

**Approved by the Faculty of the Main Campus  
And Health Science Campus, May 2007  
Approved by the Board of Trustees March 10, 2008**

## **CONSTITUTION OF THE FACULTY SENATE**

### **Article I. Scope**

The Faculty Senate of the University of Toledo is an elected body of the faculty, with responsibility to promote the mission, function and interests of the University of Toledo and its faculty. As such, the Faculty Senate acts as the representative voice of the faculty.

### **Article II. Responsibilities and Jurisdiction**

The Faculty Senate may consider any subject pertaining to the interests of the University and to act in the name of the University Faculty in making recommendations to the University Administration on these matters.

Without limiting the generality of the foregoing, the Faculty Senate shall have the following specific powers and responsibilities:

- A. To provide a collegial forum for communication and consultation between the University Faculty and the University Administration.
- B. To promote a positive working environment for academic, clinical, and professional excellence and growth for the faculty of all Colleges within the University.
- C. To protect faculty rights and privileges, equal opportunity, due process, and academic freedom, and to promote an exemplary standard of ethical conduct at the academic, professional and administrative levels.
- D. To review and respond to policy, procedural and programmatic changes, initiated or recommended by the University Administration, that affect the University Faculty or the academic mission of the institution.
- E. Subject to the supervision and control of the Board of Trustees of the University as delegated through the academic administration, to exercise responsibility for the academic affairs of the University, including: the academic rules, regulations, policies and standards regarding undergraduate students; the standards for granting of degrees, honors and awards; and the oversight of student development and progression.
- F. To participate in a meaningful manner in any University long range strategic planning or prioritization, including budgetary, policy, fiscal and facility planning.
- G. To facilitate bi-annual formative assessments of the provost, vice provost(s), and deans to ensure accountability and improve administrative performance.
- H. To have a meaningful role in university-wide academic appointments, including being an active participant in the search process.

- I. To form standing and ad hoc committees as may be appropriate for effective and efficient execution of its duties.
- J. To review periodically the structure of the University Faculty, including non-Faculty Senate appointed and elected committees, and make appropriate recommendations to the University Administration.
- K. To develop and adopt rules, procedures, and appendices to this Constitution for the effective administration and operation of the Faculty Senate.

Any action taken by the Faculty Senate in the name of the University Faculty may be reconsidered by the University Faculty in accordance with the referendum procedure established by the Faculty Senate.

### **Article III. Membership and Organization**

Except as may be expressly provided herein, only continuing, full-time members of the University Faculty shall be eligible for membership in the Faculty Senate. Such persons shall not include faculty emeriti, faculty on superannuate status, or faculty with visiting, adjunct, or non-renewable term appointments.

Except as provided in Article V, the Faculty Senate of The University of Toledo shall consist of 64 members elected as representatives of the faculties of the colleges. These seats shall be apportioned according to the size of the eligible electorate of each college. Notwithstanding the foregoing, each of the Colleges and the Library shall in no event have fewer than two seats. Furthermore, no College faculty shall have more than 14 seats as a result of this apportionment.

In addition to the above, the provosts of the main campus and health sciences campus shall serve as ex-officio, non-voting members of the Faculty Senate.

### **Article IV. Term**

The term of the elected representatives shall be for three years. A representative may be elected to one consecutive successive term. A representative who has served for more than two years of a second consecutive term shall be ineligible for reelection for one year, with the exceptions set forth in Article V.

As near as may be possible, one-third of the membership shall be elected each year and no more than one half of the representatives from any college shall be elected in any given year.

### **Article V. Executive Committee**

The Executive Committee of the Senate shall consist of the President, the President-Elect, the Past-President, the Executive Secretary, one member of the Senate elected to the Faculty Advisory Committee to the Ohio Board of Regents, two members of the Senate representing colleges reporting to the provost on the main campus, and two members of

the Senate representing colleges reporting to the provost on the health science campus. The President and President-Elect shall also serve as the representatives of the Faculty Senate at meetings of The University of Toledo Board of Trustees.

The Senate shall choose annually from among its elected members a President-Elect, an Executive Secretary and representative to the Faculty Advisory Committee to the Ohio Board of Regents. The members of Senate representing colleges reporting to the provost of the main campus shall choose annually from among themselves the two members to represent the main campus, and the members of Senate representing colleges reporting to the provost of the health science campus shall choose annually from among themselves the two members to represent the health science campus. All of the above described persons shall hold office for one year or until their successor is elected. Upon election of a new President-Elect, the immediately preceding President-Elect shall become the President, and upon such occurrence the immediately preceding President shall become the Past-President. A Past-President shall be ineligible for immediate election to the office of President-Elect, but there shall be no limitation on the possible reelection to the other elected positions described above. The President-Elect shall continue to serve as a member of Faculty Senate throughout such person's term as President and Past-President. In the event such person's term as a senator is set to expire at any time during the three year commitment of service as President-Elect, President and Past-President, such person's term as a senator will be extended through completion of the three year cycle of office contemplated hereby. Notwithstanding the foregoing, prior to the originally scheduled time for expiration of such person's senate term, the college represented by such senator shall hold an election to fill such person's seat as a senator in accordance with the ordinary procedures used for elections to Faculty Senate. In the event such person is re-elected, such person's term shall not expire at the end of his or her term as Past-President but shall extend through the full three year term to which he or she was elected. In the event such person is not re-elected, the size of the Faculty Senate shall be expanded by one, with no effect on allocation of seats among colleges, until expiration of such person's term as Past-President. Based upon the foregoing, the size of the Faculty Senate can be expanded by up to two additional senators to accommodate persons fulfilling the duties contemplated by the three year Presidential cycle. At the conclusions of their terms in the Senate, all of these officers shall be immediately eligible for reelection to the Senate.

The Executive Committee shall prepare the agenda for Senate meetings, under such directions as the Senate from time to time may adopt; shall appoint members to ad hoc and standing committees of the Senate; shall instruct and supervise the work of ad hoc committees; and take other appropriate action to further the work of the Senate as the latter shall from time to time direct or approve.

#### **Article VI. Officer Duties**

In addition to their duties on the Executive Committee, the officer positions described herein shall have the duties set forth below:

A. The President of the Senate shall:

1. Preside at all regular and special meetings of the Senate;
2. Appoint chairs to standing committees and chairs and members to ad hoc committees of the Senate, unless otherwise specified by this Constitution, its Appendix or its Rules;
3. Be responsible for implementing actions of the Senate;
4. Transmit the recommendations of the Senate to the President and the Provost of each campus;
5. Receive and bring to the Senate, in person or through a representative, information on actions of the Board of Trustees, administrative officers and any other matters of importance to the faculty;
6. Keep a file of all letters and documents pertaining to the operation of the Senate and transfer them to the new President of the Senate at the end of the term of office;
7. Chair the Executive Committee and prepare the agenda for the meetings of the Senate;
8. Represent the Senate at meetings of the University of Toledo Board of Trustees; and
9. Disseminate actions and recommendations of the Faculty Senate to any appropriate university constituency, body, or administrator.

B. The President-Elect of the Senate shall:

1. Assume the duties of the President and preside over the meetings of the Senate in the absence of the President;
2. Assume the office and duties of the President in the event of the President's resignation or inability to serve for the duration of the term;
3. Assist the President of the Senate in matters pertaining to the Senate;
4. Represent the Senate at meetings where the President is unavailable; and
5. Represent the Senate at meetings of the University of Toledo Board of Trustees.

C. The Past-President of the Senate shall:

1. Advise the President as requested;
2. Perform other tasks as may be delegated by the President; and
3. Assume the duties of the President and preside over the meetings of the Senate in the absence of the President and President-elect; and
4. Represent the faculty at meetings of the Faculty Advisory Committee to the Ohio Board of Regents when the elected Representative to the Faculty Advisory Committee of the Ohio Board of Regents is unavailable.

D. The Executive Secretary of the Senate shall:

1. Be responsible for correspondence of the Senate;
2. Supervise the recording and distribution of the minutes of the regular Senate as well as special meetings of the Senate and the Executive Committee;
3. Ensure that Senators and all other faculty receive notification of the meeting and agenda in advance of the meeting;

4. Maintain an updated list of the Senators and alternates; and
  5. Act as a custodian of the minutes and other Senate materials.
- E. The Representative to the Faculty Advisory Committee to the Ohio Board of Regents
1. Represents the Faculty Senate and Faculty at meetings of the Faculty Advisory Committee to the Ohio Board of Regents; and
  2. Reports at Senate meetings on any activities of the Faculty Advisory Committee to the Ohio Board of Regents or the Chancellor of the Board of Regents, which may be of relevance to the Faculty Senate or the University Faculty.

#### **Article VII. Meetings of the University Faculty**

At the request of the Faculty Senate, special faculty meetings shall be called by the President of the University for consideration of recommendations or other business of the Senate. In the event of the President's refusal or inability to call a special faculty meeting upon request of the Faculty Senate, the President of the Faculty Senate shall call and preside at such special faculty meeting.

#### **Article VIII. Secret Ballot**

Upon request of any member, voting in the Senate shall be by secret ballot.

#### **Article IX. Elections**

The Senate shall prescribe the times of election of faculty representatives. University Faculty Elections shall be conducted in accordance with the procedures specified in the Appendix to the Faculty Senate Constitution. Elections to the University Committee on Academic Personnel and the University Committee on Sabbaticals shall be conducted in accordance with the procedures specified in the Appendix to the Faculty Senate Constitution.

#### **Article X. Non-Member Rights**

Nonmembers of the University Faculty shall have the right to attend meetings of the Senate and shall be privileged to speak in regard to matters before the Senate subject to the Rules of the Senate. Members of the University Faculty who are not members of the Senate shall have the right to attend meetings of the Senate and to speak in regard to matters before the Senate under the rules that govern the Senate, but they shall be without the right to vote.

#### **Article XI. Amendment**

A resolution to amend the Constitution may be adopted at any general meeting of the University Faculty called by the President. The Senate may also adopt such a resolution during its regular business procedures. The Constitution may be amended by a two-thirds

majority of the returned mail votes of the University Faculty. The mail vote will be conducted and tallied by the Senate Committee on Elections and verified by the Executive Committee of the Faculty Senate.

### **Article XII. Interpretation**

In the event of an ambiguity in the interpretation of any provision of this Constitution, its Appendix or its Rules, the meaning of such provision shall be determined by a majority vote of the Faculty Senate.

### **Article XIII. Shared Governance**

Each College and the Library shall establish a governance body in accordance with the provisions set forth in the Appendix. Such bodies must operate in coordination with the Faculty Senate. Such bodies, as well as all committees of the University Faculty shall route proposals requiring University Faculty action to the Faculty Senate, insofar as those proposals come within the jurisdiction of the Faculty Senate as prescribed in Article II.

### **Article XIV. Transitional Provisions**

This Constitution has been prepared to govern the new Faculty Senate of the University of Toledo, which is to be formed by merging the current Faculty Senate of the main campus with the Faculty Senate of the health science campus. Given the existence and current operation of two faculty senates at the University of Toledo, certain transitional provisions shall be necessary to effectuate the creation and initial undertakings of the Faculty Senate contemplated by this Constitution, which provisions are set forth in this Article XIV.

- A. This Constitution shall be adopted and be given full force and effect upon adoption by the University Faculty of the University of Toledo. Said adoption shall be accomplished by amending the current Constitution of the Faculty Senate of main campus and the Bylaws of the Faculty Senate of the health science campus. Each such faculty senate shall conduct a vote in accordance with its current rules to amend its governing document to be this Constitution. Notwithstanding the foregoing, each such vote is to be conducted in a manner that allows all those members of the University Faculty that would be entitled to be elected as senators under this Constitution to vote. Upon a successful amendment of both faculty senates' governing documents, this Constitution shall govern a newly formed Faculty Senate for the entire University Faculty. In the event either faculty senate resolution of amendment fails to receive the required number of votes to pass, both faculty senates shall continue to operate as separate bodies and neither senate's governing document shall be considered amended by its vote on these matters.
- B. All references to the Appendix of the Faculty Senate in this Constitution shall mean an Appendix to be prepared jointly by the Faculty Senate Executive Committees of the two current faculty senates or by the Executive Committee to be established under

this Constitution in the event said Appendix has not been prepared prior to adoption of this Constitution. Upon completion of a draft of the Appendix by such group, the Faculty Senate shall conduct open forums with the University Faculty to obtain feedback and comments on such draft. Such group shall consider the comments and feedback obtained in preparing a final draft of the Appendix. The final draft shall be submitted to the Faculty Senate for a vote and shall be adopted upon the affirmative vote of two-thirds of the senators present and voting. The Appendix shall set forth the rules and procedures governing: University Faculty elections to Faculty Senate; elections to the University Committee on Academic Personnel and the University Committee on Sabbaticals; implementation and reconsideration of actions taken by the Faculty Senate; College Governance; and amendment of the Appendix.

- C. All references to the Rules of the Faculty Senate in this Constitution shall mean a set of Rules to be prepared jointly by the Faculty Senate Executive Committees of the two current faculty senates or by the Executive Committee to be established under this Constitution in the event said Rules have not been prepared prior to adoption of this Constitution. Upon completion of a draft of the Rules by such group, the Faculty Senate shall conduct open forums with the University Faculty to obtain feedback and comments on such draft. Such group shall consider the comments and feedback obtained in preparing a final draft of the Rules. The final draft shall be submitted to the Faculty Senate for a vote and shall be adopted upon the affirmative vote of two-thirds of the senators present and voting. The Rules shall set forth the rules and procedures governing: the holding and conduct of meetings of the Faculty Senate, including the dissemination of information concerning its actions to the University Faculty; the committees of the Faculty Senate, including a list of its standing committees and their respective charges; election of officers of Faculty Senate; the election of faculty representatives to University committees and other bodies; and amendment of the Rules.
- D. All officers and committee members elected or appointed to either Faculty Senate Executive Committee, any committee of either current faculty senate and any other University Committees shall continue in such positions until their successors are elected and qualified. A successor shall be considered appointed and qualified upon appointment or election, as appropriate, to the same position or if such position will no longer exist under this Constitution upon election or appointment of a person to the position most similar to the one being eliminated. To the extent the Faculty Senate Executive Committees of the two current faculty senates deem it advisable, the membership and charge of two or more committees may be merged to facilitate matters required to effectuate the transition contemplated hereby.
- E. Upon adoption of this Constitution in accordance with the procedures set forth above, the Faculty Senate Executive Committees of the two current faculty senates shall jointly and promptly conduct an election to determine the representatives to the Faculty Senate formed by its adoption. Notwithstanding any term limitations imposed by the current governing documents of the faculty senates, all members of the University Faculty eligible to vote in the election shall be eligible for election. The

rules and procedures governing such election shall be determined in the discretion of such Executive Committees, acting together, but shall give full effect to the provisions of this Constitution concerning the electorate and allocation of seats. With regard to the senators elected from any given College and in order to effectuate the second paragraph of Article IV, the third receiving the highest number of votes shall be elected to a three year term; the third receiving the second highest third shall be elected to a two year term; and the third receiving the lowest third shall be elected to a one year term. For those Colleges electing only two senators, the one receiving the highest vote shall be elected to a three year term and the other senator shall be elected to a two year term. Upon said election of representatives to the Faculty Senate, the Faculty Senate shall promptly conduct elections to elect the officers set forth in this Constitution. The rules and procedures governing such election shall be determined in the discretion of the two current Executive Committees, acting together. Said election shall include election of persons to fill the spots of Past President and President, so as to fill all the officer positions; provided, however, that the Past President shall serve for one year and then cease to be an officer, unless duly elected to another officer position, and the President shall proceed to become the Past President in the manner set forth in Article V.

- F. Upon adoption of this Constitution, its Appendix, and its Rules, and upon completion of the elections set forth in the preceding subsection, the transitional provisions contemplated by this Article XIV shall be deemed completed and this Article XIV shall be of no further force or effect. All subsequent transcriptions of this Constitution shall be complete without inclusion of the terms of this Article XIV.