

CONSTITUTION AND BY-LAWS FACULTY SENATE OF WEST CHESTER UNIVERSITY OF PENNSYLVANIA

PREAMBLE

To promote the continuous improvement of the quality of higher education at West Chester University (“the University”) and in the Commonwealth of Pennsylvania, to facilitate communication and cooperation among all stakeholders of the University community, we, the Faculty of this University, do hereby subscribe to this Constitution of the Faculty Senate (“the Senate”) of West Chester University.

ARTICLE I. NAME

The name of this organization shall be the Faculty Senate of West Chester University of Pennsylvania.

ARTICLE II. PURPOSES AND DUTIES

SECTION 1. Purposes

The mission of the Faculty Senate at West Chester University is to ensure Classroom and Non-Classroom Faculty involvement in the shared governance of the institution. A forum for advocating and evaluating institutional policy and related matters affecting the welfare of the University, the Faculty Senate is committed to fostering a climate that promotes the growth and development of Faculty and Students.

SECTION 2. Duties

Within the framework of rules, policies, and regulations set forth by the Board of Governors of PASSHE under Act 188 of 1982 (as amended), the local Council of Trustees, the most recent Collective Bargaining Agreement (CBA), and “Meet and Discuss” decisions, the duties of this organization shall be:

1. to review institutional and educational policies of the University and to make recommendations to the Administration and the Bargaining Agent concerning, but not limited to, the following: academic policies concerning admissions, budgets, curricula, assessment, and granting of degrees; policies concerning faculty selection, workload, promotion, tenure, leaves, and termination of employment;
2. to advise the President of the University and the University Administration on the desirability of search and screening committees for all upper management University-wide administrative personnel, and in the composition of the same when vacancies or perceived needs exist;
3. to participate in the search and screening committees for the President of the University when a vacancy exists;
4. to participate in the search and screening committees for all other upper level University-wide administrative positions;
5. to serve as a channel of communication between the Faculty and the Administration, the Faculty and the Bargaining Agent, and the Faculty and the Council of Trustees;

6. to examine all matters under consideration from the point of view of the best interests of the University, with the intent of raising the level of all aspects of academic and professional performance;
7. to seek means to raise the level of all aspects of academic and professional performance;
8. to advocate for the welfare of Faculty, Students, and the University at large;
9. to promote Faculty involvement in the shared governance, philosophy and practice of West Chester University;
10. to foster academic freedom;
11. to review and evaluate each Senate-initiated recommendation following its execution.

SECTION 3: Operating Procedures

The Senate will submit recommendations and proposals to the University Administration or other appropriate body. In the event the Administration does not accept a recommendation adopted by the Senate, a conference will be held with the Senate Executive Committee for the purpose of clarifying any points in question. In case the Administration still finds the proposed recommendation unacceptable, the matter may be reviewed by the Administration with the full body of the Senate. In the event the Senate does not wish to accept the final judgment of the Administration, the Senate will present its recommendations and reasons to the President of the University, and may request that the Bargaining Agent take appropriate action.

Article III. MEMBERSHIP COMPOSITION AND ELIGIBILITY

SECTION 1: Composition of Senate

Senate membership shall be open to full-time “Academic” and “Administrative” Faculty as defined by the most recent CBA.

The Senate shall be composed of twenty-four members elected on a University-wide basis (“at-large seats”), and twelve members elected from the various Colleges of the University (“constituency seats”). The twelve constituency seats will be comprised of two members elected from each of the five Colleges— Education, Health Sciences, Arts and Sciences, Business and Public Affairs, Visual and Performing Arts—as well as two members elected from among Counseling, Educational Services, and the Library (“Administrative Faculty”).

SECTION 2: Term of Office

The term of office for all Senators shall be three years, with approximately one-third of the membership elected each year. There is no limit on the number of terms a Senator may serve.

SECTION 3: Vacancies

In the event of a permanent vacancy occurring prior to the scheduled termination date of that Senate seat, that vacancy shall be filled in the next general election according to the provisions of Article VII, Section 1.

Article IV: ORGANIZATION

SECTION 1. Executive Committee

A. Composition

The Executive Committee shall consist of the following officers: President, Vice-President, Recording Secretary, Corresponding Secretary, two At-Large members, and the Immediate Past-President of the Senate.

The members of the Executive Committee, except for Immediate Past-President, shall be elected from and by the membership of the Senate at the final Spring meeting of the academic year, according to Article VII, Section 2.

The position of Immediate Past-President shall be filled by the individual who has most immediately concluded his or her term as President of the Senate. The Immediate Past-President shall serve primarily as an adviser to the Executive Committee and shall have no vote on the Executive Committee except in the case of a tied vote among the other members.

B. Terms of Office

The term of office for each position on the Executive Committee is one year. The term shall run from the first day of classes in the Fall semester until the first day of classes in the Fall semester of the following academic year.

Officers may run for and, upon election, serve in the same Executive Committee position for two consecutive terms. At the conclusion of those two terms, officers may be nominated for a different Executive Committee position at the Spring election. At the conclusion of a second term, by contrast, the President must step down to become Immediate Past-President, an unelected office.

SECTION 2. Duties of Executive Committee

A. President

Presidential duties shall include, but are not restricted to:

1. serving as Chief Executive Officer of the Senate and its representative before other University bodies and the Community; this includes regularly-scheduled meetings with the President and Provost, as well as with other University or PASSHE administrators and APSCUF officers as the need arises;
2. chairing the Executive Committee;
3. preparing the agenda for meetings of the Senate, with input from the Executive Committee or others as deemed appropriate, and sending that agenda to the Senate membership at least 5 days in advance of each meeting;
4. charging the Senate committees with duties and responsibilities at the beginning of each academic year or as the need arises; this shall be done in consultation with the Executive Committee;
5. appointing ad-hoc committees and chairpersons with the consent of the majority of the Executive Committee;

6. recommending to University management the names of Senators to serve on search committees for upper-level University management positions; such recommendations shall require the concurrence of a majority of the full Senate;
7. transmitting to appropriate individuals and bodies a written statement of the actions and recommendations of the Senate;
8. representing the Senate at meetings of the University's Council of Trustees;
9. maintaining regular electronic communication with Senate membership and the Executive Committee to coordinate initiatives;
10. coordinating meetings and discussions with WCU Faculty from across campus who wish to raise a matter of concern in Senate;
11. coordinating requests from WCU Faculty and Administrators wishing to present at Senate;
12. coordinating contact with potential presenters whom Senators would like to invite to a regular meeting of the Senate;
13. compiling every academic year a "call list" of volunteer "proxy alternates" that may be drawn on by sitting Senators who seek a proxy for assembly meetings; a "proxy alternate" is defined as a full-time Faculty member, otherwise eligible for Senate membership, who is not a sitting Senator; the list shall be compiled at the beginning of the Fall semester and posted on the Senate website, where it may be accessed by Senate membership.

B. Vice-President

Vice-Presidential duties shall include, but are not restricted to:

1. acting as Chief Executive Officer of the Senate in the President's absence or inability to complete the term;
2. assisting and consulting with the President on issues relevant to the Senate;
3. keeping the minutes of Executive Committee meetings and distributing those minutes to the members of the Executive Committee as soon as possible after each meeting;
4. chairing the Membership & By-Laws Committee;
5. attending meetings with WCU Administrators as the need arises;

C. Recording Secretary

The duties of the Recording Secretary shall include, but are not restricted to:

1. keeping the minutes (including record of attendance) of all regular meetings of the Senate;
2. distributing copies of the minutes to the members of the Executive Committee as soon as possible after each meeting; minutes approved by the Executive Committee shall then be forwarded to the Corresponding Secretary to be made accessible to the entire Senate membership; the minutes must be posted at least one week prior to the next regular meeting;

3. attending meetings with WCU Administrators as the need arises;

D. Corresponding Secretary

The duties of the Corresponding Secretary shall include, but are not restricted to:

1. chairing the Communication Committee;
2. posting important papers of the Senate (including all approved minutes of regular Senate meetings, end-of-year committee reports and end-of-year campus climate reports) on the Senate website;
3. managing the Senate's working documents using the Senate's webtool site, and removing those same documents when work on them is completed; "working documents" include minutes that have been approved by the Executive Committee but still require full Senate approval, as well as any other documents currently under discussion or debate;
4. posting minutes of Executive Committee meetings electronically, and ensuring that access be available only to Executive Committee members;
5. placing hard (paper) copies of important papers of the Senate (including approved minutes of regular Senate and Executive Committee meetings, end-of-year committee reports and any other important initiatives undertaken during the academic year) in the University archives located in the Special Collections Room of the Francis Harvey Green Library;
6. serving as financial officer of the Senate, with responsibility for all financial matters (collecting fees, making disbursements and maintaining accounts, etc.), as the need arises;
7. attending meetings with WCU Administrators as the need arises;

E. At-Large Members

The duties of the At-Large members shall include, but are not restricted to:

1. supporting the Executive Committee as it leads the Senate;
2. fulfilling responsibilities as reasonably assigned by the Senate President;
3. attending meetings with WCU Administrators as the need arises;

F. Immediate Past-President

Duties of the Immediate Past-President include, but are not restricted to:

1. serving as a source of continuity between the outgoing and new Senate Administrations by attending Senate and Executive Committee meetings;

2. acting as adviser to the President and Executive Committee with respect to Senate history, contacts and procedures;
3. attending meetings with WCU Administrators as the need arises;

SECTION 3. Standing Committees

The following standing committees will consist of members of the Senate performing the duties described below, as well as other duties submitted to them each year by the President or as set forth by the committees themselves. Each committee shall submit a report to the President after the first Senate meeting of the Fall semester detailing the goals and envisioned activities of the committee for the coming year. Likewise, each committee will submit an End-Of-Year Report to the President at the last meeting of the Spring semester. This End-Of-Year Report will be posted on the Senate website. Interim and Progress Reports shall be made at various Senate meetings throughout the academic year.

Each committee shall elect a Chair at the first Senate meeting of the Fall semester. In the event no Chair is selected, the President shall appoint one. The duties of the Chair include running all subsequent committee meetings for the academic year, whether they take place during or outside of general assembly meetings. (Committees are generally expected to meet, or otherwise pursue their duties, outside of meetings of the general assembly.) The Chair shall coordinate the activities of the committee, ensure regular and timely communication among committee members, oversee the writing of the End-Of-Year and any Interim Reports, and generally be in communication with the President and the Executive Committee. The Chair shall also ensure appropriate communication at the time of transition to a new Chair of the committee. In the event the Chair is unavailable to preside over a meeting of the committee, he or she shall appoint a proxy chair to run the meeting.

1. Membership & By-Laws Committee

The duties and responsibilities of the Membership & By-Laws Committee include (but are not limited to): conducting elections at intervals mandated in this Constitution; announcing election results; maintaining current membership lists; keeping pertinent membership data; promoting procedures which enhance participation in the life of the Senate; advising, when requested, the Executive Committee and the full Senate as to provisions contained in this Constitution; rendering an opinion, when requested, as to matters of a parliamentary nature; and reviewing and updating this Constitution every five years.

2. Faculty Welfare & Ethics Committee

The duties and responsibilities of the Faculty Welfare and Ethics Committee include (but are not limited to): investigating and researching matters relevant to the welfare of the Faculty of the University; promoting discussion and resolution of such concerns; bringing to the Senate information, research, possible resolutions, and work products relating to Faculty welfare; investigating allegations of ethical misconduct of the Faculty upon request of Faculty, Student, Staff or Administrator of the University; rendering an advisory opinion on completion of such investigation; promulgating rules and procedures for the above; and maintaining and updating a code of ethical conduct for West Chester Faculty to use as reference.

3. Student Welfare Committee

The duties and responsibilities of the Student Welfare Committee include (but are not limited to): investigating and researching matters relevant to the welfare of the Student

body of the University; promoting discussion and resolution of such concerns; and bringing to the Senate information, research, possible resolutions, and work products relating to Student welfare.

4. Communication Committee

The duties and responsibilities of the Communication Committee include (but are not limited to): overseeing the distribution of information designed to familiarize the University Community with the Senate's purposes and functions; assisting the Corresponding Secretary in overseeing the Senate's website and or analogous Webtool site to ensure the same; and promoting procedures that help foster communication between the Senate and the University Community.

5. Ad-Hoc Committees

Ad-hoc committees may be appointed by the President in consultation with the Executive Committee or may be brought into existence by a majority vote of the full Senate for the purpose of addressing temporary and/or special business.

ARTICLE V. MEETINGS

SECTION 1: Regular Meetings

Regular meetings of the Senate shall be scheduled periodically three times in both the Fall and Spring semesters. Their times and dates, subject to change by the Executive Committee, shall be disseminated to all members of the Senate by the end of the first week of the classes in the Fall semester.

Regular Senate meetings are open to all University Faculty. Non-Faculty may be invited by the Senate President or a majority vote of the full Senate whenever the agenda items are relevant to them. Traditionally, invitations to participate in the discussions of the Senate are regularly extended to the Council of Trustees, a representative of the Student Government Association (SGA), a representative of the Bargaining Agent, and periodically to the University President and Provost.

SECTION 2: Special Meetings

A special meeting of the Senate may be called at a designated day and time through a majority vote of the Executive Committee, through a petition signed by one-third of the total membership of the full Senate, or through a petition signed by ten percent of all University Faculty.

SECTION 3: Member Absences and Attendance

In the event a current member cannot attend a Senate meeting, it is the responsibility of that member to secure a proxy to attend in his or her stead. A proxy is defined as a University Faculty member, not currently a Senator, who is otherwise eligible for Senate membership according to Article III, Section I. Sitting Senators are strictly forbidden from serving as proxies for absent Senators.

Senators who cannot attend and who are having trouble finding their own proxies are encouraged to consult the "call list" of volunteer "proxy alternates" that the President will compile at the beginning of the Fall semester and post on the Senate website according to Article IV, Section 2. A "proxy alternate" is defined as a full-time Faculty member, otherwise eligible for Senate membership, who is not a sitting Senator and who has responded to the President's call to volunteer in this capacity.

A Senator who misses two assembly meetings per academic year without having procured a proxy will receive a warning from the President. A Senator who misses four assembly meetings over the course of two academic years without having procured a proxy will forfeit his or her Senate seat. Any resulting empty seats will be filled according to Article III, section 3.

ARTICLE VI. TRANSACTION OF BUSINESS

SECTION 1: Initiation of Action

- a. The Senate President, in consultation with the Executive Committee, shall prepare the agenda for each regular meeting based upon suggestions for agenda items from Faculty, Students, Administrators, or the Council of Trustees.
- b. Proposed agenda items, sponsored by at least five members of the Senate, may be placed on the regular meeting agenda provided such were received by the Senate President at least seven (7) calendar days before the meeting in question.

SECTION 2: Sessions Requirements

The quorum necessary for the transaction of business shall be one-half of the members of the Senate.

In the case of a Senator's absence from any regular Senate meeting, his or her proxy may count towards the quorum necessary for the conduct of all official Senate business and may vote on any and all matters before the full Senate during that meeting.

The rendering of decisions shall be by a majority vote of the members in attendance after the opportunity is granted for full discussion and free debate except when Robert's Rules of Order require otherwise.

A roll call vote on any Senate matter on which a vote is being taken must be done if a motion calling for such a vote is approved by one-fifth of the membership present. In the event of a roll call vote, the Chair of the Membership and By-Laws Committee shall administer the roll call vote.

ARTICLE VII. ELECTIONS

SECTION 1: Procedures – General Elections

A general Senate election shall be held every Spring semester within a timeframe that allows newly-elected Senators to attend the April meeting of the Senate if they wish.

It shall be the responsibility of the Membership & By-Laws Committee to administer and supervise the entire election process, and announce the results to the University Community. This process shall be carried out electronically, using the West Chester University APSCUF website and email ballot links with the assistance of the APSCUF webmaster, and will consist of a nomination period followed by a two-pronged election period—one to determine constituency seats, the other to determine at-large seats. The length of these nomination and election "periods," to be determined specifically by the Membership & By-Laws Committee in consultation with the APSCUF webmaster, should be no shorter than eight (8) calendar days (including one weekend). This will provide University Faculty full opportunity to log on to the APSCUF website to enter nominations and/or votes.

The election ballot shall list the names of all eligible Faculty who express interest in being candidates according to the procedures and deadlines set. The initial email announcement should strongly urge Faculty to

nominate themselves for both an At-Large seat and (where there is a vacancy) a constituency-based seat. Once the nomination deadline has passed, the constituency election will commence first, in which nominees from individual Colleges will be voted on only by Faculty from that College. (The Membership and By-Laws Committee must work closely with the APSCUF webmaster to ensure the accuracy of the e-balloting at this stage of the election.) Upon the conclusion of the constituency election, and once the winners from each College election have been removed from the At-Large ballot, the At-Large election can then take place, via an e-ballot sent to all Faculty. Any loser of a College election who was not also nominated for an At-Large seat is ineligible to appear on the at-large ballot. Upon the conclusion of the entire election, the Membership & By-Laws Committee should work with the APSCUF webmaster to announce the complete results to the University Community as soon as possible, after first contacting the winners privately by email.

SECTION 2: Procedures – Executive Committee Elections

An Executive Committee election shall be held at the final Spring meeting of the academic year. Like the general election, it shall be supervised and administered by the Membership & By-Laws Committee, but this time without the assistance of the APSCUF webmaster. All current Faculty Senate members are eligible for nomination and voting in the Executive Committee election. Proxies present at the meeting are eligible to cast a vote in consultation with the Senate member they represent.

All six seats of the Executive Committee—President, Vice-President, Recording Secretary, Corresponding Secretary, and two At-Large members, but not the Immediate Past-President—require nomination and election every year. An officer may occupy the same position on the Committee for a consecutive two-year period, contingent on his or her reelection. At the end of a second term, the officer must be nominated for a different office to remain on the Committee. After a second term, the President automatically steps down to become Immediate Past-President, an unelected office.

At least seven (7) calendar days prior to the April meeting, the Chair of the Membership & By-Laws Committee shall contact the entire Senate membership by email asking for Executive Committee nominations by return email. The Chair will confirm the nominee's willingness to serve. At the final meeting, the Chair will distribute paper ballots containing the names of nominees received so far, and ask for any further nominations from the floor to be added by the entire Senate membership in the space provided. Members then cast their votes. The Chair and one other member of the Membership & By-Laws Committee shall tally the ballots immediately afterwards and announce the results before the end of the meeting. Winners shall then confirm their willingness to serve in the elected capacity. In the event that an elected nominee does not wish to serve, the nominee receiving the next highest number of votes shall be elected for that position and approached for confirmation.

If the Chair is standing for re-election to the Executive Committee, he or she may not tally the ballots. A third member of the Membership & By-Laws Committee—or, if unavailable, a disinterested current member of the Senate—will then assist in running the election.

ARTICLE VIII. AMENDMENTS

SECTION 1: Proposed Amendments

Proposed amendments to this Constitution shall be submitted to the Faculty for its consideration for ratification upon majority approval of the Faculty Senate or twenty-five percent of Faculty eligible for Senate membership signing a petition for said purpose.

SECTION 2: Notification of Proposed Amendments

Notices of the time and manner for Faculty voting on proposed amendments to this Constitution must be announced and the text of the proposed amendments circulated at least seven (7) calendar days prior to the commencement of voting on the proposed amendment.

SECTION 3: Ratification of Amendments

Ratification of amendments shall require two-thirds of the votes cast by Faculty eligible for membership in the Senate.

SECTION 4: Transmission of Approved Amendments

All ratified amendments shall be announced to the Faculty, the Administration and the Council of Trustees for their information.

ARTICLE IX: RULES OF PROCEDURE

Robert's Rules of Order, as revised, shall be the governing rules of this Senate, excepting where those rules are superseded by this Constitution.