

FGCU Faculty Senate By-Laws Proposed Revisions

The following are the seven areas of concern raised by the Senate Leadership Team relative to our By-Laws. The Ad Hoc committee reviewed the current By-Laws and made suggested changes for each issue where appropriate. It will probably be most efficient to take each item and vote on the suggested change separately, after review by the entire faculty. Each will require a motion to approve. In some cases the motion must indicate which option is proposed for approval.

The current By-Laws include:

Section 5.02 Approval of Amendments

- (a) Amendments to the Faculty Governance Document may not be voted on in the same Senate meeting in which they are introduced.
- (b) Proposed amendments require approval by 60% of the full membership of the Senate in order to pass.
- (c) Unless otherwise stated in the proposal, amendments will take effect at the beginning of the Fall or Spring semester subsequent to approval.

By-Laws Revision Ad-Hoc Team

Rod Chestnutt
Win Everham
Jeff Kleegeer
Chuck Lindsey
Maddy Isaacs (ex officio)

I. Senate Membership Section 3.02

Background:

Concerns were raised in 2006 that our current formula for determining Senate representation (20% of faculty) would result in a Faculty Senate that was too large to be effective. An ad-hoc team to investigate the issue was formed on September 29, 2006. They reported their review of other SUS Faculty Senate formulas on October 13, 2006. The discussion at that meeting guided the committee toward developing alternative formulas for review. These proposals were presented at the February 2, 2007 Senate Meeting, and again in the Fall. This year, the ad-hoc team was asked to address the issue of transition into any new representation formula. A fourth option was proposed by a Senator not on the ad-hoc team; it is included.

Current By-Laws: *Section 3.02 Membership*

“(a) Membership in the Faculty Senate is allocated proportionately to the academic units each Spring, with representatives numbering 20% of the total full-time faculty in the unit as of April 1, rounded to the next highest whole number. New faculty positions beginning the next Fall are counted, if a letter of offer has been accepted by April 1. If, after April 1 and before the beginning of next academic year, a unit has a change of faculty which would alter representation, whether through hiring, resignations, transfers, or retirements, the unit will make a motion at the first Fall Faculty Senate meeting to hold an additional election to adjust representation.”

“(c) If the Spring reapportionment causes a unit to increase its membership in the Senate, an election will be held that Spring for the new seat as part of the regular election process; if the Spring reapportionment causes a unit to decrease its membership in the Senate, the appropriate number of expiring Senate seats will not be filled in that election cycle.”

Four Proposed Alternative Changes: **(in bold)**

1. PERCENTAGE CHANGE: Change the above text in (a) to read “... with representatives numbering **15%** of the total full-time faculty...”

Rationale: This is the simplest change, but it will only be temporary. Alternatively the change could be to 10%

2. NONPROPORTIONAL REPRESENTATION: Change the entire section to read:

“(a) Membership of the Faculty Senate is allocated as eight senators per academic unit.”

This change would necessitate the deletion of 3.02 (c)

Rationale: This is a one-time fix giving us a senate of 48 senators. The only change will come when we expand academic units, which will require changes to the Senate By-Laws, and the membership can be adjusted at that time. Disadvantages include the lower representation of larger units, and the undue service burden placed on smaller units.

3. PROPORTIONAL REPRESENTATION WITH FIXED TOTAL Change the entire section to read:

“(a) **Membership of the Faculty Senate is allocated as follows:**

(i) **On April 1, the total number of full-time faculty employed at the university, and the number of eligible faculty in each academic unit will be determined by the Senate Leadership Team. New faculty positions beginning the next Fall are counted, if a letter of offer has been accepted by April 1.**

(ii) **The number of Senators per unit is determined by the formula:**

$$\frac{\text{Number of full-time faculty in the unit}}{\text{Number of full-time faculty at the University}} \times 50$$

(iii) **The result of the formula is rounded up to the next whole number.”**

This change would necessitate the deletion of 3.02 (c)

Rationale: This is a permanent solution that gives us approximately 50 Senators each year with proportional representation across units. The total number could be changed (40, 60, etc). The rounding formula could be changed. The determination of representation must be early enough to allow elections before summer session. The disadvantage is a one year lag to correct proportional differences resulting from new hires after April 1. This proposal eliminates the option of correcting membership allocation in the Fall. It would be inappropriate to recalculate in the Fall as this might result in some units losing Senators that had been elected for that year.

4. MIXED PROPORTIONAL AND NON-PROPORTIONAL. Change the entire section to read:

“(a) **Membership of the Faculty Senate is allocated as follows:**

(i) **Each Academic Unit is allocated a minimum of four Senators**

(ii) **Additional membership will be allocated as follows:**

- i. **On April 1, the total number of full-time faculty employed at the university, and the number of eligible faculty in each academic unit will be determined by the Senate Leadership Team. New faculty positions beginning the next Fall are counted, if a letter of offer has been accepted by April 1.**
- ii. **The number of additional Senators per unit is determined by the formula:**

$$\frac{\text{Number of full-time faculty in the unit}}{\text{Number of full-time faculty at the University}} \times 24$$

- iii. **The result of the formula is rounded up to the next whole number.”**

This change would necessitate the deletion of 3.02 (c)

Rationale: Provides a combination of options 2 and 3 above. It gives us approximately 50 Senators, with half (24) allocated non-proportionately, and probably slightly more than half (due to rounding up) allocated proportionately.

Additional Representation Issues:

- A. A motion for any of the above changes should include **“These changes are to go into effect April 1 of 2008.”** Otherwise the By-Laws dictate that they would go in effect Fall semester, and then would not be applied until Spring. Also the motion should include, **“The procedure for adjusting Senate Membership is left for each individual unit to determine.”** This leaves the transition to each unit, rather than a Senate dictated procedure.
- B. The committee also felt, regardless of the Senate membership allocation change, the Faculty Senate should consider the following additional change of Section 3.02 (d) to increase the term for a Senator from two to three years.

“(d) The term of membership for Senators and team members is **three** years; Senators may be re-elected by their units. In the case of contract expiration and non-renewal, the academic unit replaces its Senate and team members as discussed in section 3.02(h).”

Rationale: As we move to a smaller number of senators, this would insure some continuity and institutional memory.

II. Mission and Vision

Current By-Laws:

Philosophy Statement

Whereas a university's foundation is its faculty, the faculty governance process and structure at Florida Gulf Coast University (FGCU) are grounded in and dedicated to the principles, concepts, and objectives of the university mission. A system of collegial faculty self-governance is necessary to ensure that the rights of faculty are supported and that the responsibilities of faculty in fulfilling the mission of the university are met. Therefore, the Faculty Senate engages in collegial dialog with the President of the Institution, the Provost/Vice President for Academic Affairs (VPAA) and others in positions of administrative leadership. Faculty governance at FGCU fosters effective and open communication, instills academic integrity, ensures academic quality, and emphasizes the rights and shared responsibilities of constituents including students, staff, community, faculty, and administration. Fairness, mutual respect, continuous improvement, an informed faculty, and collegial decision-making are the hallmarks of the governance structure.

Purpose

Faculty governance at Florida Gulf Coast University provides a structure and process for the faculty to promote a supportive and quality-oriented learning environment for students, staff, community, faculty, and administration, in furtherance of the mission and guiding principles of the university. The faculty governance structure facilitates faculty input to the complementary administrative units of the FGCU organizational structure. The Faculty Senate is an autonomous body representing the collective opinion of the faculty of the university to the administration and to the community. The faculty governance system at FGCU:

- *defines and promotes the rights and responsibilities of faculty with respect to scholarly activity, mutual respect and tolerance, collegiality, and equity across the academic units of the institution;*
- *provides a process for recommending university policies concerning student, staff, community, faculty, campus, and administrative affairs;*
- *vigorously protects and promotes academic freedom;*
- *coordinates faculty representation on university-wide committees and task forces;*
- *creates and maintains a flexible, collegial, and integrated structure;*
- *promotes the equitable economic welfare of the faculty; and*
- *provides a process for ensuring quality in academic programs.*

The faculty recognizes that as the University develops, the governance structure will evolve, striving for continuous improvement, to reflect and sustain a dynamic learning environment. The governance document should be reviewed annually and updated as needed.

Proposed changes: with strike-outs and additions –hsh revisions for discussion 2-1-08

MissionPhilosophy

Whereas a university's foundation is its faculty, ~~it is hereby recognized that an efficiently managed~~ faculty governance process ~~and structure and structure at~~ for Florida Gulf Coast University (FGCU) ~~is integral to its institutional success.~~ FGCU faculty are grounded and are grounded in and dedicated to the principles, concepts, and objectives of the University mission. A system of collegial faculty self-governance ~~is necessary to ensure~~ that the rights of faculty are supported and ~~that the faculty~~ responsibilities ~~of faculty~~ in fulfilling the mission of the university are properly executed. ~~met.~~ Therefore, the Faculty Senate engages in collegial dialog with the President of the University Institution, the Provost/Vice President for Academic Affairs (VPAA) and others in positions of administrative leadership to secure these important objectives. Clearly, collaborative and shared leadership among all university constituents is critical to creating a campus environment conducive to student achievement. Fairness, mutual respect, continuous improvement, an informed faculty, and collegial decision-making are the hallmarks of the governance structure.

Mission

~~To this end,~~ faculty governance at FGCU fosters effective and open communication, instills academic integrity, ensures academic quality, and emphasizes the rights and shared responsibilities of constituents including students, staff, community, faculty, and administration; and so, the Faculty Senate declares, without reservation, that all university employees ought continually to offer their support to promote this process. Additionally, an efficiently managed faculty governance process and structure is integral to the institutional success. ~~Fairness, mutual respect, continuous improvement, an informed faculty, and collegial decision making are the hallmarks of the governance structure and every effort must be made to secure full and fair expression within its governance structure and processes, for all constituents.~~

Guiding Principles

Faculty governance at FGCU provides a structure and process for the faculty to promote a supportive and quality-oriented learning environment for students, staff, community, faculty, and administration, in furtherance of the mission and guiding principles of the university. The faculty governance structure ~~facilitates faculty input to the complementary administrative units of the FGCU organizational structure.~~ should enhance representation for all faculty members of the campus community in the governance of the University. The Faculty Senate ~~is an autonomous body~~ represents the collective opinion of the faculty ~~of the university to the administration and to the community, and its~~ The faculty governance system ~~at FGCU~~ ought to encourage transparency in cross-functional discourse offering effective recommendations on policies and procedures relevant to the campus and the University as a whole. To accomplish these objectives the Faculty Senate shall (from time to time) authorize inquiry into and propose policy relevant to its philosophy, mission and purpose.

Purpose

The purpose of the faculty senate is inherent its philosophy and mission, and is as follows:

~~or:~~

- ~~defines and~~ defining and promoting the rights and responsibilities of faculty with respect to scholarly activity, mutual respect and tolerance, and collegiality, ~~and equity~~ across the academic units of the institution;
- promoting equity across the academic units of the institution

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- providing a process for recommending university policies concerning student, staff, community, faculty, campus, and administrative affairs;
- vigorously protecting and promoting academic freedom;
- coordinating faculty representation on university-wide committees and task forces;
- creating and maintaining a flexible, collegial, and integrated structure;
- promoting the equitable economic welfare of the faculty; and
- providing a process for ensuring quality in academic programs.

The faculty acknowledges ~~recognizes~~ that as the University develops, ~~its the~~ governance structure will naturally evolve, and that tendencies toward fragmentation must be identified and appropriately addressed to ensure thriving for continuous improvement, and to reflect and sustain a dynamic learning environment. In furtherance of these objectives, this governance document should be reviewed ~~from time to time annually annually~~ and updated as necessary.

III. Leadership Membership Section 3.02

Background:

Election of Faculty Senate Officers in the Spring can create conflicts with unit representation. Elected officers may be finishing their two-year term as a Senator for their unit. In addition, the duties associated with the position may make it difficult for the officer to fulfill obligations as a Senator for their unit. This proposed amendment effectively makes senate officers out-of-unit Senate members.

Proposed change: Adding a new subsection (b) to Section 3.02 as below and re-lettering the other subsections.

“(b) Newly elected Senate officers (see Section 3.03 (a)) are automatically Senate members for the next academic year and are not included in the above representation formula (3.02 (a)).”

IV. Faculty Eligibility Section 3.02

Background:

Some experience at FGCU might be considered a prerequisite to election as a Senator. Currently there is no requirement, so faculty in their first semester might be elected.

Proposed change: addition of a new subsection (b) (or (c) if the previous change is made) to Section 3.02 and re-lettering the other subsections.

“(b) To be eligible for Senate membership, a faculty member must have completed two semesters of employment at FGCU before beginning to serve their term as a Senator.”

V. Standing Teams Section 4.02

Background:

Each standing team was asked to review their current structure and duties and to suggest any changes they felt were needed. The Faculty Affairs team proposes the following:

Current By-Laws: 4.02 Composition, Responsibilities and Duties of Faculty Standing Teams

(b) Faculty Affairs Team

(i) Composition

The Faculty Affairs Team consists of two (2) faculty members representing each academic unit. Members must have at least four years full-time experience in higher education to be eligible for service on the Faculty Affairs Team.

(ii) Responsibilities and Duties

The Faculty Affairs Team functions to advise the Office of the Provost/Vice President for Academic Affairs and to provide a direct faculty voice and source of informal appeal regarding personnel-related matters pertaining to faculty. The team reviews and recommends policies concerning all matters relating to: faculty status of positions not clearly defined by the Collective Bargaining Agreement or BOR; annual review, promotion, and reappointment issues within and across academic units; transition from multi-year to tenure-track appointments and vice-versa; merit criteria; the availability and allocation of summer support opportunities; sabbaticals and leaves of absence, professional development and resource support, and office assignment; the ownership and use of intellectual property such as taped lectures and material, electronic/digital resources; academic freedom and integrity issues.”

Proposed changes:

“(b) Faculty Affairs Team

(i) Composition

The Faculty Affairs Team consists of two (2) faculty members representing each academic unit, with the exception of Library Services, which may choose to have only one. At least one member from each unit must be at the rank of Associate Professor or higher, with the exception of Library Services. Members must have at least four years full-time experience in higher education to be eligible for service on the Faculty Affairs Team.

(ii) Responsibilities and Duties

The Faculty Affairs Team is a standing committee of the collegial faculty governance system, reporting to the Faculty Senate. It provides a direct faculty voice regarding all personnel-related matters pertaining to faculty that are not subject to collective bargaining, as well as the traditional professional expectations and responsibilities of faculty. The team, at the direction of the Senate leadership, reviews and recommends policies, consistent with the Collective Bargaining Agreement, concerning matters relating to:

- general faculty status of university employees, in situations where faculty or non-faculty status is not delineated by the Collective Bargaining Agreement;
- annual review, promotion, and reappointment issues across academic units;
- assessment of faculty teaching, research, and service;
- merit criteria;
- the availability and allocation of summer support opportunities;
- sabbaticals and leaves of absence;
- professional development and resource support;
- the ownership and use of intellectual property;
- academic freedom and integrity issues;
- criteria for honorary faculty status, including Emeritus status; and
- other issues of traditional academic concern related to faculty expectations and responsibilities, not covered by the Collective Bargaining Agreement.”

VI. Standing Team Facilitator Term Limit Section 4.01(h)

Background:

Standing teams were asked to consider the need to limit the number of years a faculty member could act as the Team Facilitator. The advantage of a term limit is a mechanism for promoting new leadership, removing ineffective leaders, and putting a time limit on this service commitment. The disadvantage is the removal of effective leaders and the loss of institutional memory. No standing teams expressed a need for this amendment, but we drafted the necessary change for Senate consideration.

Current By-Laws:

“Section 4.01 General Principles

(h) Each standing team elects a facilitator to lead the work of the team by calling team meetings, developing agendas, and assisting the team’s work in other appropriate areas. The facilitator serves as a member of the Leadership Team. No faculty member may concurrently serve as the facilitator of more than one standing team.”

Proposed changes

*“(h) Each standing team elects a facilitator to lead the work of the team by calling team meetings, developing agendas, and assisting the team’s work in other appropriate areas. The facilitator serves as a member of the Leadership Team. No faculty member may concurrently serve as the facilitator of more than one standing team. **No faculty member can serve more than two consecutive academic years as a team facilitator for a given standing team.**”*

VII. Discussion Time Limits Section 3.04(f)

Background:

In an effort to better management meeting agendas, extend the current 15 minute time limit to presentations by the Faculty Senate President and University Provost. Both would be eligible for the time limit extensions as needed, with the approval of 2/3 of the Faculty Senate

Current By-Laws: Section 3.04 Operation

“(f) Discussion of business items by the Faculty Senate is limited to fifteen (15) minutes. Reports delivered during meetings of the Faculty Senate are also limited, with the exception of the reports of the Senate President and Provost. The time allotted for such discussion and reporting may be extended by affirmation of two-thirds of the voting Senators present.”

Proposed changes

“(f) Discussion of business items by the Faculty Senate is limited to fifteen (15) minutes. Reports delivered during meetings of the Faculty Senate are also limited to 15 minutes. The time allotted for such discussion and reporting may be extended by affirmation of two-thirds of the voting Senators present.”