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Bylaws of the Faculty Senate (FAM 404.35)

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BYLAWS OF THE FACULTY SENATE FAM 404.35

ARTICLE I - COMMITTEES

Faculty Senate committees are responsible to the Faculty Senate and shall report directly to that body, except on matters otherwise specified. Their duties shall be to make recommendations on matters of policy and to take action consistent with policy previously adopted by the Faculty Senate. The chairs of the Educational Policy and Resources Committee and Faculty Affairs Committee shall be elected from among the membership of the Faculty Senate. These chairs shall be nominated by the Executive Committee of the Faculty Senate and elected by the Faculty Senate. Other committees shall elect their own chairs. Faculty Senate standing committees will produce minutes or a summary for each committee meeting. Whenever feasible or appropriate, other Faculty Senate committees will produce minutes or a summary for each meeting. All Faculty Senate committees will submit a year-end summary report to the Senate through the Senate Chair and Executive Committee.

Section 1 Regulations Governing Standing Committees

- A. Unless otherwise designated in these Bylaws, the President/designee shall, where appropriate, select one representative to membership on standing committees.
- B. Standing committees may appoint subcommittees for special projects. Subcommittees may be comprised of members from the committee or other faculty. Standing committees may invite administrators or other faculty to serve as resource persons for specific issues. Terms for subcommittee appointments shall not exceed two academic years. Appointees and the Faculty Senate Office shall be notified in writing by the chair of the committee concerning appointments.
- C. Elected committee members shall serve for two-year terms, with one-half of the membership being elected each year. Alternate members are permitted only when explicitly provided for in the Bylaws. Proxy voting shall not be permitted.
- D. Student representatives to standing committees shall be appointed by the Associated Students Incorporated for one-year terms.

- E. In all standing committees the specified administrative representative may, when appropriate, be replaced by a presidential designee.
 - F. Standing committees established in the Bylaws shall function through the last day of the academic year, at which time the newly elected committees shall assume their responsibilities.
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Section 2 Standing Committees of the Faculty Senate

A. Curriculum

1. **Membership:** One tenured representative of senior rank (Associate or Full Professor or equivalent) elected from each constituent unit, one student representative, the Dean of Graduate Studies, and the Associate Vice President for Academic Programs. The student representative must be an upper division or graduate student who has completed two or more quarters at the University.
2. **Duties:** This committee shall review all curriculum proposals, including experimental courses. It shall approve student proposals for undergraduate special majors and proposals for special masters programs. It shall review credential programs, graduate degrees and other post-baccalaureate programs and curriculum. It shall be responsible for implementing campus policy on course deletion.

Committee recommendations concerning program proposals shall be forwarded to the Faculty Senate. The committee shall act for the Senate in approving course proposals.

Curriculum proposals which the committee judges to require additional faculty, staff, equipment, facilities, or financial resources shall be referred to the Educational Policy and Resources Committee for its recommendation.

School representatives to the University Curriculum Committee shall also be members of their respective school curriculum committees.

B. Educational Policy and Resources

1. **Membership:** A tenured chair of senior rank elected by the Faculty Senate, one representative of senior rank elected from each constituent unit, one student representative, and the Associate Vice President for Academic Programs. All representatives shall be of senior rank (Associate or Full Professor or equivalent). The chair shall serve as a member of the Executive Committee.

2. Duties: This committee shall evaluate, initiate and review educational policies and plans. The committee shall familiarize itself with the budget process, be informed of budget allocations at the divisional level, and make budget recommendations to the President or designee. The committee shall review and recommend annually policies regarding the allocation of educational resources within the audio-visual service and computer services areas. The committee shall also act as a consultative body in matters regarding facilities planning. All recommendations shall be made to and approved by the Faculty Senate.

The committee shall participate in the development of the academic master plan; and review and develop criteria for the adoption, modification or termination of courses and programs (e.g., majors, minors, credential programs, options, tracks, concentrations, emphases, general education, continuing education, and other self-supporting programs such as institutes and centers). It shall review and initiate recommendations concerning grading standards and practices, admissions policies, academic disqualification and probation, each annual academic calendar, and non-traditional modes of instruction (e.g., credit by examination, credit for prior experience, advanced placement, media-based instruction, internships, computer-assisted instruction).

When appropriate, this committee shall meet with the Dean of Extended Education and/or with extension program coordinators to originate and review proposals for courses, programs, conferences, etc., and to initiate and review policy recommendations affecting Extended Education (e.g., extension, summer session, open university, and other related matters). Curriculum recommendations of the committee dealing with degree applicable items shall be sent to the Curriculum Committee. The committee shall act for the Senate in a review of all non-credit Extension courses and programs not subject to specific departmental/school approval, and shall review all Extended Education policies.

This committee shall consult with appropriate standing committees of the Faculty Senate when considering policy in areas affecting the duties of those committees.

This committee shall review all Faculty Senate approved documents that originated from or were reviewed by this committee that subsequent to Faculty Senate approval have substantive modifications proposed by Academic Affairs, the President, or any other non-Faculty Senate entity. Upon review of the proposed modifications, this committee shall provide the Executive Committee a statement of approval or disapproval of the proposed modifications, or an alternative modification.

C. Faculty Affairs

1. Membership: A chair elected by the Faculty Senate, one representative of senior rank elected from each constituent unit, and the Associate Vice President for Academic Personnel. All elected representatives shall be tenured, of senior rank (Associate or Full Professor or equivalent) and members of the Faculty Bargaining Unit. The chair shall serve as a member of the Executive Committee.
2. Duties: This committee shall review, formulate and recommend policies governing all matters related to Faculty Affairs to include evaluation, leaves, professional development, and other related matters.

This committee shall review all Faculty Senate approved documents that originated from or were reviewed by this committee that subsequent to Faculty Senate approval have substantive modifications proposed by Academic Affairs, the President, or any other non-Faculty Senate entity. Upon review of the proposed modifications, this committee shall provide the Executive Committee a statement of approval or disapproval of the proposed modifications, or an alternative modification.

D. General Education

1. Membership: One tenured representative of senior rank elected from each constituent unit, one student representative, and the Dean of Undergraduate Studies.
2. Duties: This committee shall review all proposed changes in the general education curriculum and make recommendations to the Curriculum Committee.

It shall review all general education course proposals in terms of how well they meet the objectives and appropriate criteria for particular subject areas.

It shall begin a regular four-year cyclical review of the general education program, reviewing Category B in the first year, Category C in the second year, Category D in the third year, and all remaining Categories in the fourth year. (This process shall begin in the 1991-92 academic year.) It shall evaluate the organization, courses and criteria for each category being reviewed, and propose adjustments or changes that are deemed necessary to preserve the consistency, quality and coherence of the overall program.

It shall monitor the number of electives approved by any of the schools (particularly in the Elective Options and Integrative Capstone Categories) in order to discourage excessive and unwieldy course proliferation. It shall use the number of existing courses from a specific school in a particular category or section as a factor when considering additional course proposals from that school. It shall monitor existing courses to see that they are offered at least once every other year.

It shall convene the Faculty in regularly scheduled forums addressed to improvement of the general educational curriculum.

Curriculum proposals which the committee judges to require additional faculty, staff, equipment, facilities, or financial resources shall be referred to the Educational Policy and Resources Committee for its recommendation.

E. Library

1. Membership: One representative elected from each constituent unit, one student representative, and the University Librarian.
2. Duties: The committee shall review and recommend allocation of educational resources within the library.

Section 3 Regulations Governing Special and ad hoc Committees

- A. Each ad hoc committee shall serve until its specified task or tasks have been completed and/or the committee has been discharged by the Senate. Each special committee shall be established on a continuing basis.
- B. When appropriate, the President/designee shall select one or more representatives to membership on special or ad hoc committees. The number of positions to be appointed by the President/designee shall be specified by the appropriate Senate policy document.
- C. Ad hoc Committee members shall serve until the committee is discharged. Special Committee members (except student representatives) shall serve for two-year terms, with one-half of the membership being replaced each year. Alternate members are permitted only when explicitly provided for in the controlling policy documents. Proxy voting shall not be permitted.
- D. Student representatives shall be appointed by the Associated Students Incorporated. Student representatives on special committees shall serve for one-year terms.
- E. Special committees shall function through the last day of the academic year, at which time new committee members shall assume their responsibilities. As special and ad hoc committees go in and out of business from time to time, the Faculty Senate Office shall maintain a current and complete listing. Therefore, these special committees may include the following and/or others at any given time:

- 1 . Information Resources and technology Committee (FSD 92-13.RI)
 2. Critical Thinking Oversight Committee (FSD 86-23)
 3. University Evaluation Committee (FSD 85-187.R7)
 4. Faculty Professional Development Coordinating Committee (FSD 88-1 I.RI)
 5. Honorary Degree Committee (FSD 98-19)
 6. Honors Committee (FSD 88-19)
 7. Institutional Review Board (FSD 67-03.R5)
 8. Instructional Quality Committee (FSD 88-12)
 9. Outstanding Professor Selection Committee (FSD 79-220.R6)
 10. Student Grade Appeals Panel (FSD 69-41.R6)
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ARTICLE II - PROCEDURES FOR NOMINATION AND ELECTION TO THE FACULTY SENATE, UNIVERSITY-WIDE SENATE OFFICES, THE STATE-WIDE ACADEMIC SENATE, AND COLLEGE/CONSTITUENT UNIT SENATE OFFICES

Section 1

Candidates shall be nominated and elected in a process which permits participation by every eligible member of the electorate.

Section 2

- A. Elections and referenda shall be conducted by secret ballot.
- B. In nominating and electing representatives to the Faculty Senate and constituent unit representatives to standing committees and other Senate offices, procedures shall follow other guidelines of this Article except as mentioned.
- C. Confirmation elections for Evaluation (RPT) committees or other prescribed offices as it may occur with a minimum number of nominees shall provide the choice of “acceptable” or “unacceptable.”

D. Nominations and elections from the Faculty at large shall precede those from the constituent units.

E. Elections shall take place by May 1 of each year.

Section 3

For elections and referenda involving the Faculty at large and for College/Constituent Unit Senate offices, the following procedures shall apply:

A. The Senate Elections Committee shall be responsible for University-wide elections and referenda, and College Elections Officers/Committees shall be responsible for college/constituent unit elections.

B. ANNOUNCEMENT OF COMING ELECTION(S).

The Elections Committee/Officers shall publish to the Faculty an announcement of each coming election. This shall be made as early as is reasonably convenient, prior to or concurrently with the Call for Nominations (see C.). The announcement of coming elections shall list:

1. the post(s) to be filled by the election along with the number of vacancies and the names and terms of current members;*
2. term(s) of the respective post(s);
3. the nominating and voting deadlines; and
4. list(s) of those eligible to be nominated.

*A statement shall be included as follows: Any eligible voter who fails to receive a nominating petition or a ballot through the campus mail may obtain one in person from the Faculty Senate Office or appropriate Elections Committee/Officer on the day of the appropriate deadline or the academic day immediately prior.

C. NOMINATIONS, NOTIFICATION, AND AUTOMATIC ELECTION

The Elections Committee/Officers shall publish to the Faculty a Call for Nominations for each election. This shall include:

1. the post(s) involved in the election along with the number of vacancies and the names and terms of current members;
2. term(s) of the respective post(s);

3. Constitutional requirement(s) to be met by the nominee(s);
4. nominating procedures and petitions (a nominating petition with at least two (2) Faculty signatures shall be required within the same college/Constituent Unit for Senate offices for each eligible candidate nominated to represent that college or unit, along with a statement of qualifications for the subject committee(s) and acceptance signatures for each vacancy. Campus-wide Senate offices will otherwise follow the same rules but will require eight (8) nominating Faculty signatures from any College/Constituent Unit; and
5. place(s) and time(s) at which nominations shall be received.

The Call for Nominations shall be published at least ten (10) and at most twenty (20) academic days before the deadline for nominations. The elections Committee/Officers shall notify the electorate of all nominees three (3) academic days before nominations close.

If nominations close with only one candidate or the minimum sufficient, that person or those persons shall be automatically elected without confirmation vote except in the case of Evaluation (RPT) committees. If nominations close without any candidates or without the minimum sufficient, the deadline shall be extended until the minimum number of nominees are found.

D. ELIGIBILITY LISTS

The Senate staff secretary shall maintain a current list of those Faculty members who meet the Constitutional requirements) for election to the post(s) in question. This information shall be compiled by the Senate staff secretary from a master list of Faculty, which is maintained in the Senate Office and published by the Faculty Personnel Clerk. The Elections Committee/Officers shall request verification of their respective lists from their School Deans, Department Chairs/School Directors, or other appropriate officials. The Elections Committee/Officers shall publish this list accompanied by this statement:

"Any questions about eligibility for nomination in this election must be presented to the Elections Committee/Officer no later than three (3) academic days after the Call for Nominations and resolved by that Committee/Officer no later than six (6) academic days after the Call for Nominations."

E. SUBMISSION OF NOMINATIONS

It shall be the responsibility of those submitting nominations to make sure that the Elections Committee/Officer or Senate Secretary receives the nominations on time at a place designated in the Call for Nominations.*

*Upon demand, a signed and dated receipt of nomination shall be issued by either a member of the Elections Committee, the elections Officer, or designated representative (e.g., the Faculty Senate Staff Secretary). In the absence of such receipt, the Elections Committee/Officer shall not be considered responsible if a name is omitted from the ballot because the nomination was misplaced, and the failure of the name to appear on the ballot shall not be considered grounds for invalidating the election.

F. CONTENT OF BALLOT

Each ballot shall:

1. be marked BALLOT;
2. state the post(s) at stake in the election and the term(s) of office;
3. list the qualified nominees, including a list of qualifications, in alphabetical order;
4. instruct the voter to complete the ballot by marking:

"1" by the name of his/her 1st choice (most preferred) candidate;

"2" by the name of his/her 2nd choice candidate;

"3" by the name of his/her 3rd choice candidate; and so on

5. state where the ballot may be cast and the deadline for casting ballots;
6. instruct the voter to seal the completed ballot in an envelope which does not bear the voter's name and to seal this envelope in another envelope which does bear the voter's name, both printed and signed; and
7. remind the voter that failure to follow the instructions may invalidate the ballot.

G. PROCEDURE FOR DISTRIBUTION AND RETURN OF BALLOTS

The Senate Staff Secretary or Elections Committee/Officer shall send a ballot, together with the envelopes mentioned in F above, to each eligible voter at least six (6) academic days before the deadline for casting ballots. As ballots come in for University-wide elections, the Senate Staff Secretary or Senate Elections Committee shall record the names of those whose votes have arrived on a list of eligible voters. The ballots shall be deposited in a locked ballot box in the Faculty Senate Office. College/Constituent Unit Elections Committees/Officers shall also follow suitable protective procedures to likewise assure balloting integrity.

Absentee Ballots: Any member of the Faculty eligible to vote in that election may obtain an absentee ballot by submitting a completed absentee ballot request form to the Senate Staff Secretary or appropriate Elections Committee/Officer.

Ballots and other election materials will be mailed to absentee voters on the same day that they are distributed on campus. Ballots must be received by the Faculty Senate Office or appropriate Elections Committee/Officer within the same deadlines established for regular ballots.

H. DETERMINATION OF RESULTS

As soon as reasonably possible after the deadline for casting ballots, the Elections Committee/Officer shall tally the ballots. In the case of the Senate Elections Committee, a quorum for this meeting shall be three members of the Elections Committee.*

*If a member of the Elections Committee or an Elections Officer is a candidate for an office covered by that balloting, he or she shall be excused from such counting and replaced by an appropriate substitute. In the case of a University-wide office another member of the Senate, from the same constituent unit if possible, will be asked to serve as a replacement if necessary to complete a quorum. In College/Constituent Unit elections, another member of the Constituent Unit will be asked to serve as necessary.

The procedure for determining the results of the election shall be as follows:

1. The names of the voters who cast ballots shall be read from the outer envelopes and again recorded on the list of eligible voters.

Valid outer envelopes shall be opened and the inner envelopes removed there from. If a ballot is in an outer envelope but not in an inner envelope, it shall still be considered valid, provided it is the only ballot in that outer envelope.

Valid inner envelopes shall be opened and ballots tallied as follows:

a) When the votes are to be counted by members of the Election Committee:

(1) If the vote is for a single candidate:

(a) If any candidate is the first choice on a majority of ballots, that candidate is declared elected. If there is no first choice majority candidate,

(b) the candidate with the smallest number of first choice votes is eliminated and those ballots are redistributed, according to the voters' second choices, among the candidates remaining. If there is now a majority for one candidate, that person is declared elected. Otherwise,

(c) the candidate with fewest votes is eliminated and those ballots redistributed according to the voters' highest remaining choices.

This process is continued until a majority for one candidate is obtained, at which point that candidate is declared elected.

(d) If it becomes necessary to eliminate a candidate, and there is a tie as to who has fewest votes, a toss of the coin will be used to determine which candidate stays in the race for the next count. If there is a three-way tie, three coins will be tossed (one for each candidate). The candidate whose coin lands differently from the others will be eliminated. If the toss does not single out a candidate (e.g., if the coins all land heads up), the coins shall be tossed again until the coin for one candidate lands differently from those of all the other candidates. This same procedure shall be used whenever more than three-way ties occur.

(2) If the vote is to elect two or more candidates:

One candidate will be elected as follows:

(a) the ballots will be distributed according to the voters' first choices.

(b) Those ballots whose first choice votes are for the candidate that has already been elected are redistributed among the remaining candidates according to the voters' second choices.

If at this stage any candidate has a majority of the votes, he or she is declared elected. If not, the candidate with fewest votes is eliminated and those ballots redistributed according to the voters' highest remaining choices.

(c) The redistribution process is continued, as in the election of a single candidate, until a majority for one candidate is obtained, at which point that candidate is declared elected.

(d) Ties are dealt with as in part a) above.

(e) The process is repeated until the desired number of candidates are elected.

(3) Invalid Ballots: Ballots shall be invalidated and set aside unopened for any of the following reasons:

(a) Illegible, duplicate, or absent name on outer envelope;

(b) two inner envelopes within one outer envelope;

(c) two or more marked ballots within one inner envelope;

(d) illegible or indeterminable preferences on ballot.

b) When the votes are to be counted with the assistance of University computer offices, programs, or personnel:

(1) The computer software must duplicate the procedure listed in subsection II.3.H.3.a above.

(2) For University-wide elections and for College/Constituent Unit elections with an Elections Committee/Officer, two members of this Committee shall deliver the ballots to the University computer offices, programs, or personnel for automated counting. The two members of this Committee shall witness or directly operate the entire computerized procedure as required. For college and Constituent Units with Elections Officers, said Officer shall likewise witness or directly operate the entire procedure. After the votes have been counted, the Elections Committee representative or Elections Officer shall return the ballots and program documentation to the Faculty Senate office or to a secure location in the College as appropriate.

Valid ballots and program documentation, together with any invalid ballots, envelopes from parts 1) and 3) above, and the checklist of those who voted, shall be stored, locked, in the Faculty Senate Office or a secure College office as appropriate for at least ten (10) academic days after the results of the election are announced. If at that time the announced results have not been officially appealed, the ballots, envelopes, and checklists may be discarded. Otherwise, these must be saved as evidence until the appeal has been settled by the procedures outlined below (Section K).

I. ANNOUNCEMENT OF ELECTION RESULTS

As soon as the ballots have been tallied, the Elections Committee/Officer shall make the results of the election known to the Faculty. The announcement shall include the numbers of votes for each candidate at each stage in the tallying process.

J. ELECTIONS QUESTIONS

If at any time in the election process any Faculty member(s) have a question about the election concerning implementation or interpretation of Article 11 of these bylaws of the Constitution, they shall put the question in writing to the Elections Committee for decision. The Faculty member(s) may appeal this decision to the Executive Committee whose rulings shall be final.

K. APPEAL OF ELECTION RESULTS

The announced results of any campus-wide or college/constituent unit election may be appealed within the first eight (8) academic days after said results are announced.

Appeal shall be by petition, signed by ten (10) faculty members or five (5) in the case of college/constituent unit elections, and delivered to the Elections Committee/Officer or the Senate Staff Secretary as appropriate. The appeal shall state the grounds for questioning the announced election results.

The merits of any appeal for university-wide or college/constituent unit elections shall be judged as soon as possible by an Election Appeal Board consisting of the Executive Committee of the Faculty Senate and the Chairperson of the Committee on Faculty Affairs. The Election Appeal Board may subpoena relevant materials (e.g., ballots, envelopes, checklists and announcements) and take testimony as it sees fit.

The proceedings of the Election Appeal Board shall be open only to members of the Board itself, the Senate Staff Secretary, and those whom the Board calls for testimony.

Based on its findings, the Appeal Board may:

1. Reject the appeal, or
2. Accept the appeal, and based on this acceptance, invalidate the announced election results and order the election process rerun from whatever point they see fit.

The decision of the Election Appeal Board shall be final.

ARTICLE III - RESIGNATIONS AND RECALL ELECTIONS

Section 1

Any Faculty Senator, State-wide Academic Senator or Faculty Senate committee member who is going on full-time leave for two quarters or more shall vacate his or her position at the beginning of the academic year in which the leave will occur or immediately should the notice of leave occur during the operative year instead of the prior one. Senators leaving full-time for one quarter who wish to serve and who can commit to campus attendance requirements may seek waiver by the Senate Executive Committee. When the office is ordinarily filled by an election or appointment, a new election shall be held or an appointment made, respectively, to fill the unexpired term of office.

Section 2

Any Faculty Senator, State-wide Academic Senator or Faculty Senate committee member who cannot fulfill his or her membership responsibilities, especially with regard to attendance to meetings, must resign so that the affected constituency may be

properly represented. New elections shall be held or appointments made to fill the unexpired term of office. If an elected body loses a faculty member and has six weeks or less of business remaining for that academic year, then the Executive Committee shall appoint a replacement should the appropriate Elections committee/Officer determine a new vote impossible.

Section 3

If a Faculty Senator or State-wide Academic Senator fails to resign or reassume his or her responsibilities under suggestion by the Senate Chair, the Senate, by majority vote, may refer the matter to the Elections Committee. The Elections Committee shall have ten (10) academic days after receiving the complaint to investigate and seek a mutually satisfactory solution to the complaint. If none is found, the Committee will issue a report, with copies to the Senate and the Senator under investigation. If the Elections Committee's findings uphold the Senate's complaint, it shall then immediately initiate a recall election. The recall ballot shall include a summary of the findings of the Elections Committee and will include a statement in rebuttal from the Senator subject to recall if he or she so desires.

Section 4

If a committee member fails to resign or reassume his or her responsibilities under suggestion by the committee chair, the committee, by majority vote, may refer the matter to the Elections Committee. The Elections Committee shall have ten (10) academic days after receiving the committee complaint to investigate and seek a mutually satisfactory solution to the complaint. If none is found, the Committee will issue a report, with copies to the Senate, committee chair, and the committee member under investigation. If the Elections Committee's findings uphold the committee's complaint, it shall then immediately initiate a recall election. The recall ballot shall include a summary of the findings of the Elections Committee and will include a statement in rebuttal from the committee member subject to recall if he or she desires. The electorate for Executive Committee appointments shall be the Executive Committee. The Senate shall be the electorate for positions elected or confirmed by the Faculty Senate.

ARTICLE IV - REPRESENTATIVES TO THE ACADEMIC SENATE OF THE CALIFORNIA STATE UNIVERSITY

The representatives to the Academic Senate of the California State University shall regularly consult with, report to, and where appropriate, receive instruction from the Faculty Senate concerning matters and issues before that State-wide body.

ARTICLE V - QUORUM

In all meetings of the Faculty and of the Faculty Senate, a quorum shall consist of the presence of a majority of the voting members.

ARTICLE VI - PARLIAMENTARY AUTHORITY

To the extent that it does not conflict with the Constitution and Bylaws of the CSUSB Faculty, Robert's Rules of Order Newly Revised will be the final source of parliamentary authority. In the event of conflict, the Constitution and Bylaws take precedence.