

HUMBOLDT STATE UNIVERSITY
University Senate

Resolution to Revise the *General Faculty Constitution*
03-19/20-CBC – November 12, 2019 – First Reading

RESOLVED: That a Faculty Session of the University Senate of Humboldt State University recommends the attached revisions to the *Constitution of the General Faculty* be forwarded to the General Faculty for ratification in Spring 2020.

RESOLVED: That implementation of these amendments shall be conditioned on passage of #XX-19/20-CBC-DATE Resolution to Amend the *Constitution of the University Senate of Humboldt State University* to Reflect Parallel Amendments to the *General Faculty Constitution*.

RATIONALE: The Constitution of the General Faculty is being revised: (1) to clarify the General Faculty's relationship to the Senate and consolidate information on how the General Faculty exercises its powers, (2) to define the electorate, (3) to eliminate Secretary/Treasurer duties that occur through Senate and designate the position as Treasurer (4) to make the Senate Chair ex officio presiding officer of the General Faculty, (5) to remove or revise information on eligibility, terms of office, term limits, and vacancies covered in the Senate Constitution, and (6) to update the statement on shared governance.

The rationale for each of these changes is as follows:

(1) To clarify the General Faculty's relationship to the Senate and consolidate information on how the General Faculty exercises its powers.

Information on the General Faculty's powers and functions is scattered across various parts of the Constitution. To bring this information together, the following changes were made:

Section 6. Relationship to the University Senate is eliminated; the text is revised and incorporated into **Section 3. Powers and Structure**.

Additional consolidation is achieved by removing text on jurisdiction and policy matters from **Section 5. The General Faculty** and incorporating it into **Section 3. Powers and Structure**.

Section 5 is then renamed to better reflect its content: **Meetings of the General Faculty**.

The functions of the General Faculty (3.1) are revised to:

- (a) Remove functions that occur through the Senate ("to assist in the selection of future presidents of the university and future administrators of high rank"; "to administer elections wherein the General Faculty vote");
- (b) Broaden the statement on policy recommendation (currently: "policies ... of common concern to the general faculty");

- (c) Clarify the General Faculty's role in election administration ("to administer elections wherein the General Faculty vote"), and
- (d) Remove ambiguous functions ("to implement authority assigned to it by the University President"; "to act for the faculty in other matters within its jurisdiction").

3.1 Original:

3.1 Functions – The function of the General Faculty shall be: to formulate and recommend to the University President policies for the University affecting matters of common concern to the general faculty; to implement authority assigned to it by the University President; to assist in the selection of future presidents of the university and future administrators of high rank; to administer elections wherein the General Faculty vote; to help the University gather and express the views of the faculty regarding issues of governance; and to act for the faculty in other matters within its jurisdiction.

3.1 Revised:

3.1 Functions – The function of the General Faculty shall be:

3.11 To formulate, review, and recommend University policies to the President and other appropriate agents

3.12 To help the University gather and express the views of the faculty regarding issues of governance

3.13 To nominate and elect or appoint those persons who represent the General Faculty on the University Senate, university committees, campus auxiliary governing boards, and state organizations

3.14 To authorize the collection and use of funds to support the purposes of the General Faculty

The manner in which the General Faculty delegates its functions (**3.2, 3.3**) is clarified.

Because the Appointments and Elections Faculty Subcommittee does not exist, reference to this subcommittee is removed (**3.2**) ("names of appropriate appointees shall be put forward by the University Senate Appointments and Elections Committee's Faculty Subcommittee to be confirmed by the Executive Committee of the General Faculty"). The General Faculty's role in making nominations and appointments, and electing representatives, is retained (**revision 3.13**).

(2) To define the electorate.

Section **2.5** defines the General Faculty electorate. Currently, faculty and staff electorates are defined in the Senate Bylaws (Section **12.21, 12.22, 12.23**). This revision makes the General Faculty Constitution the authority for defining the General Faculty electorate. The Senate

Constitution will be amended to state that electorates (faculty and staff) are defined in their respective Constitutions.

(3) To eliminate Secretary/Treasurer duties that occur through the Senate and designate the position as Treasurer.

The Senate Appointments and Elections Committee, working together with the Senate Office, certifies the eligibility of candidates and oversees appointments and elections.

(4) To make the Senate Chair ex-officio presiding officer of the General Faculty.

The primary duty of the General Faculty member elected as GF President is to serve as ex officio chair of the Senate. This revision recognizes the primacy of the Senate role by electing to that position and making ex officio the role of General Faculty Presiding Officer.

Eligibility requirements for this position do not change, nor does the electorate. The duties of the Presiding Officer (**revision 4.21**) remain the same as those of the GF President (**4.62**), except that supervision of General Faculty elections occurs through the Senate Office and the AEC.

(5) To remove or revise information on eligibility, terms of office, term limits, and vacancies that is covered in the Senate Constitution or Bylaws.

References to eligibility, terms of office, term limits, and vacancies for the office of the General Faculty President are removed from sections **4.2, 4.3, and 4.4** (revisions to Senate Constitution **Section 5.0, Officers and Parliamentarian**, will define eligibility, etc. of the Senate Chair). General Faculty Constitution section **4.0** on Officers and Elected Representatives is revised to focus on Officers only. Information on representatives that is covered elsewhere in the Faculty Handbook, or in the Senate Constitution, is removed.

(6) To update the statement on shared governance.

This statement was revised primarily to include reference to a 1985 statement endorsed by the CSU Board of Trustees that recognizes the faculty's responsibility for the educational functions of the University. The CSU statement complements the other referenced statements from the Higher Education Employer-Employee Relations Act, and the AAUP Statement on Government. The shared governance principles articulated in the Preamble are revised slightly and moved to **Section 1. Name and Purpose**.

Proposed Revisions with Track Changes:

PREAMBLE: SHARED GOVERNANCE

~~The faculty members of Humboldt State University affirm the principles of shared governance as set out in Article I of the Higher Education Employer-Employee Relations Act (HEERA) and affirm the responsibilities of faculty to participate in governance as articulated in the American Association of University Professors "Statement on Governance of Colleges and Universities" (SGCU) (1990) for the sake of the betterment of the University. The Constitution of the General Faculty defines membership in the General Faculty and provides a vehicle for the faculty to fulfill those responsibilities. Both HEERA and SGCU call on faculty and administration to contribute with good will toward shared and harmonious decision making in those areas in which faculty have interests and expertise. Since the faculty are among the members of the University community who most tend to accumulate long experience with relevant issues facing the university, and since faculty also clearly contribute in major ways both in their commitments and their duties to the educational and fiscal health of the university, it is to be expected that, for example, major planning, faculty personnel policies and decisions, and decisions regarding the curriculum and the means of its delivery will involve communication with and guidance of the faculty. In accordance with HEERA, the faculty also engages in collective bargaining with the California State University through the agency of the California Faculty Association, and therefore the resulting bargaining agreements and HEERA constrain and guide this constitution. HEERA also provides for the existence of Senates at the campus and system levels through which faculty are able to participate in university governance.~~

1.0 NAME AND PURPOSE

1.1 Name – The name of this organization is the General Faculty of Humboldt State University, hereafter referred to as the General Faculty.

1.2 Purpose – The purpose of the General Faculty is to assure that the collective knowledge, experience, and judgment possessed by the members shall be as fully utilized as possible in providing students with educational opportunities, in developing university policies and procedures, and in fostering a spirit of unity and cooperation among its members. The faculty have accumulated considerable experience with relevant issues facing the University, and in their commitments and their duties, contribute significantly to the educational and fiscal health of the University. The General Faculty expect that major planning, including faculty personnel policies and decisions, and decisions regarding the curriculum and its delivery, will involve communication with and guidance from faculty.

In fulfilling its shared governance responsibilities, the faculty of Humboldt State University affirm the principles articulated in: 1) Article I of the Higher Education Employer-Employee Relations Act (HEERA), and 2) The American Association of University Professors' "Statement on Governance of Colleges and Universities" (SGCU). Both HEERA and SGCU call on faculty and administration to contribute with good will toward shared and harmonious decision making in those areas in which faculty have interests and expertise. The faculty also recognize and affirm their primary responsibility for the educational functions of the institution, as articulated in 1985 by the Board of Trustees of the California State University.¹

¹ See Higher Education Employer-Employee Relations Act, esp. Article 1, Section 3561b; Report of the Board of Trustees' Ad Hoc Committee on Governance, Collegiality, and Responsibility in the California State University (adopted by the Board of Trustees of the California State University, September 1985); and American Association of University Professors, Statement on Government of Colleges and Universities (April 1990).

This Constitution defines membership in the General Faculty and facilitates the effective exercise of the rights and responsibilities of members to participate in shared governance. In accordance with HEERA, the faculty also engage in collective bargaining with the California State University through the agency of the California Faculty Association, and therefore the resulting bargaining agreements and HEERA constrain and guide this Constitution.

2.0 MEMBERSHIP

2.1 The voting membership of the General Faculty shall consist of:

2.11 Full-time faculty unit employees (including tenured faculty, probationary faculty, lecturers, librarians, counselors and coaches).

2.12 Part-time faculty unit employees (including lecturers, librarians, counselors, coaches, and rehired annuitants) holding at least a one-year appointment with a time base averaging at least .40 of full time.

2.13 FERP faculty.

2.14 Administrators with academic retreat rights.

2.2 The non-voting membership of the General Faculty shall consist of: Professors emeriti who are neither rehired annuitants (fitting the conditions of section 2.12) nor FERP faculty.

2.3 The term "in residence" shall be defined as a faculty unit employee with a current assignment. Faculty members on sabbatical or other type of leave are not considered "in residence."

2.4 Other individuals may be admitted into membership upon recommendation by a faculty session of the University Senate and ratification by a two-thirds majority of General Faculty votes cast in an election of the General Faculty.

2.5 The electorates of the General Faculty are defined as follows. A member of the General Faculty may be included in more than one electorate.

2.51 Lecturer Faculty (Instructional and Non-Instructional Units)—Non-permanent faculty, librarians, counselors, and part-time coaches holding at least a one-year appointment with a time-base averaging at least .40 of full time.

2.52 Tenure-line Faculty (Instructional Unit)—Faculty holding the academic rank of assistant professor or above.

2.53 Tenure-line Faculty (Non-Instructional Unit)—Tenure-line librarians, counselors, and full-time coaches.

2.54 FERP faculty, rehired annuitant faculty, and administrators with retreat rights.

2.55 At-large faculty includes all members of the General Faculty.

3.0 POWERS AND STRUCTURE

~~3.1 Functions—The function of the General Faculty shall be: to formulate and recommend to the University President policies for the University affecting matters of common concern to the general faculty; to implement authority assigned to it by the University President; to assist in the selection of future presidents of the university and future administrators of high rank; to administer elections wherein the General Faculty vote; to help the University gather and express the views of the faculty regarding issues of governance; and to act for the faculty in other matters within its jurisdiction.~~

3.11 To formulate, review, and recommend University policies to the President and other appropriate agents.

3.12 To help the University gather and express the views of the faculty regarding issues of governance.

3.13 To nominate and appoint or elect those persons who represent the General Faculty on the University Senate, university committees, campus auxiliary governing boards, and state organizations.

3.14 To authorize the collection and use of funds to support the purposes of the General Faculty.

~~3.2 The General Faculty shall exercise its functions primarily through its elected delegates on the University Senate and those members elected or appointed to university committees, campus auxiliary governing boards, and state organizations, and in accordance with the Constitution of the University Senate and the Bylaws and Rules of Procedure of the University Senate. Representation to Other Organizations—The General Faculty shall elect those persons who represent it to appropriate university committees, campus auxiliary governing boards, and state organizations. In cases of appointment of representatives, names of appropriate appointees shall be put forward by the University Senate Appointments and Elections Committee's Faculty Subcommittee to be confirmed by the Executive Committee of the General Faculty. The General Faculty may authorize these representatives to use such funds as are available for such purpose.~~

~~3.3 The General Faculty reserves the right to exercise any of its functions directly through a vote of its membership. Exercise of Powers—All powers of the General Faculty shall reside in the General Faculty except that certain functions, including policy recommendations, may be exercised through the University Senate as herein provided in Section 6.0.~~

3.31 It may require the University Senate to report its progress on any matter under its deliberation at a meeting of the General Faculty.

3.32 It may require the University Senate to refer any matter under its deliberation to the General Faculty for consideration.

4.0 OFFICERS AND ELECTED REPRESENTATIVES OF THE GENERAL FACULTY

~~4.1 Officers— The elected officers of the General Faculty shall be: a President who shall also be the Chair of the University Senate, and a Secretary/Treasurer.~~

~~4.11 – The Chair of the University Senate, who shall serve ex-officio as the Presiding Officer of the General Faculty. General Faculty President and the Secretary/Treasurer shall be elected by a majority of General Faculty votes cast in an election of the General Faculty.~~

~~4.12 – The Vice-Chair of the University Senate, who shall serve ex-officio as the Second Officer of the General Faculty. The Vice President of the General Faculty shall be the Vice Chair of the University Senate and shall serve as a voting ex-officio member.~~

~~4.13 – The senior faculty representative to the ASCSU shall serve ex-officio as the Third Officer of the General Faculty~~

~~4.134 – The Senate officer ASC shall serve as the A Treasurer.~~

~~4.2 Members Eligible to Hold the Treasurer Office – Any member of the General Faculty is eligible to serve as President if they have completed three years of employment by the University prior to taking office and they will be “in-residence” during the term of office. Any member of the General Faculty is eligible to serve as Secretary/Treasurer if they have completed one year of employment by the University prior to taking office and they will be “in-residence” during the term of office.~~

~~4.3 Term of Office for Treasurer – The General Faculty President shall serve a two-year term of office from the 1st of June following his or her election. The Secretary/Treasurer shall serve a two-year term of office from the 1st of June following his or her election. The terms of the Presiding Officer General Faculty President and the Secretary/Treasurer shall be staggered.~~

~~4.31 Other Terms of Office for elected General Faculty representatives shall be as defined in the HSU Faculty Handbook, Section 800. Terms of office for elected Faculty senators at-large and Lecturer senators shall be as defined in the University Senate Constitution and Bylaws.~~

~~4.4 Consecutive Terms – Eligibility of elected representatives to serve consecutive terms shall be as defined in the University Senate Constitution and Bylaws. The President of the General Faculty and other elected representatives of the General Faculty included under section 3.2 shall not be eligible to serve more than two consecutive full terms in the same position.~~

~~4.5 Representatives of the ASCSU (Statewide Senate) shall be elected by the General Faculty.~~

~~4.51 Any full-time tenure-line member of the General Faculty is eligible to serve as the HSU General Faculty Representative to the ASCSU.~~

~~4.52 Term limits for other officers and elected representatives of the General Faculty shall not apply to HSU General Faculty Representatives to the ASCSU (Statewide Senate).~~

4.56 Duties of Officers

~~4.61 The elected officers of the General Faculty, together with the Vice Chair of the University Senate shall serve as the Executive Committee of the General Faculty and shall perform its administrative functions~~

~~4.5162 The Presiding Officer of the General Faculty President shall (1) shall preside over meetings of the General Faculty; (2) shall be ex-officio Chair of the University Senate and shall preside over the meetings of the University Senate as provided in the Constitution of the University Senate and the Bylaws and Rules of Procedure of the University Senate; (23) shall carry out the directions of the General Faculty; (4) shall supervise General Faculty elections; and (35) shall perform the duties customarily performed by presiding officers, including making all arrangements for meetings of the General Faculty.~~

~~4.5263 The Second Officer Vice Chair of the University Senate who is ex-officio Vice President of the General Faculty shall exercise the powers and duties of the Presiding Officer in the absence or at the request of the Presiding Officer, ent in his or her absence or at his or her request.~~

~~4.64 The Third Officer of the General Faculty shall exercise the powers and duties of the Presiding Officer in the absence or at the request of the Presiding Officer and the Second Officer~~

~~4.5344 The General Faculty Secretary/Treasurer shall (1) keep see that records are kept minutes of General Faculty meetings; (2) Such minutes shall be distributed minutes to the General Faculty as soon as practicable following each meeting and shall be available from the Senate Office. The Secretary/Treasurer shall certify the eligibility of faculty University Senators as defined in the University Senate Constitution and University Senate Bylaws and other General Faculty representatives as described in the Faculty Handbook. (13) The Secretary/Treasurer shall also have responsibility for the overseeight and management of any funds received or disbursed by the General Faculty; and (24) The Secretary/Treasurer shall submit an annual financial report to the General Faculty. The accounts of the Treasurer shall be audited annually.~~

4.7 Vacancies

~~4.71 The position of an elected officer or representative of the General Faculty (as defined in 3.2 of the General Faculty Constitution) shall become vacant when he or she (a) resigns from the position, (b) fails to meet the eligibility requirements for membership in the General Faculty; or (c) goes on leave, for more than one semester.~~

~~4.72 The Secretary/Treasurer of the General Faculty shall report circumstances constituting a vacancy as defined in 4.61 to the University Senate Appointments and Elections Committee, which shall certify the existence of a vacancy. The General Faculty Executive committee shall recommend appointments to serve until the next regular election. The President of the General Faculty/Chair of the Senate shall convene a meeting of the Faculty Senators (Faculty Session) to confirm by vote the recommended appointments. Any portion of the term remaining at the time of the next general election shall be filled by vote during that election as prescribed in 8.0.~~

5.0 MEETINGS OF THE GENERAL FACULTY

~~5.1 All meetings of the General Faculty shall be open to all members. The General Faculty may shall meet as often as necessary to transact its business. Meetings shall be called upon:~~

5.11 Request of the Presiding Officer.

5.12 Request of the University President.

5.13 Request of the University Senate.

5.14 Request of a Faculty Session of the University Senate.

5.15 Petition of at least ten (10) percent of the General Faculty.

~~5.2 The Presiding Officer shall (1) determine the time and location of the meeting and (2) provide the General Faculty with notification and an agenda General Faculty President shall have the power to call a meeting of the General Faculty either upon his or her own initiative, upon the request of the University President, when directed to do so by a majority vote of the University Senate or a majority vote of a Faculty Session of the University Senate, or upon petition of at least ten (10) percent of the General Faculty in residence—provided that each faculty member shall be notified at least three working days prior ~~of to~~ such meeting, together with the agenda of business to be transacted.~~

5.3 Quorum – One third of the General Faculty membership shall constitute a quorum. The members present at a duly called or held meeting at which a quorum is present may continue to conduct business until the time stated for adjournment in the call of the meeting, notwithstanding the withdrawal of enough members to leave less than a quorum.

5.4 Proxies – A faculty member may appoint another member of the General Faculty to act as a proxy at a meeting.

5.41 Voting by proxy means that a particular member is authorized to cast the vote of an absent member at a meeting

5.42 Any member wishing to appoint a proxy shall notify the Secretary of the General Faculty in writing prior to the meeting at which the proxy is to be exercised.

5.43 No member may be a proxy for more than one other member at any single meeting.

5.44 Proxies will count toward the determination of quorum.

~~5.3 Authority/Jurisdiction—The General Faculty shall have the authority to initiate, consider, and implement action related to the functions and procedures within its jurisdiction.~~

~~5.4 Policy Matters, voting—The General Faculty shall consider such policy matters as are brought before it by the University Senate. The final vote on any matter referred by the University Senate shall be taken by secret ballot with provisions for proxy voting by the General Faculty. Such voting does not require the calling of a meeting.~~

5.5 Parliamentary Procedure – Meetings shall be conducted in accordance with parliamentary procedures articulated in ~~Sturgis~~the latest edition of *The American Institute of Parliamentarians Standard Code of Parliamentary Procedure*.

~~5.6 Quorum—One third of the total membership of the General Faculty in residence as herein defined shall constitute a quorum.~~

~~5.7 Proxies for voting at a meeting—A faculty member may appoint a member of the General Faculty as proxy to vote for him or her at a meeting, but before that proxy may attend the meeting and vote, the appointing faculty member shall in writing notify the Secretary/Treasurer of the General Faculty of the proxy designee and whether the proxy is general or specific.~~

~~5.71 No faculty member may be a proxy for more than one other faculty member at any single meeting.~~

5.68 The General Faculty shall adopt such Bylaws as are necessary to carry out the provisions of this Constitution.

~~6.0 RELATIONSHIP TO THE UNIVERSITY SENATE~~

~~6.1 The General Faculty exercises its responsibilities to formulate, review, and recommend academic policies for the university to the President and other appropriate agents through its elected delegates to the University Senate.~~

~~6.2 The General Faculty may, by majority vote—a quorum being present—require the University Senate to report progress on any matter before it or refer any such matter to the general faculty for consideration.~~

67.0 FINANCES

The General Faculty may vote to authorize the collection of funds from members which may be disbursed for social or other purposes.

67.1 Monetary Contribution – The General Faculty may accept monetary contributions and disburse them for general purposes or specific projects.

78.0 ELECTIONS

78.1 Election Dates – Elections for General Faculty Officers, General Faculty representatives to councils, boards or committees, faculty senators-at-large and Lecturer senators shall be conducted so as to be completed before teaching schedules for the fall semester are determined.

78.2 Nominating and Elections – The University Senate’s Appointments and Elections Committee shall serve as the Elections Committee of the General Faculty. Nominations for General Faculty Officers and other General Faculty Representatives shall be made by the Committee in accordance with the provisions of the General Faculty Constitution, the Faculty Handbook and University Senate Constitution and Bylaws. -The Committee shall conduct all elections of the General Faculty in accordance with the following provisions.

78.21 – Lecturers holding one-year or longer appointments with a time base averaging at least .40 of full time shall nominate and elect the Lecturer senators.

78.22 – The General Faculty shall nominate and elect Faculty senators-at-large.

78.23 – If a single candidate appears on the ballot, ~~provision shall be made for a “write-in” candidate.~~

78.23.1 – Provision shall be made for a “write-in” candidate.

78.23.2 – ~~The~~ If a single candidate appears on the ballot, that person must receive a simple majority (51%) of the votes cast in order to be considered elected.

78.24 – All ballots shall list nominees in alphabetical order.

78.3 Election Process – The General Faculty Officers and other General Faculty representatives selected through an election process shall be elected by a majority vote of those voting consistent with the following provisions:

78.31 With one position to fill – All nominees shall be listed on the first ballot. Those having the highest number of votes, and whose votes, when added together, constitute a majority of the votes cast, shall appear on the next ballot. Voting shall continue in this manner until one candidate receives a majority of votes cast.

78.32 With multiple positions to fill – In elections where multiple positions are to be filled, those whose votes when added together constitute 66.7% or more of the votes cast will be elected. If there are more candidates retained than required for multiple positions, a run-off election will be held of those candidates.

78.33 Unexpired terms – If unexpired terms are being filled by the election process, the candidate with the highest vote count shall select the term of office to serve, if more than one term length exists.

78.4 Special Elections -The Presiding Officer ~~President~~ of the General Faculty may call special elections consistent with the provisions above (78.3).

78.5 Secret Ballot and Voting – All elections shall be conducted by secret ballot with provision for proxy voting by the General Faculty.