

The University of Vermont

UNIVERSITY SENATE
WATERMAN BUILDING, ROOM 330
BURLINGTON, VERMONT 05401



To: Members of the University Senate

From: R.H. Orth, chairman

On Tuesday, September 12th, the Senate voted to submit the attached constitution and by-laws to its entire membership for a ratification vote. Balloting by mail was approved by a vote on April 17th.

An earlier form of the proposed constitution was submitted to the faculty by mail ballot in March of this year. It narrowly failed of attaining the required 2/3 vote. The present constitution incorporates a change in the method of electing Senators (section 8.213) and a change in the term of elected members of senate committees (section 7.121.b).

Please mark the attached ballot and return it personally to Mrs. Bee Wallace, Senate Office, Waterman Building, or send it to the same address in an envelope marked "Ballot" and with your name written on the outside. Ballots cannot be counted if they do not meet these conditions. DEADLINE FOR RECEIPT OF BALLOTS IS OCTOBER 5th 1972.

BALLOT

Resolved that the Constitution and By-laws of the University of Vermont Faculty (1972 revision) be adopted and implemented as set forth in the attachments to this ballot.

Yes

No

PROPOSED CONSTITUTION AND BYLAWS
FOR THE UNIVERSITY OF VERMONT FACULTY

1. Authority -- Under the authority of the Board of Trustees the University of Vermont Faculty is empowered:
 - .1 To review and establish policy with respect to the following matters:
 - a. Academic freedom, including rights and responsibilities.
 - b. All curriculum matters, including establishment, dissolution and substantial changes of degree programs.
 - c. General admission standards and prerequisites.
 - d. Requirements for certificates and degrees, both regular and honorary.
 - e. Regulations regarding attendance, examinations, grading, scholastic standing, honors, and the academic calendar.
 - f. Teaching quality.
 - g. Criteria for positions accorded academic rank.
 - h. Other matters referred to it by the Board of Trustees, the President, the Academic Council, or the faculty of a school, college, or department.
 - .2 To review, to recommend, and to participate in the formulation of policy with regard to:
 - a. Institutional priorities.
 - b. The allocation and utilization of the University's human, fiscal and physical resources.
 - c. Academic organization including the establishment or elimination of colleges and departments and the reorganization of the general university and college academic structure.
 - d. Faculty appointment, promotion, tenure, dismissal, leaves, and economic benefits and to participate in decisions regarding the application of these established policies to individual faculty members.
 - e. Admission procedures and quotas.
 - f. Student Financial Aid.
 - g. The library, the academic computing center, instrumentation and model facility, audiovisual center, university store, the museum, supporting services etc., as they affect scholarly activities and research.
 - h. Administrative procedures and organizational structure.
 - i. The appointment and promotion of academic and policy-level administrative officers including all those at the budget management level whose functions are university-wide.
 - j. The selection of the University President and Vice Presidents whenever those offices become vacant or are created.
 - k. The award of honorary degrees.
 - l. The distribution of unrestricted funds made available to the University for discretionary allocation in support of research or scholarly work.
 - .3 To cooperate with and to coordinate its activities, especially with regard to the subjects referred to in .2 above, with Student governing bodies and the Non-Academic Employees Council.
 - .4 To consider all areas of student affairs and their effect on the educational process and academic achievement and to make recommendations regarding them.
 - .5 To provide the means by which any matters of interest to the faculty or pertaining to the University and its purposes may be discussed and acted upon.
 - .6 To cooperate, in furtherance of the objectives stated in this section, with the faculty organizations of those public institutions of higher education in the State of Vermont which may be included under the authority of the Common Board of Trustees to be established, and to participate in such common organizations and bodies as may be established to voice the interests of the faculties of the aforesaid institutions and to cooperate in matters of common concern with such Board of Trustees.

2. Membership -- The membership of the University Faculty shall consist of:
 - a. All persons holding academic rank in the colleges and schools of the University as defined in 8.211 below.
 - b. The President of the University, the Vice Presidents, Deans of Academic Colleges, the Dean of Students, and the Director of Libraries.
3. Officers
 - .1 Chairman
 - .11 Duties -- In addition to other duties prescribed in this constitution, he shall preside at meetings of the University Faculty and the Faculty Senate and shall serve as the Faculty's spokesman and consultant with the administration, the student body, the Board of Trustees, and the extra-university community.
 - .12 Term -- The Faculty chairman shall serve a three-year term starting in September.
 - .13 Election
 - a. Nomination -- The Faculty Senate shall nominate two candidates. Other candidates may be nominated by petition of 5% of the faculty membership.
 - b. Election -- Mail ballots with the names of nominees and spaces for write-in candidates will be distributed to all members of the Faculty in April. At least a week shall be allowed for return of the marked ballots. The candidates receiving the majority of votes will be elected.
 - .2 Vice Chairman -- The Vice Chairman shall perform the duties of the Chairman when the latter is prevented from doing so. He shall be elected in the same manner as the Chairman.
 - .3 Secretary -- The Faculty Senate shall elect from among its members a secretary to serve a one-year term beginning in September.
 - .4 Parliamentarian -- The Faculty Chairman shall appoint a parliamentarian for a one-year term that begins in September.
4. Meetings
 - .1 Regular Meetings -- The Faculty shall meet at least once each semester. Additional meetings may be called at any time. Such additional meetings must be held on petition of 5% of the Faculty membership.
 - .2 Special Meetings -- Emergency meetings of the Faculty may be convened by the Faculty Chairman. The agenda of the meeting must be delivered to the campus mailbox of every Faculty member at least four working hours prior to the meeting.
 - .3 Agenda
 - a. Formulation -- The Faculty Chairman will prepare the agenda of each meeting from proposals submitted by Faculty members, Faculty committees, representatives of Student governing bodies and administration officials. Items presented in the form of a petition signed by 5% of Faculty membership must be included on the Agenda.
 - b. Distribution -- The agenda of each regular meeting must be distributed to the Faculty membership at least two weeks preceding the meeting.
 - .4 Non-Agenda Items -- Matters for which the two week notice has not been provided shall not be acted upon until the following Faculty meeting unless three-quarters of the members present vote to suspend the rules. A similar majority is required to adopt the suggested proposal. This also applies to the agenda of special meetings.
 - .5 Quorum -- Those Faculty members present constitute a quorum.
 - .6 Approval of Resolutions -- Resolutions will be considered to have been adopted by the Faculty if at least 20% of the full-time officers of instruction are present and a majority of those voting approve the proposal. If less than 20% are present, the resolution in its final form will be subjected to a mail referendum vote. Every Faculty member will be allowed at least one week to respond. The resolution will be considered to have been adopted if a majority of the referendum responses favor it.

- .7 Minutes -- Copies of the minutes shall be distributed to all academic departments for posting in a conspicuous location.
- .8 Parliamentary Authority -- The Faculty shall be governed by the rules contained in Robert's Rules of Order, Latest Ed. and such other special rules as the Faculty may adopt. In case of any inconsistencies or differences, the Constitution and those special rules erected by the Faculty shall take precedence.
- .9 Attendance of Non-members -- The Faculty Chairman may invite non-members to attend Faculty meetings. The names and affiliation of such persons shall be known to the Faculty.

5. Disposition of Faculty Legislation

- .1 Transmittal to President -- The Faculty Chairman shall promptly transmit copies of Faculty actions to the University President.
- .2 Action by the President
 - a. Approval -- The President may indicate his approval of the legislation and his intention to implement it in either of two ways: (1) by noting his approval on the copy and returning it to the Faculty chairman within one month of receipt, or (2) by not disapproving of the Faculty action within the one-month period.
 - b. Disapproval -- The President may disapprove of the legislation by notation on the copy which should be returned to the Faculty chairman within one month. If he provides reasons for his decision, they may be presented to the Faculty at its next meeting.
 - c. Return without Action -- If the President acts within a one-month period, he may return the legislation to the Faculty for further study.
 - d. Delay -- If a more extended period is required for consideration of the legislation, the President will inform the Faculty chairman of the reasons for the delay and the date on which he intends to act on the resolution.
- .3 Appeal to the Board of Trustees -- Appeal of a presidential disapproval shall be made to the Board of Trustees, if two-thirds of the members at a meeting or responding to a mail referendum indicate their desire to appeal.

6. Amendment of the Constitution and Bylaws

- .1 Proposal of Amendments -- Amendments may be proposed in either of the following ways:
 - a. By resolution at a Faculty meeting and approval by two-thirds of those present and voting.
 - b. By petition of 10% of the Faculty membership.
- .2 Adoption of Amendments -- Amendments generated by either of these methods shall be the subject of a mail referendum. Every Faculty member will be mailed a referendum ballot and will be allowed at least two weeks to respond. The Amendment will be considered to have been adopted if at least two-thirds of the responses favor it.

7. Committees

- .1 Standing Committees
 - .11 Purpose -- Standing committees are established to focus on the major areas of faculty concern -- education, scholarly activities, student affairs, and faculty welfare -- and the instrumentalities for implementation in these areas -- administration, budget, and physical facilities. A standing committee may divide its duties among subcommittees which are directly responsible to the parent standing committee.

.121 Elected Members

- a. Number -- Standing committees shall be composed of members from the Colleges of Arts and Sciences, Agriculture and Home Economics, Education, Technology, and the Division of Health Sciences. Each of these units may elect one member to each standing committee for each 100 full-time faculty members (those who hold academic rank) or major fraction thereof.
- b. Term -- Members of standing committees shall be elected for four years. Terms shall be staggered so that approximately one quarter of the members shall be elected each year. (Current members of the Academic Policy Committee, the Administrative Policy Committee, and the Financial Policy Committee shall serve out their terms as members of the new Faculty Affairs Committee, Administrative Policy Committee, and Financial Policy Committee respectively, and shall be replaced, upon expiration of their terms, according to the provisions of this constitution.
- c. Election -- The election of standing committee members shall be the responsibility of the individual college faculties. An opportunity should be provided for faculty members to volunteer to run for election and ballots containing the names of the candidates should be prepared and distributed to all members of the college. Elections shall be held in October through November.
- d. Vacancies -- If a standing committee member must vacate his seat either for a few months or until the end of his term, the vacancy shall be filled by a special election within his constituency.

.122 Ex Officio Members

- a. Faculty Chairman -- The Faculty chairman is an ex officio member of every Faculty committee.
- b. Administration and Staff Members -- Standing committees acting as a whole, may invite key administration and staff persons on a one-year renewable basis to be ex officio non-voting members.

.123 Student Members -- Standing committees acting as a whole may invite students designated by Student governing bodies on a one-year renewable basis to be non-voting members.

.13 General Duties

- a. They shall recommend policy and changes in policy in their areas of responsibility to the University Faculty.
- b. They shall receive and consider proposals in their areas of responsibility from the University Faculty, the administration, student bodies, etc., and present their recommendations to the Faculty for action.
- c. They shall annually review sections of the Faculty Handbook pertaining to their areas of concern and make recommendations for revision.
- d. They shall consult with and provide advice to the administration, student groups etc., when requested to do so and present policy proposals generated as a result of these consultations to the University Faculty for consideration.
- e. They shall keep records of their activities and present reports at least twice a year to the Faculty.
- f. They shall meet frequently and maintain close liaison with appropriate committees and groups established by Student Governing bodies, the Non-Academic Employees' Council, and other University constituencies.

.14 Committee Officers -- The committee chairman shall be elected by the Faculty Senate from among Senate members. The chairman shall appoint a secretary to keep minutes. Standing committee chairmen or their designees shall serve as Faculty representatives to the appropriate Board of Trustees committees.

- .15 Specific Standing Committees -- The standing committee charges detailed below shall not be construed to limit their activities and deliberations.
- a. Academic Affairs Committee -- This committee shall have responsibility for policies relating to the scholarly atmosphere, environment, and facilities at the University of Vermont. It should concern itself with all aspects of educational policy including long-range academic planning and the matters referred to in sections 1.1b; 1.1c; 1.1d; 1.1e; 1.2g; 1.2k; and 1.2l.
 - b. Faculty Affairs Committee -- This committee's duties shall encompass the area of faculty professional standards and welfare. This shall include the items referred to in sections 1.1a; 1.1f; 1.1g; and 1.2d.
 - c. Student Affairs Committee -- This committee shall consider all areas of student affairs and their effect on the educational process and academic achievement. It shall recommend policy with respect to honors programs, remedial programs, athletics, student financial aid, discipline, health service, placement, housing, student activities, etc. It shall hold frequent meetings with student government groups to determine their attitudes and opinions with respect to items of concern to the committee. Included within its purview are the items referred to in Sections 1.2f; and 1.3
 - d. Administrative Policy Committee -- This committee shall assist in the development and maintenance of an administrative organization responsive to the educational and intellectual needs of the institution. In fulfilling its functions, it shall: (1) participate in the appointment of academic and policy-level administrative officers and review their performance, and (2) review and recommend administrative policy, organization, and reorganization.
 - e. Financial Policy Committee -- This committee shall assist in the formulation of the University budget so that this document reflects the instructional, intellectual, and service priorities of the institution. In the performance of its duties, it shall review the execution of the University budget, the system of budget formulation, the proposed annual budget during its preparation and before final approval.
 - f. Physical Planning Committee -- This committee shall collaborate with the administration in planning the development and utilization of the institution's physical resources so that they are educationally and architecturally sound and advance the institutional priorities. It shall advise the Faculty of anticipated campus changes in their formative stages. It shall attempt to determine the future needs of the institution and make recommendations to assure efficient use of the University's physical plant.
- .2 Subcommittees -- Any standing committee may establish subcommittees to perform specialized functions within the overall responsibilities of the committee. A subcommittee is directly responsible to the standing committee which created it, to which it shall report. The formation, abolition, and membership of such subcommittees shall be determined by the entire standing committee. The chairman of each standing committee shall assign, with the approval of the full Committee, members of the Committee to the various subcommittees. He may appoint other faculty members to serve on subcommittees. Ordinarily, the chairman of each subcommittee must be a member of the Standing Committee. The chairman of the parent Standing Committee, and the Faculty chairman shall be voting ex-officio members of all subcommittees. The Standing Committee chairman shall have primary responsibility for coordinating the work of all subcommittees.
- .3 Ad Hoc Committees -- Select committees may be created by the Faculty or the Faculty chairman for the purpose of studying specific problems and preparing proposals relating thereto. These committees will be appointed by the Faculty chairman. They will terminate when their assignment is complete or within one year of the date of appointment, whichever is shortest. They may be reappointed. Ad Hoc Committees ordinarily will be required to coordinate their activities with a standing committee designated by the Faculty chairman.

- .4 President and Academic Vice President Selection Committees --
 Advisory committees on the selection of Presidents and Vice Presidents shall be formed (1) when the resignation of an incumbent is announced; (2) two years prior to retirement, or (3) when the office is vacated. In addition to student, trustee, and other members, this committee shall have a proportionate share of Faculty members to be elected by the College of Agriculture and Home Economics, the College of Arts and Sciences, the College of Education, the College of Technology, the Division of Health Sciences, and such other major subdivisions as may be created from time to time.

8. Faculty Senate

- .1 Delegation of Authority -- The authority and responsibilities of the University Faculty shall be vested in and exercised by the Faculty Senate on behalf of the University Faculty.
- .2 Membership
- .21 Faculty Representatives -- Members of the Faculty Senate shall be chosen according to the following provisions:
- .211 Eligibility for Election -- All persons holding academic rank, i.e., persons having been duly appointed as Professors, Associate Professors, Assistant Professors, Instructors, Professors Emeriti, Adjunct Professors, Adjunct Associate Professors, Adjunct Assistant Professors, Adjunct Instructors, and Lecturers, shall be eligible for election to the Faculty Senate.
- .212 Eligibility of Voters--All persons holding academic rank as defined in .211 above, and whose employment, by the definition of the University Personnel Office, is on a full-time resident basis, shall be eligible to cast one full vote. All other persons holding academic rank, as defined in .211 above, shall be eligible to cast one third of a vote.
- .213 Conduct of Elections -- The Chairman of the Faculty shall announce and publicize scheduled elections by all suitable means. Elections shall be held during the month of November.

Faculty members willing to stand for election to the Senate shall have their candidacies registered with the Faculty Chairman no later than November 1.

The Secretary of the Senate shall provide appropriate voting cards to all members of the Faculty, as defined above. A complete list of candidates and the attendance record of all Senators for the current Senate term shall be distributed, along with the voting cards, no later than three days prior to the opening of the polls.

A polling place shall be designated and publicized. The polls shall be open for no less than ten full working days.

A separate ballot box shall be provided for each candidate, labeled with the candidate's name and provided with a tally sheet. Each voter shall deposit his voting card in one of the ballot boxes and mark the tally sheet. When the tally sheet indicates that ten full votes have been cast for a candidate, the Secretary shall check the ballots and, if found correct, certify the election of that candidate as a Faculty Senator. His ballot box shall then be removed. The Secretary shall notify the elected Senators of the names of their electors-constituents.

The names of the elected Faculty Senators shall be published by the Faculty Chairman prior to the first scheduled meeting of the new Senate.

- .214 Term of Office -- Senate members shall serve for a term of two years, beginning on December 1 of the year in which they are elected. They shall be eligible for re-election. (Provisions of this paragraph may be varied for the election of the first Faculty Senate.)
 - .215 Alternates -- A senator may appoint a temporary or permanent replacement to serve in his place at any time by signing an official form to that effect.
 - .216 Vacancies -- If an elected representative of a constituency is unable to fill his seat either temporarily or for the remainder of his term, the alternate representative will take his place.
- .22 The Faculty Chairman and Vice Chairman shall be members of the Faculty Senate.
- .3 Officers
- a. Chairman -- The Faculty chairman shall serve as chairman of the Senate. He shall have the same duties, authority, and responsibilities towards the Senate as he has towards the University Faculty.
 - b. Secretary -- The Faculty secretary shall be the Senate secretary.
 - c. Parliamentarian -- The Faculty parliamentarian will serve the Senate.
- .4 Meetings
- .41 Types
- a. Regular meetings -- The Senate shall meet at least twice each month during the academic year. Additional meetings may be called at any time by the Senate Chairman or on petition of 20% of the Senate membership.
 - b. Special Meetings -- The Senate chairman may call emergency meetings of the Senate. An agenda of the meeting must be placed in the campus mailbox of each Faculty member at least four hours prior to the meeting.
- .42 Agenda
- a. Formulation -- Agenda shall be prepared in the same way as for Faculty meetings (section 4.3a). Any matter presented as a petition signed by 5% of the Faculty membership or 20% of the Senate membership must be included on the agenda of the next meeting.
 - b. Distribution -- The agenda of each regular meeting shall be distributed to the entire University Faculty at least one week prior to the meeting.
- .43 Quorum -- One-half of the elected membership of the Senate shall constitute a quorum.
- .44 Approval of Resolutions
- a. Agenda Items -- Proposals for which a one-week notice has been provided may be approved by a simple majority.

- b. Non-Agenda Items -- Non-agenda items may be discussed at a Senate meeting but no action may be taken until the next meeting unless 75% of the Senate members present vote to suspend the rules. The same majority must vote in favor of the non-agenda item to have it adopted. This also applies to the agenda of special meetings.
 - c. Referenda -- Any proposition approved by the Senate shall be the subject of a mail referendum vote by the entire University Faculty if (1) one-third of the Senate Members present at a meeting demand it; or (2) a petition signed by 10% of the University Faculty demands it; or (3) the resolution in question was proposed in a petition signed by 10% of the Faculty membership and was rejected by the Senate; or (4) the Senate chairman orders it. Every Faculty member will be allowed at least one week to respond to the mail ballot. The proposition will be considered adopted if a majority of those returning referendum ballots favor it.
- .45 Revocation of a Resolution by the University Faculty -- Any act of the Senate may be revoked by the University Faculty if action is taken within two months of adoption.
 - .46 Minutes -- Minutes of the Senate meetings shall be distributed to all Senate members and to the academic departments where they shall be posted.
 - .47 Parliamentary Authority -- Robert's Rules of Order, Latest Edition, shall govern the meetings of the Senate, except in cases where those rules are inconsistent with this Constitution and these Bylaws.
 - .48 Absence of Members -- Any Senate member prevented from attending a meeting should request his alternate to act for him. The member should notify the chairman of the substitution. Any seat which is unfilled by a senator or his alternate for three successive meetings shall be considered vacant. The Senate chairman will so notify the Senator's constituents, who may elect a replacement.
 - .49 Attendance of non-members
 - a. Faculty members -- Faculty members are invited and encouraged to attend meetings of the Senate and to participate in discussions. Faculty members and Senate members shall have equivalent speaking privileges.
 - b. Other Persons -- The Senate chairman may invite other persons to attend Senate meetings. These persons shall be identified to the Senate.
- .5 Disposition of Senate Legislation -- Senate legislation is considered as Faculty legislation and is handled in the same way as the latter (section 5).
 - .6 Committees -- The committees of the Faculty are committees of the Senate. Their relationship to the Senate shall be the same as and shall supersede their relationship to the University Faculty. The Senate may establish ad hoc committees. Their purposes, terms, etc., are defined in section 7.3.
 - .7 Dissolution of the Senate -- The Senate may be dissolved by the University Faculty at any time. Such an action is an amendment to this constitution and is to be accomplished according to the amendment procedure of section 6.

9. University Forum

- .1 Purpose -- The University Forum provides the opportunity for the legislative and policy-making bodies of the faculty, the students, the staff, and the administration to meet together to discuss and formulate objectives of common interest and concern.
- .2 Composition -- The University Forum shall consist of the Faculty Senate, constituent Student governing bodies, the Academic Council, and the Employees Association Council.
- .3 Officers
 - a. Chairman -- The President of the University shall serve as chairman of the University Forum.
 - b. Secretary -- The Secretary of the University Faculty shall serve as Secretary of the University Forum.
 - c. Parliamentarian -- The Parliamentarian of the University Faculty shall serve as Parliamentarian of the University Forum.
- .4 Executive Committee -- The executive committee of the University Forum shall consist of the President of the University, the Chairman of the University Faculty, the Chairman of the Employees Association, and the Presidents or Chairmen of student governing bodies. It shall coordinate the activities of the University Forum.
- .5 Meetings
 - a. Convocation -- Meetings of the University Forum may be convened by mutual agreement of the authorities responsible for convening any two of the following bodies: The Employees Association Council, the Faculty Senate, constituent Student governing bodies, and the Academic Council. The rules regarding notification period, agenda distribution, etc. applying to the individual legislative bodies apply to each independently when they are called together as the University Forum.
 - b. Quorum -- A quorum of the Forum shall consist of at least one-half of the total members of the Faculty Senate, constituent Student governing bodies, the Academic Council, and the Employees Association Council.
 - c. Minutes -- Minutes shall be distributed to all members of the Forum and to all academic departments for posting.
 - d. Parliamentary Authority -- Robert's Rules of Order, Latest Edition, shall govern the meetings of the Forum, except in those instances in which Robert's Rules of Order are in conflict with the provisions of these articles.
- .6 Approval of Resolutions -- Resolutions adopted by the Forum shall be subject to the individual approval of the Faculty Senate, constituent Student governing bodies, the Employees Association, and the Academic Council. No action of the Forum shall become University policy until approved by each of its constituent bodies.
- .7 The provisions of the foregoing section, dealing with the University Forum, shall go into effect after they have been approved by each of the organizations which would combine to form this body, and with such changes as may be agreed upon between them. Any such changes are subject to faculty approval under the rules of Section 6 of this Constitution.