

1 WEST VIRGINIA UNIVERSITY

2
3 FACULTY CONSTITUTION

4
5 **Preamble**

6
7 Traditions of the academic community in general and of West Virginia University in particular
8 demand that the faculties of the colleges, schools, and regional campuses of West Virginia
9 University participate fully in the governance of the University. It is recognized that legal
10 authority to guide and regulate the University is vested by the West Virginia Legislature in the
11 Higher Education Policy Commission and the Board of Governors through the President of the
12 University. Regional Vice Presidents and Campus Presidents at WVU at Parkersburg, Potomac
13 State College of WVU, and the WVU Institute of Technology report to the President of the
14 University through the Provost. It is recognized that the faculties of the regional campuses of
15 WVU will pursue their own governance as needed but will be represented in the Faculty Senate.
16 It is further recognized that as a corollary of academic freedom, the faculty has a responsibility
17 for guiding the academic pursuits of the University as well as for guiding the academic pursuits
18 of each campus, college, school, or their equivalent in the University. The University faculty
19 acknowledges responsibility to communicate to those exercising legal authority over the
20 institution its views on matters bearing upon the academic program. To that end, this
21 Constitution is established to facilitate a meaningful flow of information and to further
22 understanding among the faculty, administration, students, and staff; and to assist the President
23 and the governing and policy boards in developing University policy.
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26 **Article I**
27 **The University Assembly**

28
29 1. Composition

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31 The University Assembly shall include those employed full time by West Virginia University,
32 those who report to an academic Dean, and those who perform activities responsive to the
33 academic obligation of the University. These shall include:
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- 35 • All tenured and tenure-track faculty (including clinical emphasis track and Extension
36 faculty) with the title of Instructor and above;
- 37 • Librarian track Faculty;
- 38 • Retired faculty represented through the Committee on Retired Faculty;
- 39 • Non-tenure-track faculty with titles bearing the prefix of “Research,” or “Clinical,”
40 with the title of Lecturer and above;
- 41 • Faculty equivalent academic professionals (FEAPS) who are in academic units; and
- 42 • Such other persons engaged in full time professional activities responsive to the
43 academic obligations of the University as have been approved for membership by the

44 Senate on the recommendation of the Committee on Committees, Membership, and
45 Constituencies.

46
47 2. Functions

- 48
49 a. The members of the University Assembly shall elect Senators to represent constituent
50 groups as provided in this Constitution.
51
52 b. Members of the University Assembly may express, by formal resolution, their opinion on
53 any question relating to policy or administration of the University.
54
55 c. Any action of the Senate must be reconsidered by that body, if within three weeks after
56 distribution of the minutes reporting such action, petitions signed by at least five percent
57 of the members of the University Assembly and stating reasons for objection to the
58 Senate action are filed with the Faculty Secretary. If the Senate reaffirms the action so
59 challenged, the issue must be submitted, along with appropriate documents summarizing
60 the opposing views, to the University Assembly. The majority of ballots received by the
61 Faculty Secretary by a specified deadline will decide the issue.
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63 3. Regular Meetings

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65 The University Assembly shall hold one regular meeting during each academic year (typically
66 on the second Monday of October) at which time the President shall report in detail on the state
67 of the University. The President may make such recommendations to the University Assembly
68 and call such problems to their attention as the President deems pertinent to its responsibility as a
69 faculty. There shall be free discussion of any subject relating to the policy or administration of
70 the University until such time as a majority of the members present pass a motion to adjourn.
71

72 4. Special Meetings

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74 Special meetings of the University Assembly may be called by the President of the University or
75 the Faculty Senate Chair or by petition to the Faculty Senate Office of five percent of the
76 members of the University Assembly.
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78 5. Presiding Officer

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

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85 The Senate Parliamentarian shall serve as the Parliamentarian of the University Assembly.
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87 7. Notice of Meetings

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

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92 8. Procedural Rules

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94 Meetings of the University Assembly shall be conducted according to Robert's Rules of Order.
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96 **Article II**
97 **The Faculty Senate**

98
99 1. Composition
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101 A constituency for the purposes of this Constitution is defined as an academic unit on the WVU
102 Morgantown campus, or WVU at Parkersburg, or Potomac State College of WVU, or WVU
103 Institute of Technology or other Regional Campuses if any. The basic criterion for a
104 constituency is that it shall be under the direction of an administrative officer who is directly
105 responsible to the WVU Provost or WVU Vice-President for Health Sciences. Any group
106 seeking status as a separate constituency shall present a petition signed by 25% of its members to
107 the Committee on Committees, Membership and Constituencies. That Committee shall review
108 that petition and shall within six (6) months recommend to the Senate whether the new
109 constituency should be recognized. The affirmation of a new constituency shall be by not less
110 than two-thirds of the members of the Senate, present and voting.

111
112 2. Review of Constituencies
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114 The Committee on Committees, Membership and Constituencies shall, every three years, review
115 the constituencies then electing members to the Senate. If the committee finds that a
116 constituency is no longer under the direction of an academic officer who is directly responsible
117 to the WVU Provost or WVU Vice-President for Health Sciences, the Committee shall
118 recommend to the Senate that that constituency be abolished. The abolition of a constituency
119 shall be by not less than two-thirds of the members of the Senate, present and voting.
120

121 3. Representation
122

123 There shall be at least one elected Senate member from each constituency as designated above.
124 The number of Senators elected from each constituency shall be based upon one elected Senator
125 for each twenty or fraction of twenty members of the University Assembly and who are
126 responsible to particular constituent administrative units.
127

128 4. Role of Senators
129

130 Senators must be committed to the importance of faculty governance. As elected representatives
131 of faculty, the Senator's role is to represent the interests of his/her constituency and to
132 communicate those interests to the Senate. Senators also have a responsibility to inform their
133 constituents of Senate activities and decisions and provide for a meaningful flow of information

134 as called for in the Preamble of this constitution. Senators must be prepared to take a leadership
135 role in carrying out the functions of the Senate.

136
137 5. Functions

138
139 The Senate shall have authority, as the recognized body representing faculty, to recommend
140 general policies to the President and the governing and policy boards with regard to:

- 141
- 142 a. Objectives and academic standards for the University, its regional campuses, and its
143 components;
 - 144
 - 145 b. Addition, modification, and deletion of all academic programs, curricula, and courses;
146 especially with regard to those affecting more than one college, school, or other academic
147 division; the common course numbering system requires that course offerings on all
148 campuses be coordinated through the Curriculum Committee of the WVU Faculty
149 Senate;
 - 150
 - 151 c. The organizational structure of the University with reference to academic matters;
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 - 153 d. Admissions, transfers, scholastic achievement and graduation requirements of the
154 University;
 - 155
 - 156 e. Responsibilities, rights and duties of faculty members, such as standards of appointments
157 and conduct, criteria for tenure and promotion, retirement, academic freedom, salary, and
158 the nature and conditions of their work and all matters of faculty welfare;
 - 159
 - 160 f. Student life, such as standards of conduct, discipline, health, living conditions,
161 organizations, publications, financial aid, and student participation in extracurricular
162 activities and athletics;
 - 163
 - 164 g. University convocations, lectures, entertainment, publications, and radio and television
165 broadcasts;
 - 166
 - 167 h. The academic calendar and the scheduling of classes;
 - 168
 - 169 i. The operation and administration of the libraries;
 - 170
 - 171 j. Equipment and physical facilities;
 - 172
 - 173 k. Academic recognition, including honorary degrees - subject to policies and procedures
174 adopted on each of the respective regional campuses. Procedure: There will be two parts
175 to the discussion of candidates in the Closed Session before a vote. First, the
176 representative of the nominating committee would stand for questions and discussion.
177 Then the nominating committee member shall leave while the Senate discusses the
178 nominees in a Closed Session with only the Senators and Faculty Secretary present. The
179 vote shall be a confidential written ballot.

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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

226 for purposes of this provision; a term of two years or more shall be considered a full term for
227 purposes of this provision. The Committee on Membership and Constituencies may recommend
228 that some Senators be elected for terms of one or two years in order that, as nearly as possible,
229 an equal number of representatives will be elected annually within a constituency.

230

231 9. Vacancies

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

235

236 10. Senate Meetings

237

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

243

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

248

249 11. Presiding Officer

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

253

254 12. Parliamentarian

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

261

262 13. Quorum

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

266

267 14. Observers

268

269 All Senate meetings are open meetings except those portions of meetings in which the Senate
270 can go into Executive session to discuss matters of a sensitive or confidential nature. Any
271 member of the University Assembly or University community may be present at Senate meetings

272 as an observer. Any observer present at a meeting of the Senate may address the Senate upon
273 being recognized by a Senator.

274
275 15. Attendance

276
277 All Senators shall be expected to attend regularly the meetings of the Senate. There shall be a
278 roll taken at each meeting published in the minutes and provided with the election ballot each
279 year. A matrix of senators vs. meetings attended shall be published in the minutes of every
280 meeting. The matrix shall be cumulative over the Senate year, June through June. This matrix
281 shall be provided with the minutes of every meeting. The matrix shall also be provided for the
282 previous year and the current year with the election ballot each Spring.

283
284 16. Rules of Procedure

285
286 Senate meetings shall be conducted according to Robert's Rules of Order. Voting procedures will
287 follow the provisions of those rules. Observers to the Senate shall be clearly segregated and sit
288 in a section different than the section reserved for Senators.

289
290 **Article III**
291 **Committees**

292
293 1. Creation and Classification

294
295 The Senate shall have the power to establish committees to carry out its functions. Certain
296 committees created by this constitution may only be established or abolished by constitutional
297 amendment.

298
299 2. Executive Committee

300
301 The Executive Committee is a constitutional committee composed of the Faculty Chair who shall
302 be its chair, the Faculty Secretary who shall be its secretary, Faculty Chair-Elect, the immediate
303 past Chair, and seven elected Senators who shall be chosen by the Senate. These members shall
304 be elected for terms of one year, and no Senator may serve more than three consecutive terms
305 except for the Chair-Elect, the Chair, the immediate past Chair and the Secretary. No more than
306 one Senator may be elected to the Executive Committee from any one constituency. The
307 President of the University, the Provost and Vice President for Academic Affairs and Research,
308 the Vice President for Health Sciences, the Advisory Council of Faculty representative, if he/she
309 is not an elected member of the Executive Committee, shall be ex-officio voting members. The
310 Chair of the Faculty Senate Curriculum Committee shall be an ex-officio non-voting member. It
311 shall be the duty of the Executive Committee to:

312
313 a. Carry out executive functions, including but not limited to:

314
315 i. Accept, review, advise, recommend, and initiate reports, policies, and issues relating
316 to the functions set forth in Article II, Section 5;

317

- 318 ii. Serve as a channel through which any member of the University Assembly may
319 introduce matters for consideration by the Senate;
320
321 iii. Assist in carrying into effect the rules, regulations, and actions of the Senate;
322
323 iv. Appoint the Faculty Secretary subject to confirmation by the Senate;
324
325 v. Appoint both standing and special committees of the Senate and the chairs thereof
326 with such appointments subject to confirmation by the Senate, and to maintain liaison
327 with these committees to insure the expeditious fulfillment of charges to the various
328 committees;
329
330 vi. Prepare and submit reports on the work of the Senate to the University, to the
331 President, and to the University Assembly;
332
333 vii. Prepare the agenda for Senate meetings including a time for the University President,
334 or for his/her designated representative, to stand for questions and to provide
335 additional information or comments to the Senate;
336
337 b. Act for the Senate in emergencies and report such actions to the Senate;
338
339 c. Appoint the members of the University wide Promotion and Tenure Advisory Panel.
340

341
342 3. Committee on Committees, Membership and Constituencies
343

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

- 348
349 a. Review and report to the Senate upon the constituencies to be represented within the
350 University Assembly per Article II, Sections 2 and 3, and to recommend such changes as
351 it deems necessary; and
352
353 b. Secure capable committee members and committee chairs who have experience on their
354 respective committees and to achieve a balance between senior and junior faculty
355 members and among the various schools and colleges as much as possible.
356

357 4. Standing and Special Committees
358

359 The Senate shall establish by resolution such other Standing and Special Committees as it deems
360 necessary. The resolution establishing any committee shall describe the subject matter
361 jurisdiction of the committee and designate a reporting schedule for it. A Standing Committee
362 continues until abolished by the Senate or for a maximum of five (5) years unless expressly
363 renewed by the Senate. A Special Committee expires at the end of one year unless renewed by

364 the Senate. Any committee not specifically designated as a Standing Committee shall be a
365 Special Committee.

366
367 5. Committee Personnel

368
369 The Chair and Chair-Elect of standing and special committees shall be members of the Senate.
370 Other committee members need not be members of the Senate, but must be members of the
371 University Assembly. Students and non-University persons may be asked to serve on appropriate
372 committees as ex-officio members without vote. Appointment to any committee shall be for one
373 year; members may be reappointed.

374
375 **Article IV**
376 **Faculty Chair and Chair-elect**

377
378 1. Eligibility

379
380 Any full-time member of the University Assembly who is serving or has served in the last three
381 years as a Senator in the WVU Faculty Senate is eligible to be nominated for the position of
382 Chair-Elect and stand before the Senate for election.

383
384 2. Duties

385
386 a. The Chair of the Senate shall preside over all meetings of the Senate, its Executive
387 Committee and the University Assembly. The Chair shall serve as an ex-officio voting
388 member of the Committee on Committees, Membership, and Constituencies. The Chair
389 shall discharge such other duties as may be necessary to conduct that office.

390
391 b. In the absence of the Chair, the Chair-elect shall preside over the Senate, its Executive
392 Committee and the University Assembly. Along with the Chair, the Chair-elect shall also
393 serve as an ex-officio voting member of the Committee on Committees, Membership, and
394 Constituencies.

395
396 3. Term

397
398 The term of the Chair shall be from July 1st to June 30th.

399
400 4. Election

401
402 Declared candidates will be introduced at the March meeting of the Senate. A call for
403 nominations from the floor will also be made. Nominations will be closed thereafter. At the
404 April meeting of the Senate the Chair-Elect candidates will be given an opportunity to present a
405 brief statement to the Senate. Immediately following the April meeting, the Faculty Senate
406 Office will send ballots to all Senators. Ballots, in order to be counted, must be returned to the
407 Faculty Senate Office by April 30. The results of the election will be announced at the May
408 meeting. The Chair-Elect shall serve one year in that capacity and in July of the following year
409 shall assume the duties of the Chair.

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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

- 455 availability on the web site of such minutes or agenda.) As necessary, distribute any other
456 documents or papers needed to keep the University Assembly informed;
457
458 d. Keep an “official roster” for the University Assembly;
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460 e. Maintain a roll and matrix of attendance at all Senate meetings;
461
462 f. Supervise the Faculty Senate Office in the conduct of elections. Determine a calendar of
463 election to adjust redistribution of representatives to the Senate so that an equal number
464 of Senators will be elected annually. Contact faculty members who need to fill vacancies
465 because of Senate resignations.
466
467 g. Prepare and defend an annual budget for the Faculty Senate Office;
468
469 h. Serve as an ex-officio member of the Executive Committee and the Committee on
470 Committees, Membership and Constituencies;
471
472 i. Supervise the Faculty Senate office staff; and
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474 j. To maintain an official roster of the Assembly, determine questions of eligibility for
475 membership in the Assembly, and report the names of Assembly members within each
476 constituency group.
477

478 3. Administrative Support 479

480 The education and research responsibilities of the Faculty Secretary shall be reduced sufficiently
481 to permit the Faculty Secretary to perform his/her duties adequately not to exceed the equivalent
482 of one-course release per semester. The Faculty Secretary shall be provided with an office and
483 adequate staff for the performance of these duties.
484

485 **Article VI** 486 **Amending Procedure** 487

488 1. Proposing Amendments 489

490 Amendments to this Constitution shall first be approved by the Senate and then submitted to the
491 University Assembly. Any member of the University Assembly may submit a suggested
492 amendment in writing to the Senate by filing it with the Faculty Senate Office. The Senate shall
493 act either to approve or reject the proposed amendment no later than the third meeting following
494 such filings. Approval of any amendment shall require a two-thirds vote of the Senators present
495 and voting in order to submit the amendment to the Faculty Assembly.
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497 2. Publicizing Proposed Amendments 498

499 Any amendment approved by the Senate shall be distributed to every member of the University
500 Assembly at least one month before a meeting of the University Assembly by campus mail in

501 addition to an electronic mail notice that the amendment is available on the faculty senate web
502 site.

503
504 3. Discussion of Amendments

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

508
509 4. Ratification of Amendments

510
511 Within one week following the meeting of the University Assembly, ballots shall be prepared by
512 the Faculty Senate Office and distributed by mail to all members of the University Assembly.
513 Voters shall return their marked ballots to the Faculty Senate Office within two weeks of the
514 original date of mailing. Ratification of a proposed amendment shall require a two-thirds
515 majority of those responding to the mail vote.

516
517 5. Effective Date of Amendments:

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519 New amendments shall be effective immediately upon ratification.

520
521 This Constitution shall be effective July 1, 2003.

522
523 **Amendments:**
524 Amendments to date
525 (All amendments shall be listed here)

526
527 (None listed as of date of passage of the constitution.)

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533 A major rewrite of this West Virginia University Faculty Constitution has taken place over the
534 1999-2000-2001-2002 school years. This new Constitution was passed by the WVU Faculty
535 Senate on September 9, 2003 and by the WVU Faculty Assembly on October 14, 2002.

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