WEST VIRGINIA UNIVERSITY

FACULTY CONSTITUTION

Preamble

Traditions of the academic community in general and of West Virginia University in particular demand that the faculties of the colleges, schools, and regional campuses of West Virginia University participate fully in the governance of the University. It is recognized that legal authority to guide and regulate the University is vested by the West Virginia Legislature in the Higher Education Policy Commission and the Board of Governors through the President of the University. Regional Vice Presidents and Campus Presidents at WVU at Parkersburg, Potomac State College of WVU, and the WVU Institute of Technology report to the President of the University through the Provost. It is recognized that the faculties of the regional campuses of WVU will pursue their own governance as needed but will be represented in the Faculty Senate. It is further recognized that as a corollary of academic freedom, the faculty has a responsibility for guiding the academic pursuits of the University as well as for guiding the academic pursuits of each campus, college, school, or their equivalent in the University. The University faculty acknowledges responsibility to communicate to those exercising legal authority over the institution its views on matters bearing upon the academic program. To that end, this Constitution is established to facilitate a meaningful flow of information and to further understanding among the faculty, administration, students, and staff; and to assist the President and the governing and policy boards in developing University policy.

Article I
The University Assembly

1. Composition

The University Assembly shall include those employed full time by West Virginia University, those who report to an academic Dean, and those who perform activities responsive to the academic obligation of the University. These shall include:

- All tenured and tenure-track faculty (including clinical emphasis track and Extension faculty) with the title of Instructor and above;
- Librarian track Faculty;
- Retired faculty represented through the Committee on Retired Faculty;
- Non-tenure-track faculty with titles bearing the prefix of “Research,” or “Clinical,” with the title of Lecturer and above;
- Faculty equivalent academic professionals (FEAPS) who are in academic units; and
- Such other persons engaged in full time professional activities responsive to the academic obligations of the University as have been approved for membership by the
2. Functions

a. The members of the University Assembly shall elect Senators to represent constituent
groups as provided in this Constitution.

b. Members of the University Assembly may express, by formal resolution, their opinion on
any question relating to policy or administration of the University.

c. Any action of the Senate must be reconsidered by that body, if within three weeks after
distribution of the minutes reporting such action, petitions signed by at least five percent
of the members of the University Assembly and stating reasons for objection to the
Senate action are filed with the Faculty Secretary. If the Senate reaffirms the action so
challenged, the issue must be submitted, along with appropriate documents summarizing
the opposing views, to the University Assembly. The majority of ballots received by the
Faculty Secretary by a specified deadline will decide the issue.

3. Regular Meetings

The University Assembly shall hold one regular meeting during each academic year (typically
on the second Monday of October) at which time the President shall report in detail on the state
of the University. The President may make such recommendations to the University Assembly
and call such problems to their attention as the President deems pertinent to its responsibility as a
faculty. There shall be free discussion of any subject relating to the policy or administration of
the University until such time as a majority of the members present pass a motion to adjourn.

4. Special Meetings

Special meetings of the University Assembly may be called by the President of the University or
the Faculty Senate Chair or by petition to the Faculty Senate Office of five percent of the
members of the University Assembly.

5. Presiding Officer

The Chair of the Faculty Senate shall serve as the Chair of Faculty and shall preside over the
University Assembly. In his/her absence, the Faculty Senate Chair-Elect shall preside.

6. Parliamentarian

The Senate Parliamentarian shall serve as the Parliamentarian of the University Assembly.

7. Notice of Meetings
Except in case of an emergency, the Faculty Senate Office shall notify members of the University Assembly at least one week in advance of the date of a regular or special meeting.

8. Procedural Rules

Meetings of the University Assembly shall be conducted according to Robert's Rules of Order.

Article II
The Faculty Senate

1. Composition

A constituency for the purposes of this Constitution is defined as an academic unit on the WVU Morgantown campus, or WVU at Parkersburg, or Potomac State College of WVU, or WVU Institute of Technology or other Regional Campuses if any. The basic criterion for a constituency is that it shall be under the direction of an administrative officer who is directly responsible to the WVU Provost or WVU Vice-President for Health Sciences. Any group seeking status as a separate constituency shall present a petition signed by 25% of its members to the Committee on Committees, Membership and Constituencies. That Committee shall review that petition and shall within six (6) months recommend to the Senate whether the new constituency should be recognized. The affirmation of a new constituency shall be by not less than two-thirds of the members of the Senate, present and voting.

2. Review of Constituencies

The Committee on Committees, Membership and Constituencies shall, every three years, review the constituencies then electing members to the Senate. If the committee finds that a constituency is no longer under the direction of an academic officer who is directly responsible to the WVU Provost or WVU Vice-President for Health Sciences, the Committee shall recommend to the Senate that that constituency be abolished. The abolition of a constituency shall be by not less than two-thirds of the members of the Senate, present and voting.

3. Representation

There shall be at least one elected Senate member from each constituency as designated above. The number of Senators elected from each constituency shall be based upon one elected Senator for each twenty or fraction of twenty members of the University Assembly and who are responsible to particular constituent administrative units.

4. Role of Senators

Senators must be committed to the importance of faculty governance. As elected representatives of faculty, the Senator’s role is to represent the interests of his/her constituency and to communicate those interests to the Senate. Senators also have a responsibility to inform their constituents of Senate activities and decisions and provide for a meaningful flow of information.
as called for in the Preamble of this constitution. Senators must be prepared to take a leadership role in carrying out the functions of the Senate.

5. Functions

The Senate shall have authority, as the recognized body representing faculty, to recommend general policies to the President and the governing and policy boards with regard to:

a. Objectives and academic standards for the University, its regional campuses, and its components;

b. Addition, modification, and deletion of all academic programs, curricula, and courses; especially with regard to those affecting more than one college, school, or other academic division; the common course numbering system requires that course offerings on all campuses be coordinated through the Curriculum Committee of the WVU Faculty Senate;

c. The organizational structure of the University with reference to academic matters;

d. Admissions, transfers, scholastic achievement and graduation requirements of the University;

e. Responsibilities, rights and duties of faculty members, such as standards of appointments and conduct, criteria for tenure and promotion, retirement, academic freedom, salary, and the nature and conditions of their work and all matters of faculty welfare;

f. Student life, such as standards of conduct, discipline, health, living conditions, organizations, publications, financial aid, and student participation in extracurricular activities and athletics;

g. University convocations, lectures, entertainment, publications, and radio and television broadcasts;

h. The academic calendar and the scheduling of classes;

i. The operation and administration of the libraries;

j. Equipment and physical facilities;

k. Academic recognition, including honorary degrees - subject to policies and procedures adopted on each of the respective regional campuses. Procedure: There will be two parts to the discussion of candidates in the Closed Session before a vote. First, the representative of the nominating committee would stand for questions and discussion. Then the nominating committee member shall leave while the Senate discusses the nominees in a Closed Session with only the Senators and Faculty Secretary present. The vote shall be a confidential written ballot.
1. Such other matters as shall be referred to it for study and recommendation.

6. Election of Senators

The Faculty Senate Office with oversight from the Faculty Secretary shall be responsible for the conduct of Senate elections.

a. The Faculty Senate Office shall advise members of each constituency which has an upcoming vacancy or vacancies of their opportunity to nominate candidates not later than Feb 1. Candidates for a position on the Faculty Senate may be nominated by one or more colleagues or may be self-nominated. Candidates may write a paragraph of their interests and qualifications to be distributed by the Faculty Senate Office with the election materials if they so desire.

b. Elected Senators shall be chosen from those nominated under Paragraph b by mail ballot no later than March 15 by the voting members of the constituencies.

c. Main campus, WVU Parkersburg, and WVU Potomac State elections for Senators shall be completed no later than March 15. Election of Senators from WVU-IT shall be carried out by the WVU-IT campus faculty at or before its April faculty meeting and reported to the WVU Faculty Senate Office at least one week before the WVU Faculty Senate’s April Meeting.

d. The Committee of Retired Faculty's Chair and Chair-Elect, having been elected by the Governing Board of that Committee, will serve as senators to represent their constituency in the Senate.

7. Continuity

Approximately one-third of the elected Senate members shall be elected each year from each constituency where there is more than one representative. At the first election, which shall be conducted by the existing Senate Executive Committee, one third plus whatever fraction is necessary to round off to a whole number shall be elected for a term of one year; another one-third plus the fraction necessary to round off to a whole number shall be elected for a term of two years and the remainder shall be elected for three years except where there are only two representatives, these shall be elected for two and three year terms; and where there is only one representative, he/she shall be elected for a three year term.

8. Term of Senators

The term of a Senator shall begin on June 1 of the year in which he/she is elected and end on May 31 of the third year of service. Elected members of the Faculty Senate shall normally serve for a term of three years and until successors have been elected and have taken office. They shall be eligible to serve two consecutive full terms but shall then be ineligible for re-election until a period of one year has elapsed. A term of less than two years shall not be considered a full term.
for purposes of this provision; a term of two years or more shall be considered a full term for
purposes of this provision. The Committee on Membership and Constituencies may recommend
that some Senators be elected for terms of one or two years in order that, as nearly as possible,
an equal number of representatives will be elected annually within a constituency.

9. Vacancies

Should a vacancy occur, the nominee of that constituency with the next highest vote in the most
recent election shall be named to serve the remainder of the unexpired term.

10. Senate Meetings

The Senate shall meet regularly no less than once per month, except in July and August, at a time
and place which it shall establish. Special meetings of the Senate may be held upon call of the
Faculty Senate Chair, or upon written request of ten Senators. An emergency meeting may be
called only on petition of twenty-five (25) Senators, by the Faculty Senate Chair, or by the
President of the University.

Except in the case of an emergency meeting, the Faculty Senate Office shall notify Senators of
any meetings at least one week in advance of the date of any such meeting. In case of an
emergency the Faculty Senate Office shall take all necessary means to notify the members of the
Senate in advance of such an emergency meeting.

11. Presiding Officer

The Faculty Senate Chair shall preside over the Senate. In the absence of the Chair, the Chair-
Elect shall preside.

12. Parliamentarian

There shall be a Parliamentarian appointed annually by the Senate Executive Committee with the
consent of the Senate. The Parliamentarian shall assume office June 1 of each year. The duties
and responsibilities of the Parliamentarian are to advise the Chair on how to apply Roberts Rules
of Order to the proceedings of the Senate. In the absence of the appointed Parliamentarian the
Chair-Elect will fill that role.

13. Quorum

At any regular, special, or emergency meeting of the Senate, forty (40%) percent of the elected
Senators shall constitute a quorum.

14. Observers

All Senate meetings are open meetings except those portions of meetings in which the Senate
can go into Executive session to discuss matters of a sensitive or confidential nature. Any
member of the University Assembly or University community may be present at Senate meetings
as an observer. Any observer present at a meeting of the Senate may address the Senate upon
being recognized by a Senator.

15. Attendance

All Senators shall be expected to attend regularly the meetings of the Senate. There shall be a
roll taken at each meeting published in the minutes and provided with the election ballot each
year. A matrix of senators vs. meetings attended shall be published in the minutes of every
meeting. The matrix shall be cumulative over the Senate year, June through June. This matrix
shall be provided with the minutes of every meeting. The matrix shall also be provided for the
previous year and the current year with the election ballot each Spring.

16. Rules of Procedure

Senate meetings shall be conducted according to Robert's Rules of Order. Voting procedures will
follow the provisions of those rules. Observers to the Senate shall be clearly segregated and sit
in a section different than the section reserved for Senators.

Article III
Committees

1. Creation and Classification

The Senate shall have the power to establish committees to carry out its functions. Certain
committees created by this constitution may only be established or abolished by constitutional
amendment.

2. Executive Committee

The Executive Committee is a constitutional committee composed of the Faculty Chair who shall
be its chair, the Faculty Secretary who shall be its secretary, Faculty Chair-Elect, the immediate
past Chair, and seven elected Senators who shall be chosen by the Senate. These members shall
be elected for terms of one year, and no Senator may serve more than three consecutive terms
except for the Chair-Elect, the Chair, the immediate past Chair and the Secretary. No more than
one Senator may be elected to the Executive Committee from any one constituency. The
President of the University, the Provost and Vice President for Academic Affairs and Research,
the Vice President for Health Sciences, the Advisory Council of Faculty representative, if he/she
is not an elected member of the Executive Committee, shall be ex-officio voting members. The
Chair of the Faculty Senate Curriculum Committee shall be an ex-officio non-voting member. It
shall be the duty of the Executive Committee to:

a. Carry out executive functions, including but not limited to:

i. Accept, review, advise, recommend, and initiate reports, policies, and issues relating
to the functions set forth in Article II, Section 5;
ii. Serve as a channel through which any member of the University Assembly may introduce matters for consideration by the Senate;

iii. Assist in carrying into effect the rules, regulations, and actions of the Senate;

iv. Appoint the Faculty Secretary subject to confirmation by the Senate;

v. Appoint both standing and special committees of the Senate and the chairs thereof with such appointments subject to confirmation by the Senate, and to maintain liaison with these committees to insure the expeditious fulfillment of charges to the various committees;

vi. Prepare and submit reports on the work of the Senate to the University, to the President, and to the University Assembly;

vii. Prepare the agenda for Senate meetings including a time for the University President, or for his/her designated representative, to stand for questions and to provide additional information or comments to the Senate;

b. Act for the Senate in emergencies and report such actions to the Senate;

c. Appoint the members of the University wide Promotion and Tenure Advisory Panel.

3. Committee on Committees, Membership and Constituencies

The Committee on Committees, Membership and Constituencies is a constitutional committee. Its size and membership shall be determined by the Senate Executive Committee subject to the approval of the Senate. It shall be the duty of the Committee on Committees, Membership and Constituencies to:

a. Review and report to the Senate upon the constituencies to be represented within the University Assembly per Article II, Sections 2 and 3, and to recommend such changes as it deems necessary; and

b. Secure capable committee members and committee chairs who have experience on their respective committees and to achieve a balance between senior and junior faculty members and among the various schools and colleges as much as possible.

4. Standing and Special Committees

The Senate shall establish by resolution such other Standing and Special Committees as it deems necessary. The resolution establishing any committee shall describe the subject matter jurisdiction of the committee and designate a reporting schedule for it. A Standing Committee continues until abolished by the Senate or for a maximum of five (5) years unless expressly renewed by the Senate. A Special Committee expires at the end of one year unless renewed by
the Senate. Any committee not specifically designated as a Standing Committee shall be a Special Committee.

5. Committee Personnel

The Chair and Chair-Elect of standing and special committees shall be members of the Senate. Other committee members need not be members of the Senate, but must be members of the University Assembly. Students and non-University persons may be asked to serve on appropriate committees as ex-officio members without vote. Appointment to any committee shall be for one year; members may be reappointed.

Article IV
Faculty Chair and Chair-elect

1. Eligibility

Any full-time member of the University Assembly who is serving or has served in the last three years as a Senator in the WVU Faculty Senate is eligible to be nominated for the position of Chair-Elect and stand before the Senate for election.

2. Duties

a. The Chair of the Senate shall preside over all meetings of the Senate, its Executive Committee and the University Assembly. The Chair shall serve as an ex-officio voting member of the Committee on Committees, Membership, and Constituencies. The Chair shall discharge such other duties as may be necessary to conduct that office.

b. In the absence of the Chair, the Chair-elect shall preside over the Senate, its Executive Committee and the University Assembly. Along with the Chair, the Chair-elect shall also serve as an ex-officio voting member of the Committee on Committees, Membership, and Constituencies.

3. Term

The term of the Chair shall be from July 1st to June 30th.

4. Election

Declared candidates will be introduced at the March meeting of the Senate. A call for nominations from the floor will also be made. Nominations will be closed thereafter. At the April meeting of the Senate the Chair-Elect candidates will be given an opportunity to present a brief statement to the Senate. Immediately following the April meeting, the Faculty Senate Office will send ballots to all Senators. Ballots, in order to be counted, must be returned to the Faculty Senate Office by April 30. The results of the election will be announced at the May meeting. The Chair-Elect shall serve one year in that capacity and in July of the following year shall assume the duties of the Chair.
5. Vacancies

If during the term of the Chair or Chair-Elect either of those officers is unable to carry out the function of the Office for more than two months, the Senate shall forthwith elect a new Chair-Elect. If the Chair is the officer unable to discharge his/her duties, the Chair-Elect shall begin immediately to perform those duties and shall continue to discharge them throughout the remainder of the predecessor’s unexpired term and the term that would otherwise have followed. If the Chair-Elect is unable to discharge his/her duties a newly elected Chair-Elect shall immediately perform those duties and shall continue to discharge them throughout the remainder of the predecessor’s unexpired term. For vacancies of less than two months, the function of the Chair shall be discharged by the Chair-Elect and the functions of the Chair-Elect will be discontinued. Such short-term vacancies will not alter the terms of either officer.

6. Administrative Support

The education and research responsibilities of the Faculty Chair shall be reduced to one-fourth the normal amount to permit him/her to adequately perform the assigned duties. The education and research responsibilities of the Faculty Chair-Elect shall be reduced to three-fourths the normal amount to permit him/her to adequately perform the assigned duties.

Article V

Faculty Secretary

1. Office

The Senate Executive Committee shall appoint a Faculty Secretary subject to confirmation by the Senate. Each candidate for the position of Faculty Secretary must be a member of the University Assembly. All the members of the University Assembly shall have the opportunity to apply for the position. The normal term of office shall be three years, but the Faculty Secretary may succeed himself/herself indefinitely. The Faculty Secretary shall take office on June 1, except when filling an unexpired term.

2. Duties

The Faculty Secretary shall perform the following duties:

a. Serve as secretary at all meetings of the University Assembly, the Senate, and the Senate Executive Committee;

b. Keep permanent minutes of all;

c. Distribute to the University Assembly, agenda for and minutes of, meetings of the University Assembly and the Faculty Senate. (This may be by posting minutes and agenda to the Faculty Senate Web page and e-mailing the appropriate faculty list of the
availability on the web site of such minutes or agenda.) As necessary, distribute any other
documents or papers needed to keep the University Assembly informed;

d. Keep an “official roster” for the University Assembly;

e. Maintain a roll and matrix of attendance at all Senate meetings;

f. Supervise the Faculty Senate Office in the conduct of elections. Determine a calendar of
election to adjust redistribution of representatives to the Senate so that an equal number
of Senators will be elected annually. Contact faculty members who need to fill vacancies
because of Senate resignations.

g. Prepare and defend an annual budget for the Faculty Senate Office;

h. Serve as an ex-officio member of the Executive Committee and the Committee on
Committees, Membership and Constituencies;

i. Supervise the Faculty Senate office staff; and

j. To maintain an official roster of the Assembly, determine questions of eligibility for
membership in the Assembly, and report the names of Assembly members within each
constituency group.

3. Administrative Support

The education and research responsibilities of the Faculty Secretary shall be reduced sufficiently
to permit the Faculty Secretary to perform his/her duties adequately not to exceed the equivalent
of one-course release per semester. The Faculty Secretary shall be provided with an office and
adequate staff for the performance of these duties.

Article VI

Amending Procedure

1. Proposing Amendments

Amendments to this Constitution shall first be approved by the Senate and then submitted to the
University Assembly. Any member of the University Assembly may submit a suggested
amendment in writing to the Senate by filing it with the Faculty Senate Office. The Senate shall
act either to approve or reject the proposed amendment no later than the third meeting following
such filings. Approval of any amendment shall require a two-thirds vote of the Senators present
and voting in order to submit the amendment to the Faculty Assembly.

2. Publicizing Proposed Amendments

Any amendment approved by the Senate shall be distributed to every member of the University
Assembly at least one month before a meeting of the University Assembly by campus mail in
addition to an electronic mail notice that the amendment is available on the faculty senate web
site.

3. Discussion of Amendments

Opportunity for debate at a regular or special meeting of the University Assembly shall be
provided for every amendment approved by the Senate.

4. Ratification of Amendments

Within one week following the meeting of the University Assembly, ballots shall be prepared by
the Faculty Senate Office and distributed by mail to all members of the University Assembly.
Voters shall return their marked ballots to the Faculty Senate Office within two weeks of the
original date of mailing. Ratification of a proposed amendment shall require a two-thirds
majority of those responding to the mail vote.

5. Effective Date of Amendments:

New amendments shall be effective immediately upon ratification.

This Constitution shall be effective July 1, 2003.

**Amendments:**

(All amendments shall be listed here)

(None listed as of date of passage of the constitution.)

A major rewrite of this West Virginia University Faculty Constitution has taken place over the
1999-2000-2001-2002 school years. This new Constitution was passed by the WVU Faculty
Senate on September 9, 2003 and by the WVU Faculty Assembly on October 14, 2002.