

Faculty Constitution

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Constitution of the General Faculty of the University of Arizona

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PREAMBLE

This Constitution sets forth the basic organization and processes through and by which the General Faculty of the University of Arizona shall function, within the scope of its authority and responsibility, under state law and the policies and regulations of the Board of Regents authorized by that law.

ARTICLE I. Responsibilities

The General Faculty has fundamental responsibilities in the areas of academic personnel policy; instruction and curriculum policy; research policy; student affairs policy; ethics and commitment; advice on budget and University support; and acts on such other matters affecting the welfare of the University as are brought for consideration in accordance with University policy and Shared Governance Guidelines and Agreements as may be entered into from time to time.

The General Faculty shall exercise its authority through its elected representatives in the Faculty Senate, although the General Faculty shall retain appellate power over all official actions of the Faculty Senate as provided in Article VII, Section 1.

Nothing in this Constitution and Bylaws is intended to imply assumption of authority not vested in the General Faculty by state law or Board of Regents policy.

ARTICLE II. Members

Section 1.

For purposes of University government, the General Faculty of The University of Arizona is

composed of:

- a. ~~Individuals-Employees~~ who hold at least half-time tenured or tenure-eligible faculty appointments,
- b. ~~Individuals-Employees~~ who hold at least half-time continuing or continuing-eligible appointments,
- c. ~~Individuals-Employees~~ who hold ~~at least half-time multi-year~~ career-track faculty appointments ~~with multi-year contracts~~,
- d. ~~Individuals-Employees~~ who have held at least half-time year-to-year career-track faculty appointments for three (3) of the past four (4) years and who currently hold lecturer or ranked professorial titles ~~that do not include an adjunct or visiting modifier~~, and
- e. Individuals who hold Emeritus status.

Commented [TD1]: Individual was changed to Employee per a housekeeping change by the Senate on October 5, 2020. I have attached the vote report from the Oct. 5 meeting. This change is on p. 6 of the document.

Commented [TD2]: This was made in a separate housekeeping change on Oct. 5, 2020. Please see p. 9 of the Oct. 5 vote report.

Commented [TD3]: This deletion was approved by vote on Aug. 3, 2020. Please see p. 3 of the Aug. 3, 2020 vote report (attached to the email)

Section 2.

No candidate for a degree at the University of Arizona shall be a member of the General Faculty.

Section 3.

This membership provision shall become effective upon approval by the President.

Section 4.

Members of the General Faculty are eligible to vote in matters of faculty governance, to hold offices, and to serve on committees established in accordance with this Constitution. Faculty with administrative appointments vote in their home college. Should any faculty

member's home college change (i.e. due to the transfer of an individual to another unit, or due to a unit reorganization or merger), voting privileges should typically move to the new college. The Committee on Faculty Membership shall make determinations on General Faculty Membership or voting privileges in any cases where there is uncertainty.

Commented [TD4]: This was approved by the General Faculty in the runoff election Spring 2022. It was approved by the Senate on Oct. 5, 2020. The rationale for the change is as follows:

There are situations where tenured or continued individuals move to a non-academic unit that has no P&T committee. In these instances, it is important that they retain their connection to their original tenure/CS home. In these situations, they should be allowed to continue to vote and participate in the governance in their tenure/CS home. Using the Committee on Faculty Membership to adjudicate would make sense.

Commented [TD5]: These changes were made as part of the Oct. 5, 2020 meeting as housekeeping changes. Please see p. 8 of the attached Oct. 5 vote report.

Section 5.

Faculty Shared Governance

In matters of faculty governance, the elected and at-large representatives to Faculty Senate represent not only members of the General Faculty, but also those ~~career-track, visiting, and adjunct~~ faculty who do not meet the criteria for membership in the General Faculty.

These include:

a. Designated Campus Colleague (DCC) faculty,

~~a.b. Individuals-Employees~~ with career-track lecturer or ranked professorial titles who have not held at least half-time or more year-to-year appointments for three (3) of the last four (4) years, and

~~b. Employees who have faculty appointments that do not qualify for membership in the General Faculty (e.g., instructors, or those with adjunct, global, visiting, or courtesy/secondary faculty appointments). Individuals in adjunct or visiting positions, or who have instructor or other career-track appointments who do not otherwise qualify for membership in the General Faculty.~~

ARTICLE III. Officers

Section 1.

The officers of the General Faculty shall consist of the Chair, Vice Chair, and Secretary.

Section 2.

Chair of the Faculty

- a. The Chair shall serve as:
 - i. The chief executive officer of the General Faculty, including serving as Director of the Faculty Center and as a member of the Strategic Planning and Budget Advisory Committee and the Shared Governance Review Committee.
 - ii. The chief representative of the faculty before public and University bodies including the University administration, alumni, Arizona Board of Regents, and Arizona Legislature.
- b. The Chair shall be elected by the General Faculty in even-numbered years for a term of two years beginning June 1, and shall be eligible for re-election.

Section 3.

Vice Chair of the Faculty

- a. The Vice Chair shall:

- i. Preside over Faculty Senate meetings.
 - ii. Serve as chair of the Faculty Senate Executive Committee, the Naming Advisory Committee and the Shared Governance Review Committee.
 - iii. Perform any other duties as delegated by the Chair.
- b. The Vice Chair shall be elected by the General Faculty in even-numbered years for a term of two years beginning June 1, and shall be eligible for re-election.

Section 4.

Secretary of the Faculty

- a. The Secretary shall:
 - i. Review the minutes of Faculty Senate meetings prior to distribution.
 - ii. Serve as chair of the Committee on Faculty Membership, the Constitution and Bylaws Committee and the Committee on Honorary Degrees.
 - iii. Perform any other duties as delegated by the Chair.
- b. The Secretary shall be elected by the General Faculty in even-numbered years for a term of two years beginning June 1, and shall be eligible for re-election.

Section 5.

Resignation, absence, or incapacity of faculty officers

- a. In the event of the temporary absence or incapacity of the Chair of the Faculty, ~~his or her~~ **their** duties shall be exercised by the Vice Chair of the Faculty, or in the absence of both, by the Secretary of the Faculty.
- b. In the event of the resignation or permanent absence or incapacity of the Chair, the Vice Chair shall become the Chair if the remaining term of the Chair is six months or less. If the remaining term exceeds six months, a special election conducted by the Committee on Elections shall be held to fill the remaining term of the Chair.
- c. In the event of the resignation or permanent absence or incapacity of the Vice Chair or Secretary, the Chair shall appoint, subject to approval of the Faculty Senate at a regularly scheduled meeting, a replacement for the unexpired term of the Vice Chair or Secretary.

ARTICLE IV. Meetings of the General Faculty

Section 1.

Meetings of the General Faculty, limited to the purpose(s) stated in the call, shall be held:

- a. On the call of the Chair of the Faculty.
- b. ~~On the call of the Faculty Senate~~ **By majority vote of the Faculty Senate**

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Commented [TD7R6]: Please see p. 28 of the attached 8-3-2020 changes

Commented [TD8R6]: See also p. 12 of the 10.5.2020 report

Commented [SSE(9): Approved as housekeeping change on 10.5.2020 by vote of the Faculty Senate

Commented [TD10R9]: Please see p. 10 of the vote report.

- c. On written petition from members of the General Faculty, as specified in the Bylaws Article III, Section 1.

Section 2.

Five percent (5%) of the General Faculty shall constitute a quorum for the purposes of voting.

ARTICLE V. General Faculty Standing Committees

Section 1.

The Committee on Elections, the Committee of Eleven, the Committee on Faculty Membership, the Nominating Committee, the Committee on Ethics and Commitment, the Grievance Clearinghouse Committee, the Committee on Conciliation, and the Committee on Academic Freedom and Tenure, and such other committees as may, from time to time, hereafter be established shall be standing committees of the General Faculty.

Section 2.

The Committee on Elections shall conduct elections for offices and committee memberships of the General Faculty, and elections for Faculty Senators representing the several College Faculties in accord with procedures specified in the Bylaws.

Section 3.

The Committee of Eleven shall:

- a. Initiate, promote, and stimulate study and action dealing with and looking toward solution of situations and problems of interest and concern to the faculty and the University.
- b. Make reports to the General Faculty or the Faculty Senate.
- c. Speak for the General Faculty as and when authorized by the General Faculty.

Section 4.

The Committee on Faculty Membership shall interpret the provisions of Article II of this Constitution and Article I of its Bylaws, determine Senate apportionment and submit recommendations to the Faculty Senate for consideration and action. It shall be responsible for maintaining a current and accurate census of the General Faculty.

Section 5.

The Nominating Committee shall recommend members of the General Faculty to the Chair

of the Faculty for appointment or nomination to all committees of the General Faculty. Upon request of any administrative officer of the University, the committee shall also recommend persons for appointment to new or existing committees whose appointments lie within the discretion of such requesting officer.

Section 6.

The University Committee on Ethics and Commitment shall deal with questions of misconduct in research, scholarship, or creative endeavor; conflict of commitment; and facilities misuse; and receive reports from the Research Integrity Officer. In its deliberations, it will use the current versions of the University policies on research integrity, professional commitment and proper facilities use.

Section 7.

The Constitution and Bylaws Committee shall be responsible for proposing changes to the Constitution and Bylaws of the General Faculty necessitated by revisions to applicable law or policy and for proposing changes recommended by the General Faculty or its committees. The amendment process is specified in Article X of the Constitution. This committee also reviews and, if appropriate, recommends changes to the University Handbook for Appointed Personnel (UHAP).

Section 8.

The Grievance Clearinghouse Committee shall be the faculty committee that accepts faculty members' written requests for grievance hearings and which determines which committee, (Conciliation, Committee on Academic Freedom and Tenure, University Committee on Ethics and Commitment), or process, (Office of Institutional Equity), should consider a grievance.

Section 9.

The Committee on Conciliation and the Committee on Academic Freedom and Tenure (CAFT) shall be the faculty committees that conduct all investigations and/or hearings regarding recommendations against, or complaints and grievances by or against members of the General Faculty as hereinafter prescribed and not otherwise. The Committee on Academic Freedom and Tenure shall have jurisdiction to make inquiry and to conduct hearings in two general areas contained in ABOR 6-201, 6-301 and 6-302: 1) matters involving contractual agreements between members of the General Faculty and the University/ Board of Regents; and 2) internal matters relating to grievances against or by any member of the General Faculty. Protection of academic freedom and tenure is the ~~principle~~**principal** obligation of CAFT. (Certain preliminary steps for dismissal situations are described in Chapters 3 and 4 of the *University Handbook for Appointed Personnel* and

Sections 6-201, 6-301 and 6-302 of the *Arizona Board of Regents Policy Manual*.) Principles of law and policy require that members of the General Faculty have a forum in which grievances can be aired and examined and a known and effective procedure by which this can be done. That procedure, involving the examination of a grievance by the professional associates of the member affected, must reflect both the requirements of the law and the usages and traditions of the academic profession. Such investigations and hearings as are undertaken require the judicious consideration of facts, but they are not and must not be limited by the considerations of judicial hearings. Rather, they are investigations and hearings conducted by professional peers, the purpose of which is to safeguard and protect not only the individual rights of the members affected but also the collective rights of members of the University community. Committees constituted for these purposes perform an indispensable function in providing the due process of law to which every member of the faculty is entitled.

- a. The Committee on Conciliation shall have jurisdiction to make inquiry and to meet and discuss any problem involving any member of the General Faculty in his or her that individual's relationship with the University. This committee may consult and advise but shall not conduct hearings. It shall be the duty of the committee, after careful investigation, to offer advice to the person or persons involved. Following the completion of the conciliation process, the President of the University shall be informed of the results. In addition, if conciliation has been unsuccessful, both parties shall be notified accordingly in writing with the member being advised that the grievance at issue may be presented to the Grievance Clearinghouse Committee for assignment.
- b. The Committee on Academic Freedom and Tenure shall have jurisdiction to make inquiry and to conduct hearings in two general areas contained in ABOR 6-201, 6-301 and 6-302 namely: in regard to those matters contained in the Conditions of Service dealing with the contractual employment relationship between the General Faculty member and the University/Board of Regents; and in regard to any internal matters relating to grievances against or by any member of the General Faculty. The committee shall consider the protection of academic freedom and tenure as a principal obligation. (Certain preliminary steps for dismissal situations are described in Chapters 3 and 4 of the *University Handbook for Appointed Personnel* and Sections 6-201, 6-301 and 6-302 of the *Arizona Board of Regents Policy Manual*.)

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Section 10.

The University of Arizona bears a responsibility to exercise leadership in labor and human rights matters. To this end, the University Committee for Monitoring Labor and Human Rights Issues strives to ensure that fundamental labor and human rights, particularly those articulated in the April 30, 1999 Commitments Relating to Sweatshops, are implemented by University licensees.

- a. The committee makes recommendations to the President regarding fundamental labor and human rights issues including codes of conduct for licensees, monitoring of licensees, efforts to improve licensee compliance, and relations with non-compliant licensees.
- b. The committee is also charged with educating the University community and the broader public about these issues.

ARTICLE VI. University-wide Committees with Shared Governance Participation

Section 1.

The Shared Governance Review Committee addresses issues regarding the implementation and functioning of the procedures contained in the Shared Governance Guidelines and Agreements as may be entered into from time to time. It will establish and maintain processes to (1) review compliance with the agreement, (2) examine ways in which apparent breaches of the agreement can be addressed, and (3) consider possible extensions of the agreement. It is the body to which members of the University community can bring particular shared governance concerns, and it will also examine whether the agreement has been violated or is in need of clarification or modification.

Section 2.

The University Committee on Corporate Relations makes recommendations to the President of the University (or ~~his/her~~ their designee, upon request) about potential or changeable relationships between any part of the University of Arizona and one or more businesses or corporations. These recommendations will always consider how much any proposed new or altered relationship accords with -- or violates -- The University of Arizona Policy on Corporate Relations as approved by the President in a memo to the Chair of the Faculty dated January 29, 1999. This Policy mandates that the committee consider proposals in three areas:

- a. Use of the University's name or symbols by an external entity;
- b. Implied University endorsement of a particular service, product, company, individual; or
- c. Public display of advertisements or other corporate symbols.

The committee is also charged with recommending modifications to this Policy or proposing additional policies, so long as its policy-change proposals are approved by the Faculty Senate before they become recommendations to the President.

Section 3.

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The Naming Advisory Committee: The President shall forward all proposals for honorary naming of any site on University property to the attention of the Naming Advisory Committee. After review and deliberation, the committee forwards a written recommendation on each proposal to the President for further action.

Section 4.

The Undergraduate Council reviews all undergraduate curricular action items forwarded from academic units, colleges, auxiliary units, the University-wide General Education Committee, any General Faculty Standing Committee or Senate Standing Committee or *ad hoc* committee. ~~All action items approved by the Undergraduate Council are reviewed by the College Academic Administrators Council~~ Actions other than modifications to existing majors, options, minors, degrees, certificates or programs of study go forward for review by Provost's Council, and the Senate Executive Committee before advancing to the Senate for approval.

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- a. The Academic Programs Subcommittee deals with the creation, deletion, suspension or modification of undergraduate academic units, majors, options, minors, degrees, certificates, and programs of study. Curriculum and academic policies issues may also be reviewed by this subcommittee as needed or as time permits.
- b. The Curriculum/Policies Subcommittee deals primarily with all aspects of undergraduate curriculum and academic policies recorded in the General Catalog, including creation, revision, and deletion of academic policies pertinent to instruction, majors, options, minors, degrees, transfer credits, general education, academic progress, and requirements for graduation. Academic program issues may also be reviewed by this subcommittee as needed or as time permits.

Section 5.

The University-wide General Education Committee (UWGEC) is charged with the review and approval of all curriculum changes in general education across the University, assessment of the program, and disseminating General Education information to the campus community and its partners. All instruction and curriculum action items approved by the UWGEC are forwarded to the Undergraduate Council for review and submission to the Faculty Senate for approval.

Section 6.

The Graduate Council provides a forum in which matters of concern to graduate education are discussed and the mission of the Graduate College fulfilled. The Council works with the Graduate College to review, establish, and update policies affecting graduate education. Among its roles, the Council is a part of the University process for creating or changing graduate degree programs in the planning and implementation stages. The Council

recommends and reviews the policies and procedures of the Graduate College, including but not limited to admission requirements, degree certification, graduate teaching and research assistantships and recommends priorities for graduate education and supports efforts to achieve them. All instruction, curriculum, and policy action items approved by the Graduate Council are forwarded to the ~~College Academic Administrators Council~~, Provost's Council and the Senate Executive Committee before advancing to the Faculty Senate for approval.

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Section 7.

The Strategic Planning and Budget Advisory Committee (SPBAC) in consultation and dialogue with the President, the Provost, and the University community, supports and enhances the success of the University through thoughtful and informed advice relating to: strategic planning, assessment of institutional priorities, review of budgetary policies, and the evaluation of programs and services. The SPBAC chair(s) shall provide regular reports to the Faculty Senate.

In partnership with the University, SPBAC:

- a. Develops and disseminates the University's strategic plan.
- b. Identifies issues that facilitate or impede the pursuit of the University's mission.
- c. Provides advice on budget policies, significant budgetary actions, and institutional priorities consistent with the strategic plan of the University.
- d. Evaluates the effectiveness of plans, policies, and the assessments that affect the entire infrastructure of the University.
- e. Develops guidelines for setting planning and budgeting priorities.

Section 8.

The University General Petitions Committee reviews all undergraduate petitions completed by students and forwarded from Colleges; and recommendations on petitions for medical retroactive withdrawals forwarded from the Executive Director of Campus Health or a designated alternate. The chair(s) of the University Petition Committee shall provide regular reports to the Faculty Senate.

ARTICLE VII. Faculty Senate

Section 1.

Functions

The Faculty Senate is the legislative body responsible to the General Faculty.

Actions of the Faculty Senate may be appealed to the General Faculty by petition, under the provisions of the Bylaws Article III, 1, within eleven class days of the date under which Faculty Senate minutes reporting such actions were distributed to the General Faculty.

Section 2.

Membership

The Faculty Senate shall consist of elected and *ex officio* members as provided in the Bylaws. Senators' terms begin June 1st.

Section 3.

Officers

The Vice Chair of the Faculty shall preside over the Faculty Senate meetings and, in ~~his or her~~ the Vice Chair's absence, the Secretary of the Faculty shall do so.

Section 4.

Meetings

The Faculty Senate shall meet regularly the first working Monday in each month during the academic year except on religious holidays observed by members of the Senate. When the first working Monday of the month falls on a religious holiday observed by one or more Senators, such that observance of the holiday would prevent those Senators from participating in Senate, Senate meetings shall be moved to the second working Monday in the month. Other changes to the calendar can be made, as voted upon and approved by the Faculty Senate. Its meetings shall be open to the public, except when the body decides to meet in executive session. Additional meetings may be called by the President of the University or the Chair of the Faculty, or by majority vote of Senate. If the call cannot be voted on in a Senate meeting, a petition including half of the elected Faculty Senators will suffice. Any such call or petition shall be presented to the Vice Chair of the Faculty and shall state the purpose(s) of the intended meeting. Notice shall be given at least one week in advance of any meeting and shall contain a copy of any substantive proposal to be presented. The agenda of each meeting shall be set by the Faculty Senate Executive Committee.

Section 5.

The Faculty Senate shall establish such standing committees and such *ad hoc* committees as may be required. The charge to the *ad hoc* committees shall include a proposed duration of the committee and a reporting date. Senate *ad hoc* committees that cease to meet or yield no findings will be disbanded within one calendar year of the initial charge, after

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Commented [SSE(18): This was added and approved by vote of general faculty in Spring 2022 runoff election.
This was approved by the Faculty Senate on 10.5.2020

Commented [SSE(19): Commented [BMM-(2): This change would provide additional ways for a Senate meeting to be called by Senate or Senators. For the petition, it excludes the faculty officers and administrators from this process (since they have other options for calling a special session) and includes only elected faculty senators (of which there are currently 61).

review by the Senate Executive Committee in consultation with the *ad hoc* committee chair.

ARTICLE VIII. The College Faculties

The general charge of each College is entrusted to its College Faculty, subject to the Board of Regents and the authority vested by the Board in the President of the University. Voting rights and participation in shared governance in College matters shall generally be accorded to General Faculty members as defined in Article II above, and to such other individuals as the College Faculty may decide. General Faculty members should ~~only not~~ be excluded from ~~those equitable participation in shared governance activities that are not relevant to their contract status, unless otherwise indicated by ABOR or University policy~~ (e.g., ~~voting on a Promotion and Tenure committee composition; emeritus faculty participation on an annual performance review committee, etc.~~) ~~tenure-eligible or career track faculty participation on a Promotion and Tenure committee~~. Any such exclusions should be detailed in College or unit Bylaws.

Bylaws for each College should be established in accordance with the current Shared Governance Guidelines and Agreements and adopted by the appropriate College Faculty and made available to each member. A copy must be filed with the Office of the Provost and in the Faculty Center. In matters of faculty governance, members of the General Faculty not included in a College shall be regarded collectively as a College (common college).

ARTICLE IX. Parliamentary Authority

In all matters not provided for in the Bylaws of the General Faculty of the University of Arizona, the rules contained in the latest edition of *Robert's Rules of Order, Newly Revised*, shall govern.

ARTICLE X. Amendments and Ratification

Section 1.

Revisions to allow for minor corrections or administrative or clerical updates to the Constitution or Bylaws that do not materially change intent may be approved by the Faculty Senate, and not require a vote of the General Faculty, unless the Faculty Senate determines otherwise.

Section 2.

Constitution

Amendments to this Constitution may be proposed by the Faculty Senate or by petition to

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- Commented [SSE(20)]: This was changed and approved by vote of the general faculty in the 2022 runoff election. This was approved by vote of the Faculty Senate on 10.5.2020
- Commented [TD21R20]: See p. 3 of that vote document
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- Commented [SSE(22)]: Commented [BMM-(3)]: This change is intended to reduce the uneven inclusion of Career Track faculty who are Members of the General Faculty in shared governance at the college and unit levels.
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the Chair of the Faculty signed by five percent (5%) or one hundred (100) members of the General Faculty, whichever is smaller. The Chair of the Faculty shall send copies of such proposals to all members of the General Faculty and shall convene a special meeting of the General Faculty to consider them not fewer than ten (10) class days after distribution. The proposed amendment(s) shall then be submitted to an electronic ballot of the General Faculty. A three-fourths majority of the votes cast is necessary for adoption.

Immediately upon adoption, the amendments shall be transmitted to the President of the University. Upon consideration and approval by the University President, the amendments shall become effective. The President's consideration shall be preceded by written analyses by University Counsel and by Board Counsel within 90 days following the General Faculty vote that the amendments are consistent with Arizona Board of Regents Policies. ¹

Section 3.

Bylaws

Amendments to the Bylaws may be proposed by the Faculty Senate or by petition to the Chair of the Faculty signed by five percent (5%) or one hundred (100) members of the General Faculty, whichever is smaller. The Chair of the Faculty shall send copies of such proposals to all members of the General Faculty. Not fewer than ten (10) class days nor more than fifteen (15) class days after distribution, an electronic ballot shall be distributed to all members of the General Faculty together with the arguments pro and con. A two-thirds majority of the votes cast is necessary for adoption. Immediately upon adoption, the amendments shall be transmitted to the President of the University. Upon consideration and approval by the University President, the amendments shall become effective. The President's consideration shall be preceded by written analyses by University Counsel and by Board Counsel within 90 days following the General Faculty vote that the amendments are consistent with Arizona Board of Regents Policies.¹

¹To comply with Arizona Board of Regents Policy 1-113