

CONSTITUTION
FOR
THE FACULTY ORGANIZATION AND FACULTY COUNCIL
OF
THE PENNSYLVANIA STATE UNIVERSITY AT ERIE,
THE BEHREND COLLEGE

Amended by Faculty Council on November 3, 2008 and Faculty Organization on November 4, 2008.

ARTICLE I
NAME

The name of this body is the Faculty Organization of Penn State Erie, The Behrend College.

ARTICLE II
OBJECT

Section 1

The Faculty Organization serves as the sole legislative body of the faculty of the College. The Faculty Organization serves as a forum for the exchange of ideas among the members of the College faculty. Among the matters within the legislative jurisdiction of the Faculty Organization are:

- a. instructional courses and programs of study;
- b. graduation requirements;
- c. scholarships and honors.

Section 2

The Faculty Organization acts as an advisory and consultative body to the Office of the Chancellor of the College and the University on matters such as the following:

- a. establishment, reorganization, or discontinuation of organizational units and areas of instruction or research;
- b. policies concerning the planning of physical facilities when these may affect the attainment of the educational objectives of the College;
- c. policies and administration of academic computing;
- d. policies affecting the development and utilization of College resources;
- e. matters pertaining to the general welfare of the College;
- f. overall educational policy and planning;

- g. faculty affairs including academic personnel;
- h. student affairs; and
- i. other appropriate matters.

Section 3

The authority vested in this constitution is delegated by the University Faculty Senate.

ARTICLE III MEMBERSHIP OF THE FACULTY ORGANIZATION

The membership of the Faculty Organization includes all full-time staff members of Penn State Behrend holding faculty rank, excluding those holding affiliate appointments, and two elected representatives of the part-time faculty. The Chancellor and the President of the Student Government Association serve as *ex officio* members.

ARTICLE IV MEMBERSHIP OF THE FACULTY COUNCIL

Section 1

All members of the Faculty Organization as defined in Article III of the Constitution are eligible for election to the Faculty Council unless otherwise restricted in these documents. The Faculty Council serves in the capacity of the executive board for the Faculty Organization and meets at least twice a semester.

Section 2

A Faculty Council, consisting of elected and appointed members as specified in this Article, has full power and authority over the operations of the Faculty Organization, including the functions specified in Article II of this Constitution, unless specifically restricted by a majority vote of the membership of the Organization at a properly constituted meeting of the Organization.

Section 3

Any member of the Faculty Organization may require that actions of the Faculty Council be reviewed by the Organization. A petition must be presented and be supported by signatures from at least 20 percent of the Organization's membership. The petition must be submitted to the Faculty Council Secretary within ten working days after publication of the action in the minutes of Faculty Council. Overturning a Faculty Council action requires the approval of a majority of the members of the Faculty Organization. This vote is to occur by campus mail within ten working days after receipt of the petition.

Section 4

Prior to January 15 of each year, the Nominating Committee (described in Article VII, Section 5) presents a slate of candidates to the Faculty Organization for Vice Chair and for Secretary of the Faculty Council. Election is by secret ballot of the members of the Organization following the

procedures defined in Article II of the Standing Rules. The Vice Chair serves one year as Vice Chair and then serves the succeeding year as Chair of the Council. The Secretary is responsible for taking minutes of both the Faculty Organization and Faculty Council meetings.

Section 5

The Faculty Council includes one University Senator appointed by the Senatorial Caucus and the Chair of each of the nine standing committees. The Faculty Council has three administrative members: the Chancellor, the Senior Associate Dean, and the Associate Dean. The Faculty Council also has one part-time faculty member appointed by the Chair from the elected part-time members of the Faculty Organization and two student members selected by the major student groups by procedures approved by Council.

Section 6

If a School is not represented on Faculty Council by virtue of sections 2 and 3 above, the School may elect a separate representative.

Section 7

The Vice Chair serves as Parliamentarian, as defined in Article VIII, Section 2.

Section 8

In the event the Chair of the Council is unable to complete his/her term of office, the Vice Chair immediately succeeds to the Chair, and the Council fills the vacated post of Vice Chair from its membership.

Section 9

All members of the Council serve a one-year term unless otherwise specified and all terms begin after the last spring semester meeting of the Council.

ARTICLE V OFFICERS

Section 1

Ballot Election. The elections for the offices of Faculty Council Vice Chair and Secretary, University Faculty Senate Representatives, and the Part-Time Faculty Representatives of the Faculty Organization are held prior to January 31 (see Article IV, Section 4 related to the nomination process). Elections for these offices are held concurrently. For the offices named in this article, every member of the Faculty Organization will have the opportunity to place names in nomination and to vote. Elections are by secret ballot and follow the procedures specified in Article II of the Standing Rules.

Section 2

Office-Holding Limit. With the exception of the Chair of Faculty Council, all sitting members of the Council are eligible to succeed themselves.

ARTICLE VI MEETINGS

Section 1

The Faculty Organization holds at least four regular meetings per academic year: two in the fall semester and two in the spring semester.

Section 2

Additional meetings are subject to the call of the Chair or by petition of 20 percent of the members of the Faculty Organization submitted to the Chair at least ten working days prior to the desired date of the meeting.

Section 3

Meetings are open to part-time faculty and college staff as non-voting guests of the Organization.

ARTICLE VII COMMITTEES

Section 1

The Faculty Organization has the following Standing Committees whose purpose is to gather information and make recommendations to the Faculty Organization, Faculty Council, and appropriate College administrators, and to work with the appropriate administrators to promote the development and efficient operation of the College.

- a. The Promotion and Tenure Review Committee consists of nine members: two elected from each School, and one, the Chair, who serves a one-year term, appointed by the Chancellor. Committee members must be tenured and have the minimum rank of Associate Professor, and each member (other than the chair) serves a two-year term with the terms of the School representatives staggered. The Committee is responsible for the review of faculty for promotion and tenure as specified in the University's *Promotion and Tenure Review Procedures and Regulations* (HR23), *Definition of Academic Ranks* (HR21), the Penn State Behrend's *Promotion and Tenure Policy*, and the Administrative Guidelines to HR23.

If the Committee has an odd number of faculty with the rank of Professor (with a minimum of three), they review applicants being considered for promotion to Professor. If there is an even number of Professors or less than three faculty with the rank of Professor, the minimum number of additional members necessary to fulfill the previous requirement is appointed by the Chancellor.

- b. A University Senator Caucus composed of the elected and/or appointed University Faculty Senate Representatives, and the Chair of the Faculty Council serves as a committee to give consultation and advice regarding University affairs affecting Behrend. The Caucus is chaired by the Penn State Behrend representative to Senate Council.

Section 2

The Penn State Behrend Faculty Council has the following Standing Committees whose purpose is to gather information, make recommendations to the Council and appropriate administrative officers, propose legislative action, and work with appropriate administrators in promoting the development and efficient operation of the College:

- a. An Academic Computing Committee to recommend policies, procedures, and other matters relating to academic computing, including planning for the future needs of the College. The Manager of Network and Information Systems and the Associate Dean serve as *ex officio* members.
- b. An Athletics Committee to advise and monitor athletic standards related to the educational function of the College and the University. It approves athletic schedules, considers eligibility of students for intercollegiate athletics, and helps promote a sound academic climate for the intercollegiate athletic program. The Athletic Director and the Faculty Athletic Representative (appointed by the Chancellor) serve as *ex officio* members of this Committee. Members of the intercollegiate coaching staff, other than the Athletic Director, are ineligible to serve on this Committee.
- c. A Curricular Affairs Committee to review and evaluate all course and curriculum proposals submitted by the Schools of the College. It studies and reviews all existing courses and curricula of the College and maintains liaison with the College administration and faculty as necessary for the implementation of the procedures outlined in the *Guide to Behrend College Curricular Procedures*. The Curricular Affairs Committee will maintain and make available the *Guide to Behrend College Curricular Procedures* which provides instructions for submitting course and curriculum proposals. The policies and procedures in the *Guide to Behrend College Curricular Procedures* are subject to the approval of Faculty Council and are to be consistent with the University Faculty Senate's *Guide to Curricular Procedures*.
- d. A Faculty Affairs Committee to advise the Council and administration on matters of policy concerning faculty affairs, on matters regarding the cultural, social, and material welfare of the faculty, and on matters affecting the educational environment in which the faculty work. Among the policy matters of concern to the Committee on Faculty Affairs are the following: faculty appointments, leaves, salaries and fringe benefits, and "rights and responsibilities." The Committee makes recommendations for the modification of existing policies and assists the

College administration in the formulation of new policies and related matters.

- f. A Research Committee to advise the Council and administration on means of maintaining viable research and scholarly activities, to review research policies, to recommend the establishment and modification or termination of organized research units, to review sabbatical leave applications, and to determine on an annual basis the recipients of the Behrend College Council of Fellows Faculty Research Award and the Behrend College Council of Fellows Excellence in Outreach Award. The Senior Associate Dean serves as an *ex officio* member of this Committee.
- g. A Scholarships and Awards Committee to recommend policies and procedures relating to student awards and scholarships and to provide input to the selection of recipients for student awards and scholarships. The Director of Student Affairs or his/her delegated representative and the College's chief Financial Aid Officer serve as *ex officio* members of this Committee. The appointed student member of this Committee is ineligible to participate in the discussion of any award or scholarship for which he or she is nominated. In those cases in which the appointed student member has been nominated, provisions are to be made for another student to serve during that part of the discussion and recommendation. Coaches of intercollegiate athletic teams are ineligible for service on this Committee.
- h. A Student Life Committee to review and recommend policies, programs, and services which regulate and support student life on campus. The Committee promotes out-of-class programs that pertain to the academic mission of the College.
- i. An Undergraduate Studies Committee to recommend policies affecting undergraduate educational programs. The Committee organizes annual programming addressing issues related to teaching and the academic environment. The Committee selects annually the recipients of the Behrend College Council of Fellows Excellence in Teaching Award and the Guy W. Wilson Award for Excellence in Academic Advising. It also makes recommendations about physical facilities and instructional support systems. The director of the Center for Teaching and Educational Technologies serves as non-voting, *ex officio* member of the Undergraduate Studies Committee (amended 12/5/06).

Section 3

Other committees are established by the Faculty Council as the Council or Organization deem necessary.

Section 4

All committees established under this Article's Sections 2 and 3 submit an Annual Report and recommendations for future committee charges to the Vice Chair of the Faculty Council prior to April 5 of each year. The reports are subject to approval of Faculty Council.

Section 5

When not defined elsewhere, committee membership is determined as follows:

- a. Each School elects two members to each of the Standing Committees. Terms are two years in duration and staggered within each School. Elections are to occur prior to February 15.
- b. The Nominating Committee presents a slate of nominees for the Chair of each Standing Committee to the Chair of the Faculty Council prior to February 28. The Nominating Committee consists of the Chancellor (who chairs the committee and is a non-voting member), Associate Dean, Chair and Vice-Chair of the Faculty Council, and Senate Representatives). Nominees are selected from the list of committee members. The Nominating Committee attempts to provide balance among the Schools in its nominations for committee chairs, and normally nominates a committee member who has served at least one year as a member of that committee. Elections are by secret ballot of the members of the Faculty Organization. Each elected chair serves a one-year term, unless reelected.
- c. An undergraduate student representative is appointed to each of the Standing Committees of the Council, with the exception of the Committees on Faculty Affairs and Research. Such representatives are selected from those names submitted by the President of Student Government Association and appointed by the Chair of the Council.
- d. The Behrend representative to the University Senate Committee on Curricular Affairs is an *ex officio*, non-voting member of the Behrend College Curricular Affairs Committee.

Section 6

In the event that the Chair of any committee is unable to complete his/her term of office, the Faculty Council appoints a new Chair to serve in that capacity until the next regularly scheduled election. If a representative withdraws from a committee, the School will appoint a replacement based on the receiver of the next highest vote total from the original election (otherwise, at the discretion of the Director of that program). If a Chair is unable to attend a Faculty Council meeting, he or she may designate a representative from his or her committee.

ARTICLE VIII QUORUM

Ten percent of the membership of the Faculty Organization shall constitute a quorum necessary for conducting business.

ARTICLE IX PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised (current edition) serves as the parliamentary authority of the Organization.

ARTICLE X AMENDMENTS

Section 1

Any member of the Faculty Organization may propose amendments to this Constitution.

Section 2

Any proposed amendment must be submitted in writing to the Chair of the Faculty Council at least fifteen working days before a scheduled meeting of the Faculty Council. The Chair places the amendment on the Agenda of the next scheduled meeting.

Section 3

If an amendment receives a two-thirds vote, by campus mail ballot, of the Council's voting membership, it must be submitted to the membership of the Organization within fifteen working days. A vote by Faculty Organization is then scheduled to occur within the ensuing fifteen working days. Final College approval of the amendment requires a majority of the voting members of the Organization.

STANDING RULES OF THE PENN STATE BEHREND FACULTY COUNCIL

ARTICLE I RULES OF PROCEDURE

Section 1: Order of Business for Regular Meetings

The order of business at each regular meeting of the Penn State Behrend Faculty Council is:

- I. Call to Order
- II. Approval of the Minutes
- III. Reports of Officers and Standing Committees
- IV. Reports of Special Committees
- V. Special Orders
- VI. Unfinished Business
- VII. New Business
- VIII. Announcements
- IX. Adjournment

Section 2: Regular Meetings

Regular meetings of the Penn State Behrend Faculty Council are held at least twice per semester. The meeting dates and times are determined by the Chair of the Faculty Council in consultation with the Chancellor and are announced for each semester.

Section 3: Special Meetings

The Chair of the Faculty Council in consultation with the Chancellor may convene special meetings of the Council.

Section 4: Order of Business for Special Meetings

The order of business for any special meeting of the Faculty Council is determined by the Chair of the Faculty Council.

Section 5: Agenda

A tentative agenda and relevant documents for each regular meeting of the Faculty Council is distributed at least three calendar days before the actual meeting.

Section 6: Official Council Record

The Faculty Council publishes an official record of its proceedings (The Penn State Behrend Faculty Council Minutes). This record summarizes items discussed at the Council meeting, legislative proposals, all action taken by Council, and forensic business. The record contains appended documents and reports as determined by the Chair. Copies of the Penn State Behrend Faculty Council Minutes are distributed to each Council member, summarized briefly in the Behrend Bulletin, and placed on the Faculty Council's Web site within two weeks of approval of Faculty Council. Copies are placed in the Office of the Chancellor and in the Lilley Library. One copy is forwarded to the University Faculty Senate Office and one copy is forwarded to the Executive Vice President of the University.

Section 7: Committee Records

One copy of all minutes, memoranda, and documents generated by any Standing or *Ad Hoc Committee* of the Faculty Council is forwarded to the Chair of Council for placement in the permanent Council file no later than the end of the spring semester.

Section 8: Submission of Items

Any member of the Faculty Organization may submit legislative or forensic items to the Council via the Chair.

Section 9: Submission of Dates

All legislative proposals to be brought before the Faculty Council must be submitted at least ten working days before a scheduled Council meeting.

Section 10: Senator Caucus Procedures

The Chair of the University Senator Caucus establishes the procedures and meeting dates for the Caucus. The Caucus meets as necessary before a regularly scheduled University Faculty Senate meeting. In addition, at the request of Faculty Council or any member of the University Senate Caucus, the Caucus meets prior to University Senate meetings.

Section 11: Procedures for Submitting a Proposal to the Committee on Curricular Affairs

Submission of course or program proposals to the Curricular Affairs Committee follow the Council-approved procedures in the Behrend College Guide to Curricular Procedures.

Section 12: Committee Charges

The Faculty Council may prepare charges for its committees.

Section 13: Committee Charges Proposed by a Committee

Any member of the Faculty Organization may propose a Charge for any committee. Proposals are directed to the Chair of Faculty Council for Council's consideration.

ARTICLE II ELECTION PROCEDURES

Section 1

The Chair and Vice Chair of the Penn State Behrend Faculty Council oversee the following elections:

- a. Vice Chair and Parliamentarian of Faculty Council.
- b. Secretary of Faculty Council.
- c. Ombudsman and Alternate Ombudsman.
- d. Chairs of Faculty Council Committees.
- e. University Faculty Senate Representative(s).
- f. Part-Time Faculty Representatives of the Faculty Organization.

Section 2

Prior to January 15 of each year, the Chair shall notify the Penn State Behrend faculty of the elections for Faculty Council offices of Vice Chair and Parliamentarian, Secretary, University Faculty Senate Representatives, and Part-Time Faculty Representatives of the Faculty Organization, and invites written nominations for these positions. Nominations must have the written consent of the nominee.

Section 3

The Chair distributes a ballot with the slate of candidates for Faculty Council Vice Chair and Parliamentarian, Secretary, University Faculty Senate Representatives, and Part-Time Faculty Representatives of the Faculty Organization to the appropriate electorates prior to January 31. Votes are accepted for seven calendar days after which voting is closed.

Section 4

Prior to February 28 of each year, the Chair notifies the faculty of the elections for Ombudsman, Alternate Ombudsman, and the Chairs of Council Committees, inviting written nominations for these positions. Nominations must have the written consent of the nominee. Nominees for standing committee chairs are eligible only if they have been elected by their School to that committee. Nominees for Ombudsman should exclude members of Promotion and Tenure Committees.

Section 5

The Chair distributes a ballot with the slate of candidates for Ombudsman, Alternate Ombudsman, and the Chairs of Faculty Council Committees prior to March 15. Votes are accepted for seven calendar days after which voting is closed. For the Ombudsman election, the candidate receiving the most votes is Ombudsman, and the runner-up is Alternate.

Section 6

Any election yielding a tie vote is decided by a coin toss.