

CONSTITUTION
FOR THE FACULTY SENATE
OF
THE PENNSYLVANIA STATE UNIVERSITY AT
ERIE, THE BEHREND COLLEGE

Amended by Behrend Faculty Council on April 11, 2018, and ratified by the Behrend Faculty Senate on April 20, 2018, and the University Park Faculty Senate on August 28, 2018.

ARTICLE I
NAME

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

ARTICLE II
OBJECT

Section 1 Purpose

The Faculty Senate serves as the sole legislative body of the faculty of the College. The Faculty Senate 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 Senate are:

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

Section 2 Advisory Role to Chancellor and University

The Faculty Senate 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 Forensic Function

The Faculty Senate shall serve as a forum for the exchange of ideas among the Penn State Behrend College Faculty. The Standing Rules of the Faculty Senate shall guide the conduct of forensic business.

Section 4 Vested Authority

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

ARTICLE III MEMBERSHIP OF THE FACULTY SENATE

The membership of the Behrend Faculty Senate includes all full-time faculty members of Penn State Behrend, including instructors and all professorial ranks and equivalent ranks as defined in Policy AC21 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.

All members of the Behrend Faculty Senate are eligible for election to the Faculty Council unless otherwise restricted in these documents.

ARTICLE IV MEMBERSHIP OF THE FACULTY COUNCIL

Section 1

The Faculty Council serves in the capacity of the executive board for the Faculty Senate and meets at least twice a semester.

Section 2

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

Section 3 Membership of Faculty Council

The Faculty Council includes the Chair of the Faculty Senate (hereafter referred to as the Chair), the Vice Chair of the Faculty Senate, the Secretary of the Faculty Senate and one University Senator appointed by the Behrend Senatorial Caucus and the Chairs of each of the Faculty Council standing committees. The Faculty Council has three administrative non-voting members: the Chancellor, the Senior Associate Dean, and the Associate Dean of Academic Affairs. The Faculty Council also has one part-time faculty member appointed by the Chair from the elected part-time members of the Faculty Senate and two student members selected by the Behrend Student Government Association, by procedures approved by Council. The Past Chair and the student members serve as non-voting *ex officio* members of the Faculty Council.

Section 4 – School Representation on Council

If a School is not represented on Faculty Council, the School may elect a separate representative.

Section 5 - Parliamentarian

A Parliamentarian is appointed by the Chair and serves as a non-voting member of the Faculty Council. The Parliamentarian's duties are to attend Faculty Council and Faculty Senate meetings and provide advice on Parliamentarian matters.

Section 6

In the event the Chair is unable to complete his/her term of office, the Vice Chair immediately succeeds to the Chair. Faculty Council fills the vacated post of Vice Chair from its membership. In the event no Council member wishes to fill the vacated post, a special election is held to fill the post of the Vice Chair.

Section 7

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.

Section 8

Prior to January 15 of each year, the Nominating Committee (described in Article VII, Section 5) presents a slate of candidates to the Faculty Senate for Vice Chair and Secretary of the Faculty Senate and for University Senators. Election is by secret and secure ballot of the members of the Senate 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. In the following year, the immediate Past Chair serves as Advisor to the current Chair. The Secretary is responsible for taking minutes of both the Faculty Senate and Faculty Council meetings.

Section 9

Any member of the Faculty Senate may require that actions of the Faculty Council be reviewed by the Senate. A petition must be presented and be supported by signatures from at least 20 percent of the Senate's membership. The petition must be submitted to the Faculty Senate 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 Senate. This vote is to occur electronically within ten working days after receipt of the petition.

ARTICLE V
OFFICERS

Section 1

Ballot Election. The elections for the offices of the Behrend Faculty Senate Vice Chair and Secretary, University Faculty Senate Representatives, and the Part-Time Faculty

Representatives of the Faculty Senate are held prior to January 31 (see Article IV, Section 8 related to the nomination process). Elections for these offices are held concurrently. For the offices named in this article, every member of the Faculty Senate will have the opportunity to place names in nomination and to vote. Elections are by secret and secure 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 Senate, all sitting members of the Council are eligible to succeed themselves.

ARTICLE VI MEETINGS

Section 1

The Faculty Senate 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 Senate 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 Faculty Senate Standing Committees

The Faculty Senate has the following Standing Committees whose purpose is to gather information and make recommendations to the Faculty Senate, 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 for tenure-track faculty 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 tenure-track faculty for promotion and tenure as specified in the University's *Promotion and Tenure Review Procedures and Regulations (AC23), Definition*

of Academic Ranks (AC21), the Penn State Behrend's Promotion and Tenure Policy, and the Administrative Guidelines to AC23.

When there are candidates being considered for promotion to Professor, an ad-hoc Committee will be formed by the Chancellor from those with rank of Professor on the Promotion and Tenure Committee, subject to the following conditions:

- i) The number of members will be odd
- ii) There will be members from at least three of the four schools and no more than two members from a single school
- iii) There will be at least one member from the candidate's school

The Chancellor will appoint additional members from the College faculty to the ad-hoc Committee if needed to meet these criteria. If the Chair of the Promotion and Tenure Committee does not have rank of Professor, the Chancellor will appoint a chair from those on the ad-hoc Committee.

- b. The Fixed Term Promotion Review Committee for fixed-term and non-standing faculty consists of five members: one elected from each School, and one, the Chair, who serves a one-year term, appointed by the Chancellor. Committee members must have been promoted to at least the second rank (Associate Teaching, Research, or Clinical Professor for members possessing a terminal degree; Assistant Teaching, Research, or Clinical Professor for members lacking a terminal degree). Each member (other than the chair) serves a two-year term with the terms of the members staggered. The Committee is responsible for the review of fixed-term faculty for promotion as specified in the University's *Definition of Academic Ranks (AC21)*, and the Penn State Behrend *Promotion and Tenure Policy*.

When there are candidates being considered for promotion to the third rank (Teaching, Research, or Clinical Professor for candidates possessing a terminal degree; Associate Teaching, Research, or Clinical Professor for candidates lacking a terminal degree), an ad-hoc Committee will be formed by the Chancellor from members of the Fixed-term Promotion Committee who have attained the third rank, subject to the following conditions:

- i) The number of members will be odd
- ii) There will be members from at least three of the four schools and no more than two members from a single school
- iii) There will be at least one member from the candidate's school

The Chancellor will appoint additional members from the College faculty to the ad-hoc Committee if needed to meet these criteria. If the Chair of the Fixed-Term Promotion Committee does not have rank of Professor, the Chancellor will

appoint a Chair from those on the ad-hoc Committee.

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

Section 2 Faculty Council Standing Committees

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. An Undergraduate Curricular Affairs Committee to review and evaluate all undergraduate course and curriculum proposals submitted by the Schools of the College. It studies and reviews all existing undergraduate 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 Undergraduate 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*.

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.

- 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. From each school within the College, one Fixed Term and one Tenure Track faculty member shall be elected to this committee.

- e. 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.

- f. A Graduate Affairs Committee to review and evaluate all graduate course and curriculum proposals submitted by the Schools of the College. The Graduate Affairs Committee will create, maintain, and make available a *Guide to Behrend College Graduate Curricular Procedures* which provides instructions for submitting a graduate course and curriculum proposals for curricular approval. The policies and procedures in the *Guide to Behrend College Graduate Curricular Procedures* are subject to the approval of Faculty Council and are to be consistent with the *University Graduate School Guide to Curricular Procedures*. The committee will study and review all existing graduate courses and curricula of the College and maintain liaison with the College administration and faculty as necessary for the implementation of the procedures outlined in the *Guide to Behrend College Graduate Curricular Procedures*. The Graduate Affairs Committee will also evaluate graduate faculty nominations for full-time faculty.

Membership will include at least one representative from each School that has Graduate Faculty membership. Committee members will serve a two-year term with the terms of the School representatives staggered. Behrend's Graduate Council Representative and Graduate Joint Curricular Committee Representative will serve as *ex officio*, non-voting members of the Behrend College Graduate Affairs Committee. A graduate student representative is to be appointed to the Graduate Affairs Committee. The representative is selected from those names submitted by the school directors with graduate programs and appointed by the Chair of the Graduate Affairs Committee. The committee will consist of an odd number of members (including the committee chair but excluding Behrend's

Graduate Council Representative, Graduate Joint Curricular Committee Representative, and the graduate student representative). All elected committee members will serve as the Graduate Curricular Affairs Nominating 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 cases where 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 that 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 directors of the Center for Teaching and Educational Technologies and the Learning Resource Center serves as non-voting, *ex officio* members of the Undergraduate Studies Committee.
- j. A joint faculty/staff Institutional, Educational and Diversity Committee to address issues of diversity across the campus. This committee is to include the following voting *ex officio* members: Director of the Office of Education Equity and Diversity, Director of Student Life, two staff members from the College elected by the staff and the Chair of the Commission for Women. Student representatives from Multicultural Council and SGA. The Committee promotes multicultural and diversity events. An administrative liaison will be appointed by the Associate Dean of Academic Affairs. Two faculty members will be elected from each School.

Section 3

Other ad hoc and special committees may be established by the Chair in consultation with Faculty Council.

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 Senate prior to May 15 of each year. Minutes of each Committee meeting, including attendance of the members, should be placed on the Behrend Faculty Senate website within two weeks of approval.

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 of Academic Affairs, Chair and Vice-Chair, Secretary of the Faculty Senate, Behrend University Senators, and the most recent past Chair of the Faculty Council. 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, secure ballot of the members of the Faculty Senate. 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.

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 Senate 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 Senate.

ARTICLE X AMENDMENTS

Section 1

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

Section 2

Any proposed amendment must be submitted in writing to the Chair at least five working days before a scheduled meeting of the Faculty Council. The Chair places the amendment on the Agenda of the next scheduled meeting. It is recommended that the Chair of Faculty Council convene an *ad hoc* Constitution Committee chaired by the Vice Chair of Faculty Council and with representation from all four schools, in consultation with the Chair of Faculty Council. The ad hoc committee would be charged with collecting feedback from faculty regarding any proposed amendments, and with presenting this to Faculty Council for discussion and consideration. If further edits to the proposals are necessary, the *ad hoc* committee may re-submit iterations of the proposed amendments to faculty for feedback, and then repeat the process.

Section 3

If an amendment receives a two-thirds vote, by electronic, secure ballot, of the Council's voting membership, it must be submitted to the membership of the Senate within fifteen working days. A vote by Faculty Senate is then scheduled to occur within the ensuing fifteen working days. Final College approval of the amendment requires a majority of **ALL** of the voting members of the Behrend Faculty Senate (**i.e., a majority of all full-time Behrend Faculty members, not just the members who actually cast a vote**).

Section 4

Successful amendments shall be communicated to the Executive Director of the University Faculty Senate. An amendment shall take effect when the University Faculty Senate Council approves it.

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. Report from University Faculty Senate
- VI. Special Orders
- VII. Unfinished Business
- VIII. New Business
- IX. Announcements
- X. 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 in consultation with the Chancellor and are announced for each semester.

Section 3 Special Meetings

The Chair 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.

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 website within two weeks of approval of Faculty Council. Copies are sent electronically to the Office of the Chancellor

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 for placement on the Behrend Faculty Senate website as mentioned in section 4 of Article VII of the Constitution.

Section 8 Submission of Items

Any member of the Faculty Senate 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 or Graduate Affairs Committee. Submission of undergraduate course or program proposals to the Curricular Affairs Committee follow the Council-approved procedures in the *Guide to Behrend College Curricular Procedures*. Submission of graduate course or program proposals to the Graduate Affairs Committee follow the Council-approved procedures in the *Guide to Behrend College Graduate 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 Senate may propose a Charge for any committee. Proposals are directed to the Chair for Council's consideration.

ARTICLE II ELECTION PROCEDURES

Section 1

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

- a. Vice Chair of Faculty Senate.
- b. Secretary of Faculty Council.
- c. Ombuds and Alternate Ombuds.
- 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, Secretary, University Faculty Senate Representatives, and Part-Time Faculty Representatives of the Faculty Senate, and invites written nominations for these positions. Nominations must have the written consent of the nominee.

Section 3

The Chair distributes a secret, secure ballot with the slate of candidates for Faculty Senate Vice-Chair, Secretary, University Faculty Senate Representatives, and Part-Time Faculty Representatives of the Faculty Senate 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 Ombuds, Alternate Ombuds, and the Chairs of Council Committees, inviting written nominations for these positions. Nominations must have the written consent (including electronic) of the nominee. Nominees for standing committee chairs are eligible only if they have been elected by their School to that committee. Nominees for Ombuds should exclude members of Promotion and Tenure Committees.

Section 5

The Chair distributes a secret, secure ballot with the slate of candidates for Ombuds, Alternate Ombuds, 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 Ombuds election, the candidate receiving the most votes is Ombuds, and the runner-up is Alternate.

Section 6

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

ARTICLE III AMENDMENTS TO STANDING RULES

Section 1

Any member of the Behrend Faculty Senate may propose amendments to the Standing Rules.

Section 2

Any proposed amendment must be submitted in writing to the Chair at least five 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 electronic ballot, of the Council's voting membership, it must be submitted to the membership of the Senate within fifteen working days. A vote by Faculty Senate 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 Senate.

Section 4

Successful amendments shall be communicated to the Executive Director of the University Faculty Senate. An amendment shall take effect when the University Faculty Senate Council approves it.