsement of the Association of College and Research Libraries Statement on Intellectual Freedom Principles for Academic Libraries

When you have signed these items, please have Michelle return all copies to me. I will see that they are properly distributed.

rhb

attachments

*Michelle -
I will
let this go
forward
a signature.
RHC*



Faculty Senate

Serial Number #01-02--8

TO: President Robert L. Carothers
FROM: Chairperson of the Faculty Senate

- 1. The attached BILL, titled Constitution, By-Laws and University Manual Report #2001-02-1: Amendments to the Constitution of the Faculty Senate - Recommendations for Referendums, 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 December 13, 2001.
4. After considering this bill, will you please indicate your approval or disapproval. Return the original or forward it to the Board of Governors, completing the appropriate endorsement below.
5. In accordance with Section 10, paragraph 4 of the Senate's By-Laws, this bill will become effective January 3, 2002 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 Governors for their approval; or (4) the University Faculty petitions for a referendum. If the bill is forwarded to the Board of Governors, it will not become effective until approved by the Board.

December 14, 2001
(date)

C. B. Peters
Chairperson of the Faculty Senate

ENDORSEMENT

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

Returned.

- a. Approved __.
b. Approved subject to final approval by Board of Governors __.
c. Disapproved __.

1/3/02
(date)

ALLOWED to go into effect
Without signature
President

**Faculty Senate
Constitution, By-Laws and University Manual Committee
Report #2001-02-1**

November 19, 2001

As approved by the Faculty Senate on December 13, 2001

Amendments to the Constitution of the Faculty Senate

Recent changes of titles and/or responsibilities of administration officials have affected certain *ex officio* members of the Faculty Senate listed in the membership paragraph (Article III) of the Faculty Senate Constitution. The Faculty Senate Executive Committee has asked the CBUM Committee to consider the constitution's membership article in light of these changes.

At a meeting on November 7, 2001, the consensus of the CBUM Committee members was that no changes to the Senate Constitution are to be made without a referendum as provided for in Article VII of the Faculty Senate Constitution. That constitution, stating the Senate's fundamental principles, is too important a document to permit its being changed editorially; among other things because there may be disagreement on whether a change is editorial or substantive. This implies that changes to the titles and/or responsibilities of members of the administration who are also *ex officio* members of the Faculty Senate ought not to occur by administrative fiat, but are to be preceded by consultation with the body whose constitution they affect. Nevertheless, the CBUM Committee's consensus was that the following Senate Constitution changes required to make the document consistent with recent administrative action are comparatively non-controversial:

- From Vice Provost for Academic Programs and Services to Vice Provost for Academic Affairs.
- From Vice Provost for Research and Service to Vice Provost for Graduate Studies, Research and Outreach.
- From Vice President for Student Development to Vice President for Student Affairs.
- From Vice President for University Relations to Vice President for University Advancement.
- From Dean of Admissions and Financial Aid to Dean of Admissions.

Accordingly, the CBUM Committee recommends that the Senate approve a future referendum authorizing those changes to the Senate Constitution.

There are, however, also some changes that were deemed to be rather substantive. They are:

- The abolition of the Dean of the College of Continuing Education and concurrent institution of the position of Vice Provost for Urban Programs.

- The abolition of the Dean of the Graduate School and subsuming that official's responsibilities under those of the Vice Provost for Graduate Studies, Research and Outreach.
- The abolition of the position of Registrar and subsuming that official's responsibilities under the newly created position of Director of Enrollment Services. (Note that the Registrar, whose position is to be merged with that of another official who is as of now not even an *ex officio* member of the Senate, is a Faculty Senate Officer whose duties include an important function in conducting referendums.)

Therefore, the CBUM Committee has decided to invite on the Senate floor an open discussion of these three substantive position changes, and to use the input of that discussion, possibly even including motions containing instructions to the committee, to frame recommendations with respect to future referendums on these matters.

It is hoped that the URI administration will, as a part of that discussion, provide its rationale and justification for the changes in administrative positions involved.

The committee also recommends that the constitutional amendments on the matters designated above as editorial be conducted only after the other matters have been disposed of in order that referendums possibly resulting from that disposition can be conducted simultaneously with the referendums recommended in this report.

In view of the above, the Constitution, By-Laws and University Manual Committee recommends the following:

1. That the five changes considered editorial by the Committee (see above) be included in a future referendum. APPROVED
2. That this referendum be postponed until the Faculty Senate has considered the matters designated above as substantive, and has made recommendations for referendums (if any) on these matters. APPROVED
3. That the Faculty Senate set aside time at this or a subsequent meeting to discuss the applicable University regulations and appropriate constitutional amendments resulting from these more substantive changes, including changes to clarify appropriate procedures and authority, and to authorize, if deemed appropriate, a referendum on these matters. DISCUSSION POSTPONED DEFINITELY UNTIL JANUARY 24, 2002.
4. That, in carrying out these referendums, the current Acting Registrar conduct the mail ballot required by Article VII of the Senate Constitution. APPROVED

From Appendix B – the Constitution of the Faculty Senate
(Note: editorial changes are in *italics* and substantive changes are in **[boldface]**)

Article III. Membership.

1. The Senate shall consist of designated ex officio administrative members, ex officio student members 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 Provost, the *Vice Provost for Academic Programs and Services*, the *Vice Provost for Research and Service*, the Vice President for Business and Finance, the *Vice President for Student Development*, the *Vice President for University Relations*, the deans of the colleges and schools, **[the Dean of the Graduate School, the Dean of the College of Continuing Education,]** the *Dean of Admissions and Financial Aid*, **[the Registrar]** and the President or in his/her absence, the Vice President of the Student Senate and the President or in his/her absence, the Vice President of the Graduate Student Association 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 and the directors and assistant directors of the University administrative divisions, shall not be eligible for election to the Senate

Article IV. Officers.

1. The officers of the Senate shall be a Chairperson and Vice Chairperson. The duties of these officers are those usually associated with the titles, except as modified or added to in the By-Laws. In the absence of the Chairperson, the Vice Chairperson shall exercise the full powers of the Chairperson. Their term of office shall be one year and they may be elected to succeed themselves once. **[The Registrar of the University shall serve as Secretary.]**

Article VII. Amendment of the Constitution.

1. Amendments shall be proposed to the General Faculty by a majority of the total voting membership of the Senate, and ratified by an affirmative vote of two-thirds of the General Faculty voting on the question, excluding abstentions, as determined by a mail ballot conducted by **[the Secretary of the Senate]** and by three tellers appointed by the President of the University.

2. Balloting shall be conducted in accordance with the By-Laws governing secret mail balloting. A faculty member wishing to abstain shall submit a ballot in envelopes sealed and signed in the prescribed manner.