

IU South Bend Constitutional reform update: Committees and Other Language

No Change: These committees have reviewed and they have requested no changes (though there may be formatting/order changes in the new format).

Curriculum Committee
Research and Development
Admissions and Advising
Budget

Awaiting further review/revisions

Several Committees are still reviewing and we will address in future meetings.

Some Revisions

The Executive Committee of the Senate brings forward the following recommended changes or revisions. In each case, the committee has made these recommendations or approved recommendations made by the Ad Hoc Committee on IU South Bend Academic Handbook and Academic Senate Constitution reform.

Below are those committees as currently defined in the left column, and the proposed for changes in the right column.

(Two are long enough to take full pages each.)

Contents on pages below

1. Non-Tenure Track Faculty Policy Committee
2. Facilities Management Committee
3. Student Publications Committee
4. Promotion Tenure and Reappointment Committee
5. Executive Committee, Constitutional General Language & Bylaws

Proposed changes introduced April 2018, amended for September 2018

Current:

**Non-Tenure Track Faculty Policy Committee
(3/2000)**

The Non-Tenure Track Faculty Policy Committee's main functions will be:

1. to monitor the execution of campus policies relating to NTTF
2. to recommend ways to improve and regularize the employment of NTTF in all units on campus; and
3. to provide an annual report concerning the employment of NTTF to the President of IU, Co-Secretaries of the University Faculty Council, Chancellor of IU South Bend and IU South Bend Academic Senate.

The membership of the committee shall include both tenure-track and non-tenure track faculty in equal numbers. The chair of the committee shall be a member of the IU South Bend Academic Senate.

Non-tenure track faculty who are not members of the Senate but who were officially appointed to the committee shall have full voting rights.

The Non-Tenure Track Faculty Policy Committee

(3/2000; revised 2018)

Charge:

The Committee's main functions will be:

1. to monitor the execution of campus policies relating to NTTF;
2. to recommend ways to improve and regularize the employment of NTTF in all units on campus.
3. to provide an annual report to the IU South Bend Academic Senate.

Membership and Terms:

The Committee shall be comprised of six to eight faculty members including both tenure-track and non-tenure track faculty in equal or nearly equal numbers. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the memberships lapsing each year.

The chair of the committee shall be a member of the IU South Bend Academic Senate.

Non-tenure track faculty who are not members of the Senate but who were officially appointed to the committee shall have full voting rights.

Current:

The Committee on Facilities Management (5/1998)

Charge:

The Committee on Facilities Management shall be concerned with matters pertaining to the utilization, modification, and expansion of campus facilities (5/1998). The Committee regularly reviews the campus master plan and its implementation. The Committee shall bring faculty and staff concerns regarding campus facilities to the attention of the campus administration (3/2008).

Membership:

Faculty members are to be appointed for two-year staggered terms. The committee will include one member appointed by the Professional Staff Council and one member appointed by the Bi-weekly Staff Council, with one-year renewable terms. The Director of Facilities Management will be an ex officio member. A committee chair will be elected annually by the committee from the faculty members (3/2008).

Proposed:

Facilities Management Committee (5/1998; revised 3/2008; revised 2018)

Charge:

The Facilities Management Committee shall be concerned with matters pertaining to the utilization, modification, expansion, and maintenance of campus facilities. The Committee regularly reviews the campus master plan and its implementation. The Committee shall bring faculty and staff concerns regarding campus facilities to the attention of the Senate and campus administration.

Membership and Terms:

The Committee shall be comprised of six to eight full-time faculty. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the memberships lapsing each year.

The committee will include one member appointed by the Professional Staff Council and one member appointed by the Bi-weekly Staff Council, with one-year renewable terms. The committee will include one student member to be nominated by SGA.

The Director of Facilities Management will serve as an ex officio member.

A committee chair will be elected annually by the committee from the faculty members.

Current:

The Student Publications Committee (5/1998)

Charge:

The Student Publications Committee is charged with the general supervision of student publications, their staff and fiscal operation. It also acts as liaison between student publications, the campus, and general community. The Committee is the authority on editorial policies and general issues of content, but has no right of pre-publication censorship. Responsibilities of the Committee shall include:

1. Defining the responsibilities, duties, and expectations of chief editors and faculty advisors of all student publication.
2. Having supervisory authority over fiscal operations of all student publications.
3. Soliciting applications, interviewing, and selecting editors for each student publication.
4. Identifying and appointing a faculty advisor for each student publication.
5. Dismissing student publication editors for unsound business and/or editorial practices, illegal activities, or other actions that the Committee deems as inappropriate.
6. Reviewing and approving personnel and editorial policies developed by the editor, staff, and/or faculty advisor of each student publication.
7. Serving as an appeal body on personnel matters or issues of content that cannot be resolved by the editors, publications staff, and/or faculty advisors of a publication.

Membership:

Faculty members are to be appointed for two-year staggered terms. The committee will include one member appointed by the Professional Staff Council and one member appointed by the Bi-weekly Staff Council, with one-year renewable terms. The Director of Facilities Management will be an ex officio member. A committee chair will be elected annually by the committee from the faculty members (3/2008).

Proposed:

The Student Publications Committee (5/1998, 2018)

Charge:

The Student Publications Committee is charged with the general supervision of student publications, their staff and fiscal operation. It also acts as liaison between student publications, the campus, and general community. The Committee is the authority on editorial policies and general issues of content, but has no right of pre-publication censorship. Responsibilities of the Committee shall include:

1. Defining the responsibilities, duties, and expectations of chief editors and faculty advisors of all student publication.
2. Having supervisory authority over fiscal operations of all student publications.
3. Soliciting applications, interviewing, and selecting editors for each student publication.
4. Identifying and appointing a faculty advisor for each student publication.
5. Dismissing student publication editors for unsound business and/or editorial practices, illegal activities, or other actions that the Committee deems as inappropriate.
6. Reviewing and approving personnel and editorial policies developed by the editor, staff, and/or faculty advisor of each student publication.
7. Serving as an appeal body on personnel matters or issues of content that cannot be resolved by the editors, publications staff, and/or faculty advisors of a publication.

Membership and Terms:

1. Four faculty members shall be appointed by the Academic Senate Executive Committee to serve two-year overlapping terms with approximately one-half of the memberships lapsing each year. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library.
2. The Faculty Advisor of each of the student publications shall serve as advisor and as a voting ex officio member for a term of two years, renewable with approval of the committee.
3. The editor-in-chief of each student publication and the Director of Student Life will also serve as ex-officio voting members.
4. One student member shall serve a one-year renewable voting appointment made by the IU South Bend Student Government Association. It is the responsibility of SGA to appoint this individual.
5. One committee member shall fill the role of paymaster, to approve editor hours and pay, for a term of two years, renewable with the approval of the committee.

Current:

ARTICLE IX. SENATE PROMOTION, TENURE, AND REAPPOINTMENT COMMITTEE

(November 2018)

Section 1. Selection

Election of members to the Promotion, Tenure and Reappointment Committee shall be held in the spring in conjunction with the election of Academic Senate officers. Terms of office for voting members (2/2010) shall be two years, four members to be elected in even-numbered years and three in odd-numbered years. Terms of office for non-voting members shall be one year (2/2010). Those selected will be the members receiving the most votes, with the following conditions:

The Committee shall consist of seven tenured, voting faculty members, at least three of whom must be Full Professors, and two tenure-probationary, non-voting faculty members (2/2010). No senate member with a 50% or greater administrative workload assignment (11/1998) may serve on the committee.

Section 2. Eligibility and Disqualification

Faculty members who are candidates for promotion may be elected to a two-year term but are disqualified from serving in the year of their candidacy. In the event of a vacancy, a special election will be held at the next meeting of the Academic Senate to select a replacement (4/1979).

Said replacement shall serve until the next election for the Promotion, Tenure and Reappointment Committee. Should a member be disqualified in the first year of the term the member may then serve the second year of the term.

No person shall serve on more than one campus Promotion, Tenure, and Reappointment Committee at the same time.

Section 3. Principles for Participation in the Tenure and Promotion Process at all levels

Faculty members and administrators do not vote on promotion or tenure in review committees without fully participating in committee deliberations. There should be no proxy voting on promotion and tenure cases at any level. Faculty members and administrators who participate in the promotion and tenure process have full access to all materials in the candidates' dossier and to assessments at all previous levels of review. Except for reconsideration of prior decisions, each faculty member and administrator who participates in the promotion and tenure process votes only once in any particular case. (2/2010)

Section 4. Officers

The Committee will elect its own chairperson and any other officers it desires from its own membership. The chair and any other officers must be voting members of the committee.

Section 4. Powers and Responsibilities

A. All cases of promotion and tenure at Indiana University SB without exception shall be under the jurisdiction of the Promotion, Tenure, and Reappointment Committee.

B. The Committee shall have access to all information pertinent to each promotion, tenure, and reappointment case. (12/1977).

C. No faculty member shall be denied reappointment without a recommendation of this committee.

D. Before formal dismissal proceedings are begun (see Article X for a definition of dismissal) the Committee shall consider the case and shall determine whether in its view formal dismissal proceedings should be instituted.

E. The Committee must promptly notify all candidates of the recommendations it has made. In the case of negative recommendations, reasons must be given in writing if the candidate so requests. These communications shall remain confidential, except when a candidate desires to disclose them.

F. Only rarely and for unusual and compelling reasons shall the Chancellor not support the recommendation of the Committee. In such cases the Chancellor shall provide the Committee with a detailed written report.

Section 5. Procedures

A. Faculty members and administrative officers will refrain from publicizing any information they may have about their colleagues' candidacy for promotion, tenure, and/or contract renewal beyond that which is necessary for the securing of information required for making these recommendations. Individuals may reveal their own candidacies to anyone at their own discretion.

B. The Executive Vice Chancellor for Academic Affairs shall provide the chairperson with necessary clerical assistance and filing space for the work of the Committee.

C. In case of a negative recommendation, a candidate shall have the right to one appearance before the Promotion, Tenure and Reappointment Committee.

Proposed

ARTICLE IX. SENATE PROMOTION, TENURE, AND REAPPOINTMENT COMMITTEE

(November 2018, April 2018)

Section 1. Selection

Election of members to the Promotion, Tenure and Reappointment Committee shall be held in the spring in conjunction with the election of Academic Senate officers. Terms of office for voting members (2/2010) shall be two years, four members to be elected in even-numbered years and three in odd-numbered years. Terms of office for non-voting members shall be one year (2/2010).

Those selected will be the members receiving the most votes, with the following conditions:

The Committee shall consist of seven tenured, voting faculty members, at least three of whom must be Full Professors, and two tenure-probationary, non-voting faculty members (2/2010). No Senate member with a 50% or greater administrative workload assignment (11/1998) may serve on the committee.

In years with five positions to be filled on the Promotion, Tenure and Reappointment Committee, the lowest winning vote will be considered a one-year term (2/1998).

Section 2. Eligibility and Disqualification

Faculty members who are candidates for promotion may be elected to a two-year term but are disqualified from serving in the year of their candidacy. In the event of a vacancy, the Executive Committee shall appoint a replacement until a special election can be held at the next meeting of the Academic Senate to select a replacement (4/1979, 4/2018). Said replacement shall serve until the next election for the Promotion, Tenure and Reappointment Committee. Should a member be disqualified in the first year of the term the member may then serve the second year of the term.

No person shall serve on more than one campus Promotion, Tenure, and Reappointment Committee at the same time.

Section 3. Principles for Participation in the Tenure and Promotion Process at all levels

Faculty members and administrators do not vote on promotion or tenure in review committees without fully participating in committee deliberations. There should be no proxy on promotion and tenure cases at any level. Faculty members and administrators who participate in the promotion and tenure process have full access to all materials in the candidates' dossier and to assessments at all previous levels of review. Except for reconsideration of prior decisions, each faculty member and administrator who participates in the promotion and tenure process votes only once in any particular case (2/2010).

Section 5. Officers

The Committee will elect its own chairperson and any other officers it desires from its own membership. The chair and any other officers must be voting members of the committee.

Section 4. Powers and Responsibilities

A. All cases of promotion and tenure at IU South Bend without exception shall be under the jurisdiction of the Promotion, Tenure, and Reappointment Committee.

B. The Committee shall have access to all information pertinent to each promotion, tenure, and reappointment case (12/1977).

C. No faculty member shall be denied reappointment without a recommendation of this committee.

D. Before formal dismissal proceedings are begun (see Article X for a definition of dismissal) the Committee shall consider the case and shall determine whether in its view formal dismissal proceedings should be instituted.

E. The Committee must promptly notify all candidates of the recommendations it has made. In the case of negative recommendations, reasons must be given in writing if the candidate so requests. These communications shall remain confidential, except when a candidate desires to disclose them.

F. Only rarely and for compelling reasons shall the Chancellor not support the recommendation of the Committee. In such cases, the Chancellor shall provide the Committee with a detailed written report.

Section 6. Procedures

A. Faculty members and administrative officers will refrain from publicizing any information they may have about their colleagues' candidacy for promotion, tenure, and/or contract renewal beyond that which is necessary for the securing of information required for making these recommendations. Individuals may reveal their own candidacies to anyone at their own discretion.

B. The Executive Vice Chancellor for Academic Affairs shall provide the chairperson with necessary clerical assistance and filing space for the work of the Committee.

C. In case of a negative recommendation, a candidate shall have the right to one appearance before the Promotion, Tenure and Reappointment Committee.

CONSTITUTION OF THE ACADEMIC SENATE, INDIANA UNIVERSITY SOUTH BEND

Changes noted with ~~striketrough~~ for deletions, Red for additions

(Revised through November 2017)

Preamble

We, the faculty of Indiana University South Bend, in order to provide a governmental structure for our membership and a forum for the exchange of ideas, to promote excellence in scholastic and professional attainment, and to maximize the participation, the influence, and the effectiveness of the faculty in the operation and growth of Indiana University South Bend, do hereby constitute ourselves as the Academic Senate, Indiana University South Bend, and adopt this Constitution as our instrument of government.

Subject to the limitation imposed by the laws of the State of Indiana and the Board of Trustees of Indiana University, and the Indiana University Faculty Constitution, this Constitution establishes the powers and the duties herein provided for and confers them upon the Academic Senate, Indiana University South Bend. The Constitution is to be construed and implemented in the spirit of affirmative action principles and of civil rights legislation.

ARTICLE I. MEMBERSHIP

Section 1. Voting Membership

Full-time staff members holding the following academic positions shall be granted the right to vote in the Academic Senate:

Professor	Instructor	Associate Librarian
Associate Professor	Lecturer	Assistant Librarian
Assistant Professor	Librarian	Affiliate Librarian
Clinical Professor	Clinical Associate Professor	Clinical Lecturer
Clinical Assistant Professor	Clinical Senior Lecturer	

Associate (5/98) faculty who are scheduled to teach at least one credit course in the fall of the current academic year or who taught at least one credit course in the preceding academic year, may select representatives from their number to serve as voting members of the Academic Senate. The number of representatives shall not exceed fifteen. **The procedure for selecting these representatives is contained in the By-Laws.**

Section 2. Emeritus Faculty

Attendance and speaking rights at Senate meetings are extended to emeritus senate members (6/1996).

ARTICLE II. OFFICERS

Section 1. President

The duly elected President of the Academic Senate shall preside over all Senate meetings, shall serve as President of the Executive Committee, shall implement the decisions of the Senate and shall report from time to time on matters of importance to the Senate. The President shall be elected from among the tenured members of the faculty.

Section 2. Vice President

The duly elected Vice President of the Academic Senate shall carry out all duties of the President in the absence of the President and shall handle Senate funds. The Vice President becomes the President on the death, resignation, or permanent incapacity of the President (5/1998). The duly elected Vice President shall come from the tenured members of the faculty (5/1998).

Section 3. Secretary

The duly elected Secretary of the Academic Senate shall record and retain minutes of all Senate meetings, shall distribute copies of all minutes to all members, shall prepare in consultation with the Executive Committee the agenda for Senate meetings, shall handle all correspondence for the Senate, and shall send written notice of all Senate meetings to all members. The Secretary shall ~~regularly provide the library with a copy of the minutes to be bound for permanent record~~ **regularly provide the library archivist with a copy of the minutes and other Senate documents to be preserved digitally and published**, and shall send each member of the Board of Trustees a copy of all resolutions passed by the Senate. The Secretary shall, upon leaving office, turn over all records of Academic Senate business to the successor.

Section 4. Parliamentarian

The Parliamentarian of the Academic Senate, who shall be appointed by the President, will advise the President on parliamentary procedure.

ARTICLE III. ELECTION AND TENURE OF OFFICERS

Section 1. Election Procedure

The Academic Senate shall elect a nominating committee of three members at the ~~December~~ (2/1997) **November** meeting to prepare a nomination slate for each position to be filled for the next year. This slate shall be presented at the February (10/1993) meeting of the Senate. In addition to these nominations, any member may be nominated from the floor at the February (10/1993) meeting of the Senate.

Election of officers shall be conducted by mail (10/1993) or electronic (5/2016) ballot circulated to voting members of the Senate after the February (10/1993) meeting of the Senate. Tabulated results of the election shall be certified by the Secretary and announced no later than the March (10/1993) meeting of the Senate. In the event that no nominees shall receive a majority of votes on the first ballot, the nominees receiving the greatest number of votes and the second greatest number of votes shall be contestants in a second ballot. In the case of a tie on the second ballot, the President shall cast the deciding vote. The nominee receiving a majority of the votes cast shall be declared the winner.

Section 2. Eligibility to Hold Office

All voting members except the Chancellor, Vice Chancellors and Deans of Indiana University South Bend shall be eligible to hold office in the Academic Senate.

Section 3. Tenure of Office

The President shall serve for two years. All other officers shall serve for one year, beginning on July 1 (10/1993) following the election.

ARTICLE IV. MEETINGS

Section 1. Format

All meetings shall be presided over by the President of the Academic Senate. The Vice President shall preside in the absence of the President. In the absence of both, a President pro tempore shall be elected by a majority vote of those members present and voting.

The agenda shall be prepared by the Executive Committee (see Article VI). Meetings shall be conducted according to the latest edition of ~~Sturgis's Standard Code of Parliamentary Procedure~~, **of the latest version of The Standard Code of Parliamentary Procedure**, except insofar as this Constitution and the by-laws may make express provisions to the contrary.

Section 2. Frequency

~~Regular meetings shall be held monthly during the academic year.~~ **Regular meetings are held in September, October, November, January, February, March, and April**, except that the Executive Committee may cancel any regularly scheduled meeting for lack of business. ~~The academic year shall be defined to exclude the Summer Sessions.~~

Special meetings shall be called by the President upon written petition of at least ten members or upon a majority vote of the Executive Committee. The agenda for a special meeting shall be confined explicitly to matters contained in the petition. No meeting of the Academic Senate shall be called during official University vacation periods.

Section 3. Notices

Written or electronic (5/1998) announcement of all regular meetings shall be made by the Secretary or President (5/1998) to all members at least one week in advance of such meetings.

Written or electronic (5/1998) announcement of all special meetings shall be made by the Secretary or President (5/1998) to all members at least three (3) school days -- excluding Saturdays and Sundays -- in advance of such meetings.

Section 4. Quorum

A quorum shall consist of fifty voting members (2/2003).

ARTICLE V. LEGISLATIVE AUTHORITY OF THE ACADEMIC SENATE

Section 1. Source of Powers

Subject to the limitations imposed by the laws of the State of Indiana, the Board of Trustees of Indiana University, and by the Indiana University Faculty Constitution, this constitution confirms and establishes in the faculty of Indiana University South Bend the power and duties herein specified. Said powers and duties shall be exercised exclusively by the Academic Senate of Indiana University South Bend.

Section 2. Legislative Authority

The Academic Senate has legislative authority in the following areas:

Standards of admission and retention of students.

Determination of curriculum.

Class scheduling and IU South Bend academic calendar.

Determination of faculty status.

Standards and procedures for faculty appointments.

Standards and procedures concerning faculty promotion and tenure.

Standards and procedures concerning faculty conduct and discipline.

Standards and procedures for the appointment of academic administrative officials.

Standards and procedures for creation, reorganization, merger, and elimination of academic programs and units.

Standards and procedures concerning athletics.

Standards and procedures concerning student conduct and discipline.

The conferring of degrees.

Such other authority that subsequently may be delegated by the Trustees and/or the University Faculty Council.

Other educational policies of IU South Bend.

Legislative authority means the power to establish policies and to determine procedures for their implementation subject to the Board of Trustees, the University Faculty Council, the laws of the State, and other provisions of this Constitution **and the Constitution of the Indiana University Faculty (ACA-04)**.

Section 3. Consultation of the Academic Senate

IU South Bend administrative officials shall consult with the Senate concerning:

Decisions regarding the University's existing or prospective physical resources.

Allocation of the University's resources among competing demands (i.e., budgeting).

Appointment to (1) administrative positions at the campus or college/school/library level which involve responsibility for credit or noncredit academic programs, and (2) other campus-wide senior administrative positions with significant impact on academic programs (e.g., Athletic Director, Business Manager).

This consultation may take a variety of forms, chief among which should be consultation with elected faculty representatives, in particular the Executive Committee of the Academic Senate and/or various standing committees of the Academic Senate.

IU South Bend administrative officials shall keep the Academic Senate completely informed in an appropriate manner concerning all policies.

ARTICLE X. DISMISSAL

Dismissal shall mean the involuntary termination of a tenured faculty member's appointment prior to retirement or resignation, or the termination of the appointment of a non-tenured faculty member prior to the expiration of the term of appointment. Dismissal is thus to be distinguished from the non-reappointment of a probationary faculty member.

Dismissal shall occur only for reason of:

- (a) incompetence,
- (b) serious personal or professional misconduct, or
- (c) extraordinary financial exigencies of the University.

For policy and procedures regarding (a) and (b), see Article XI: Faculty Misconduct Policy. For policy and procedures regarding (c), see Contingency Planning Policy and Procedures, @ in Part II (The Academic Appointee and the Student on the Indiana University South Bend Campus) of the Academic Handbook. (3/2000).

ARTICLE VI. EXECUTIVE COMMITTEE

Section 1. President

The Executive Committee shall be chaired by the President of the Academic Senate.

Section 2. Members

The membership of the Committee shall consist of the elected officers of the Senate, the immediate past president, the elected (5/1998) UFC Representatives and ~~three~~ **four** members nominated and elected **to two-year staggered terms** in the same manner as officers of the Senate, except that the election shall be by plurality vote. The Parliamentarian shall serve as a non-voting member (5/1998).

The election of IU South Bend's elected representative to the IU University Faculty Council shall follow the provisions as described for the election of Senate officers, except that plurality vote will prevail. The representative shall serve a two-year term, **staggered with the term of the President of the Senate**, or otherwise as may be determined by the Senate's Executive Committee. The IU South Bend UFC representative shall report periodically to the Academic Senate on matters of interest and/or importance (1/1996).

Section 3. Eligibility

Any voting member of the Academic Senate shall be eligible to serve on the Executive Committee, except that the Chancellor, Vice Chancellors and Deans shall not be eligible.

Section 4. Duties

The duties of the Executive Committee shall be:

To make appointments to the various standing committees of the Academic Senate. These appointments shall be made in consultation with the Senate member concerned. Such appointments shall be presented for ratification at the April (10/1993) meeting of the Academic Senate.

To make appointments to various ad hoc committees including all faculty appointments to search and screen committees for administrative positions requiring Senate consultation (see Article V, Section 3). In the case of administrative appointments carrying faculty rank, at least two-thirds of the Search and Screen Committee members shall be members of the full-time faculty of Indiana University South Bend.

To determine the agenda for regular Academic Senate Meetings. The agenda shall be compiled as follows:

Any person wishing to bring a matter before the Academic Senate for a vote shall submit the proposed motion or resolution to the President of the Executive Committee at least two weeks before the next regularly scheduled meeting of the Academic Senate.

The Executive Committee shall meet at least ten days before the next regularly scheduled meeting of the Academic Senate and shall decide by majority vote which items to place on the agenda of the next Senate meeting and which items to refer to the appropriate Senate committee for further study and recommendation; except that any matter may be placed on the agenda of the Senate if the President of the Senate deems it to be of such urgency that the Executive Committee should be bypassed; or, upon filing of a written petition, signed by ten members, with the President of the Senate at least ten days before the next regularly scheduled meeting of the Senate.

The Chairperson of the Executive Committee shall put such items of information (non-voting matters) on the agenda as he or she deems appropriate.

If there is not sufficient business to come before the Senate, the Executive Committee may cancel the next regularly scheduled meeting of the Senate.

To facilitate the implementation and effect of legislation passed by the Senate, the Executive Committee may edit the final draft of any such new legislation, which revisions shall be promptly submitted to the Senate membership for review, and shall refer such legislation to the appropriate administrative officials. The Executive Committee shall review and report upon the subsequent action of administrators in implementing the legislation.

To maintain a file of changes to the ACADEMIC HANDBOOK, and to work with the office of the Executive Vice Chancellor for Academic Affairs to periodically issue an updated version of the ACADEMIC HANDBOOK (6/1996) ~~to periodically issue an~~ **to maintain** an updated version updated

Section 5.

The Executive Committee may invite nonmembers to participate in the discussion of matters of particular interest.

Section 6.

The Chairperson of the Executive Committee shall report to the next meeting of the Senate matters considered and actions taken by the Executive Committee.

Section 7.

A Secretary shall be chosen from the membership of the Executive Committee and such person shall keep minutes of the Committee. Copies of these minutes shall be ~~put on open reserve in the library~~ **posted on the Senate website or other public format.**

Section 8.

If the full Academic Senate cannot be convened in time, in cases of dire emergency the Executive Committee may act provisionally for the faculty. Any action of the Executive Committee may be appealed to the Senate.

Section 9.

In the event of a vacancy in any position on the Executive Committee except the President, a replacement to fill the unexpired term shall be nominated by the Executive Committee. As the first order of business at the next Academic Senate meeting, further nominations will be accepted from the floor and an election shall take place immediately on the close of the nominations. A position becomes vacant on the death or resignation of an elected member or on a member's incapacity to serve (5/1998).

ARTICLE VII. STANDING COMMITTEES

Section 1. Structure

Standing committees shall be appointed by the Executive Committee, with ratification by the Senate. Standing committees shall consist of three to nine members (3/1993), at the discretion of the Executive Committee except when the constitution states otherwise (4/1996). The term of office shall ~~normally be for one year, starting~~ commence on July 1 (10/1993). At the request of a standing committee and the recommendation of the Executive Committee, the Academic Senate may modify the term of office. In the event of a vacancy, the Executive Committee shall appoint a replacement. The chairperson of each standing committee shall be elected from and by the voting membership of that committee.

Section 2. Eligibility

Any voting member of the Academic Senate shall be eligible to serve on standing committees.

Associate (5/1998) faculty and students at Indiana University South Bend may apply to any of the standing committees for admission to their proceedings; the committee shall determine the nature of their participation.

A standing committee shall not extend voting rights to more than two non-members of the Senate except when the constitution states otherwise (4/1996).

Section 3. Duties

Standing committees shall make studies, formulate recommendations, prepare resolutions and carry out such other duties as may be assigned by the Academic Senate. Standing committees shall concern themselves with matters at their own initiative, at the request of the Academic Senate, its President, its Executive Committee, or at the request of the Chancellor of Indiana University South Bend. Any Senate member or administrative officer may, through the chairperson or other committee members, present matters for committee consideration. All actions of committees shall be recorded in minutes.

Committees shall exercise discretion in reporting matters of a confidential nature **and are entitled to hold closed meetings when appropriate**. Meetings of standing committees shall be called by the chairpersons of the respective committees. The committee chairperson shall call meetings at the request of the President of the Academic Senate, or a majority of the members of the committee. A copy of all minutes shall be given to the President of the Academic Senate **and to the archivist**. All committee actions are subject to review by the Academic Senate.

Under circumstances when the element of time precludes the normal course of action concerning committee recommendations, the committee chairperson or President of the Academic Senate may seek the immediate recommendations of a committee on matters within the area of competence of that

committee. The suggested areas of competence, listed below, should in no way inhibit the initiative of any committee.

Section 4. Records

Chairpersons of all standing committees are responsible for:

Keeping a file of all committee minutes and correspondence for the school year and delivering these documents to the librarian **archivist** before July 1 of that school year.

Compiling a year-end report which would include a description of the work of the committee and an assessment of how the committee carried out its work. This report must be filed with the librarian as soon as possible after the end of the school year, but no later than August 1st. Copies of this report are to be distributed to the faculty.

The librarian **archivist** shall be responsible for keeping ~~two copies of all past minutes and reports and correspondence~~ **copies of all past minutes and reports and related documents in the archives** and related documents of the Academic Senate and its standing committees.

Section 5. Powers

~~Except in cases of emergency, all committees will circulate an agenda to all voting members of the Academic Senate at least three school days prior to a meeting. Any member interested in the subjects to be discussed in committee is to be allowed to attend the meeting and to speak freely on the question at hand except when committees are considering confidential matters that require the meetings be closed. In these special cases, the committee can indicate the necessity for executive session in the agenda (5/1998).~~

The Senate maintains the right to overrule any action taken by a committee. Minutes of all committees will be distributed to all members of the committee, members of the Executive Committee, and any other member of the Academic Senate who requests ~~to be put on the mailing list~~ **them**.

As agents of the Academic Senate, committees may make decisions and formulate policies which are binding on the Senate unless formally overruled. When a committee arrives at a decision or formulates a policy which it believes should be binding, it is to send a written copy of said decision or policy to the Secretary and President (5/1998) of the Academic Senate. The Secretary of the Academic Senate will include all such decisions or policies in a special section of the minutes of the next Academic Senate meeting. To obtain Academic Senate review of any such decision or policy it is necessary to submit a petition signed by ten or more members of the Academic Senate to the President or Secretary of the Academic Senate. The matter will then be placed on the agenda of the next meeting of the Academic Senate. Such review may also be instituted by decision of the Executive Committee. No committee action shall become policy until: 1) it is published in the Academic Senate minutes; and, 2) the next opportunity for review by the Academic Senate passes without alteration of the action (accomplished by majority vote of the Senate).

Administrative officers may ~~appoint~~ **create special or ad hoc** committees to obtain advice, but under no circumstances will such advice be considered to be the advice of the IU South Bend faculty. Only committees of the Academic Senate are authorized to be considered official voices of the faculty and to carry delegated legislative authority of the faculty as provided for in this Constitution and the Constitution of the University Faculty Council.

Section 6. Voting by Proxy

The members of the various standing committees have the right to appoint an alternate if they are unable to attend a meeting of their committee. The committee members may vote by proxy if they have delegated their voting rights in writing to their alternate.

ARTICLE X. DISMISSAL

Dismissal shall mean the involuntary termination of a tenured faculty member's appointment prior to retirement or resignation, or the termination of the appointment of a non-tenured faculty member prior to the expiration of the term of appointment. Dismissal is thus to be distinguished from the non-reappointment of a probationary faculty member.

Dismissal shall occur only for reason of:

- incompetence,
- serious personal or professional misconduct, or
- extraordinary financial exigencies of the University.

For policy and procedures regarding (a) and (b), see Article XI: Faculty Misconduct Policy. For policy and procedures regarding (c), see Contingency Planning Policy and Procedures, in Part II (The Academic Appointee and the Student on the Indiana University South Bend Campus) of the *Academic Handbook* (3/2000).

ARTICLE XIII. AMENDMENTS

Section 1. Proposal

A motion to amend this Constitution shall be presented to the Executive Committee. Subject to the action of the Executive Committee, debate on the proposed amendment shall be the first order of new business at the next regular meeting of the Senate or at any special meeting of the Senate occurring at least one week after the presentation of the proposed amendment to the Senate by the Executive Committee.

Section 2. Ratification

The vote on a proposed amendment shall be by secret mail or electronic (5/2016) ballot of all voting members of the Academic Senate, within one week after a majority of the voting membership attending the meeting (3/1997) of the Senate has voted in regular or special meeting that discussion the proposed amendment be closed. The amendment shall be ratified when voted for by two-thirds of all valid votes which have been cast by mail or electronic (5/2016) ballot ~~twenty~~ **seven to ten** days from the time the ballots have been distributed by the Secretary of the Senate.

ACADEMIC SENATE BY-LAWS

1. **The spirit of the Academic Senate calls for its work to be carried out in open meetings and collaborative fashion, whenever possible and appropriate.** Senate meetings **and meetings of Senate committees** are open. A meeting can be closed by a simple majority of members present (3/1999).
2. The Academic Senate, or the Executive Committee at its own discretion, may decide that any specific question shall be voted on by mail or electronic (5/2016) ballot of all members of the Senate (4/1986).

- 3. Selection of Associate Faculty to serve as voting members of the Academic Senate**
 - a. In the first week of classes, the Academic Senate Vice President will request the email addresses of all Associate Faculty from Academic Affairs.
 - b. By the third week of classes, the Academic Senate Vice President will email these faculty members asking whether they would like to serve as voting members of the Academic Senate, with the understanding that only up to fifteen faculty can serve. The email would indicate that voting would require regular attendance at Academic Senate.
 - c. If more than fifteen faculty members volunteer, the Academic Senate Vice President will stage an election via email. The ballots will list all the Associate faculty members who have volunteered to serve. All eligible Associate faculty will vote in this election (eligibility is determined by the IU South Bend Constitution: “faculty who are scheduled to teach at least one credit course in the fall of the current academic year or who taught at least one credit course in the preceding academic year”).
 - d. At the second Academic Senate meeting of the semester, or the earliest possible Academic Senate meeting, the elected voting Associate faculty members will be announced (1/2016).