

Constitution and Bylaws of the Academic Senate Charles R. Drew University of Medicine and Science

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Constitution and Bylaws of the Academic Senate

Charles R. Drew University of Medicine and Science

Approved by the University Faculty

November 16, 2009

Ratified by the Board of Trustees

December 10, 2009

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Amended by the Academic Senate: September 20, 2017

October 20, 2009

ACADEMIC SENATE CONSTITUTION

Preamble

Under the authority of the Board of Trustees, President, and Provost of Charles R. Drew University of Medicine and Science (CDU), this constitution expresses the principles of policy and procedures through which the University Faculty (as defined in the faculty handbook) is consulted and make official recommendations concerning the affairs of the University. It establishes the organization of the University Faculty through which effective recommendations may be made about the operation of the University and the welfare of the faculty members.

Article 1. Name

The name of this organization shall be Charles R. Drew University of Medicine and Science (CDU) Faculty Senate

Article 2. Purpose

The purpose of this organization is to serve and function as the representative, deliberative, and legislative body of the CDU faculties

Article 3. The Faculty

Section 1. Faculty Defined: The faculty of the Charles R. Drew University of Medicine and Science are those persons employed by the University during the regular academic year whose primary assignment is to carry out the academic mission of the University, namely teaching, research, and service. A committee charged with evaluating academic qualification in the college, which the individual is appointed, shall resolve questions about the faculty status of an individual.

Section 2. Academic Freedom: The University and The Faculty endorse academic freedom and responsibility as essential to attainment of the goal of the unfettered search for knowledge and its free exposition. Academic freedom and responsibility are fundamental characteristics of the University environment and are always closely interwoven and at times indistinguishable.

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Academic freedom and responsibility are the twin guardians of the integrity and quality of higher education. Within the framework of shared governance, The University and The Faculty also recognize that the university is not just a corporate body created by operation of law. It is also a community of individuals associated in activities related to thought, truth, and understanding. It must therefore be a place where the broadest possible latitude is accorded to innovative ideas and experiments, where independence of thought and expression are not merely tolerated but actively encouraged. Because of the University's unique origin and mission, the faculty and students shall maintain the freedom to respond to the needs of underserved communities in the pursuit of equity and justice.

Section 3. Academic Ranks: Faculty ranks shall include assistant professor, associate professor, professor, full professor, and above in addition to other ranks prescribed by the University, including clinical faculty, community faculty, instructors, and lecturers. Appropriate academic rank and title may be accorded to persons engaged in instruction, administration, research, and extension.

Section 4. Faculty General Assembly: The General Assembly of the Academic Senate shall consist of all members of the University faculty. Everyone who holds a regular-series faculty appointment in one of the colleges (as Instructor, Assistant Professor, Associate Professor, or Professor) is eligible to serve as a senator once their appointment has been duly approved by the Appointments and Promotions Committee of their college or of the university. Others (including administrators, affiliated teachers and researchers) may be given college-faculty appointments with rights to participate in the Faculty General Assemblies in recognition of their expertise, responsibilities, and contributions to the University. The President, Provost, Vice Presidents, Deans, Associate Deans, Assistant Deans, and administrative officers of the university enjoy similar privileges to participate in the Faculty General Assemblies. But they may not hold elective or appointive positions except as non-voting members of Senate standing committees. Neither may Senate members receive any emoluments from the Administration for their Senate service (excluding assigned parking space). This assembly shall have no legislative or executive power.

Section 5. Faculty Senate: The Faculty Senate shall be the legislative body of the University providing a forum for mutual exchange of ideas. In this case, the Senate may legislate matters that concern more than one college, academic unit, or general university interest. The Senate shall make rules, regulations, and Bylaws, as it may deem advisable for the fulfillment of its duties. All legislations are subject to the Board's approval before implementation.

Article 4. Faculty Senate Function

The Senate possesses legislative authority, delegated by the University Board of Trustees, over academic policies, programs, and personnel. The Senate also serves as a forum for discussion and a source of advice on academic and community-health issues, on the supervision of clinical programs and personnel, on matters of budget, finance, university leadership, and development, and on the rights and welfare of faculty and the University as a whole. All academic and clinical responsibilities performed by non-Senate employees and affiliates of the University lie within the legislative authority of the Senate.

The Senate may enact legislation on the following subjects:

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- Amendments to the Constitution and Bylaws;
- Procedures for conducting Senate elections and otherwise implementing this Constitution;
- The establishment, revision, and rescission of academic programs, departments, colleges, and degree requirements;
- Rules and requirements governing the admission, dismissal, and financial support of students and clinical trainees;
- The administration of research and educational grants, including the ethical use of human and animal subjects, personal and institutional rights to proprietary information and to intellectual property, and potential conflicts between the interests of donors and the freedom of academic researchers;
- Academic personnel decisions, including appointments, promotions, merit raises, terminations, awards of academic status, and the adjudication of charges of misconduct against academic employees and of grievances by academic employees.
- Policies that fall under these headings cannot be adopted, rescinded, or altered without Senate approval. The Senate alone governs the implementation of this Constitution. Senate concurrence is required for Constitutional amendments, for degree requirements, for the granting of degrees and academic honors to specific individuals, and for academic appointments that carry Senate membership.
- The Senate will work with the Administration to develop the annual budget of the University, review it before submission to the Board of Trustees, and do the same for any later modifications. The Office of Finance will, on a bi-monthly basis, present a financial report to the Senate. The Senate will study the report and make recommendations on problems and prospects of private and public funding and on ways to mobilize and coordinate faculty participation in helping to procure funding.
- All legislation are subject to Board of Trustees' approval before implementation.

Article 5. Faculty Senate Membership

The Academic Senate of the Charles R. Drew University of Medicine and Science is a federation of the governing faculties of the University's colleges. The Academic Senate shall meet in accordance with the Bylaws.

Article 6. Parliamentary Authority

The parliamentary authority for the Faculty Senate shall be Robert's Rules of Order for any procedure not specifically covered in this constitution, or special rules of order or policies of the Senate. The faculty, Senate officers, chairs and members, President, Vice Presidents, Provost, Associate and Assistants to Provost and Vice Presidents, Deans, and Associate Deans, and other participants, agree to abide by these rules at all duly constituted meetings of the Faculty General Assembly

Article 7. Bylaws of the Academic Senate

The Academic Senate shall establish a written set of Bylaws for the purposes of stating the faculty organization, procedures, practices, regulations, and policies implementing the provisions of this Constitution. The Bylaws shall contain, at least: (1) the procedures for and regulations governing the election of President, Vice President, and elected faculty from the respective colleges; (2) the organization and regulation of committees and other bodies of the

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University Faculty; (3) procedures for and regulations governing the formal and official consultation and recommendation responsibilities of the University faculty and its Senate; and the procedures and regulations governing the conduct of the business of the Faculty General Assembly and its Senate.

Article 8. Amendment

The constitution may be amended by a two-thirds majority casted vote by members of the Senate, provided they received and reviewed proposed change. Whenever an official reorganization of the University requires alterations to this Constitution, the Academic Senate shall establish a committee to make the necessary changes. Two-thirds majority vote will still remain.

Article 9. Ratification

This Constitution goes into effect upon its endorsement by the Board of Trustees and the affirmative votes of two-thirds of Senate members present. The incumbent Senate shall conduct both that vote and the first election for the new Senate and President.

* Additional Senate members are permitted by the Constitution, but they must first be recognized as such by the Committee on Academic Appointments and Promotions after ratification, elections, and Committee appointments.

ACADEMIC SENATE BYLAWS

Article 1. Composition

The Academic Senate of Charles R. Drew University consists of a maximum of four Senate members from each college faculty (two elected each year for a two-year term), the immediate Past President, and current President of the Academic Senate and the chairs of the faculty committees of each college.

Article 2. Responsibilities

The Senate may legislate on any matter within its legislative authority. The Senate may also express opinions, concerns, and recommendations to the Administration, the Trustees, the wider University community, and the general public.

Article 3. Senate Elections

Section 1. Voting Rights: Members of the General Assembly, the Immediate Past President of the Academic Senate and the chairs of the faculty organizations of each College are non-voting members of the Senate and do not count toward a quorum.

- Any member of the Senate may propose legislation for discussion and, if seconded, for a vote, but proposed legislation must be circulated to the whole Senate at least a week before the vote unless the Senate decides, by the votes of two-thirds of those present, that a delay would imperil some University interest. Any proposal from a Senate Committee or, by petition, from at least twenty faculty members must be voted on by the Senate (no second required). It is subject to the same rule of advance notification as proposals from Senate members.
- Any three members of the Senate or the President of the Academic Senate may demand

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a secret ballot to protect members of the Senate and faculty from reprisals. Absent a secret ballot, any member may demand that individual votes be recorded.

Section 2. Direct Votes of the Senate: Instead of taking a decision itself, the Senate may, on any matter within its authority, call for a vote of the entire faculty, by mail or electronic ballot or in a plenary meeting. A faculty-wide vote or meeting may also be demanded by petition from twenty percent of the faculty. A quorum for action in any such case shall be one-third of Senate members in residence (not on extended leave, or sabbatical) at the time, and the same majorities are required for passage as in the Senate.

Section 3. Election, President: A Senate President shall be elected at large for a two-year term. He/she may succeed himself/herself once but may be elected again after a two-year gap. He/she may not serve simultaneously as an elected representative on the Senate. Candidates must be Senate members nominated by three other Senate members. The candidate who receives the greatest number of votes is thereby elected, with any tie resolved by chance.

Section 4. Election, Vice President: A Senate Vice President is elected by the Senate for a two-year term; election requires a simple majority for the motion to elect. Should the position of Senate President become vacant, the Vice President succeeds to that position for the remainder of the President's term, which, if more than twelve months, counts as a whole term for the rule on self-succession. Should the position of Vice President become vacant, the Senate elects a new Vice President for the remainder of the vacated term. The Vice President may serve simultaneously as an elected representative on the Senate.

Section 5. Elections, Senate Members: Each candidate for election shall receive at least one nomination from a member of their respective college faculty association. Then, all nominations will be prepared for election in which members of the faculty association vote. The nominee who receives the most votes shall serve the term. Each senate member serves a two-year term. Each year two members from each college are voted into the academic senate.

Section 6. Vacancies: Vacancies shall be filled by election for the remainder of the vacated terms. Senate members appointed in more than one college must choose one as their voting constituency.

Section 7. Recusal: Members of the Senate and Committees, including presiding officers, shall notify fellow members of any votes in which they have a special financial interest and of any that differentially affect their own welfare or that of their close friends or relatives. In case they do not recuse themselves, a majority of their fellow members may demand their exclusion from such a vote.

Section 8. Removal: The Senate President, Vice President, Senate members, and Committee members may be removed from their positions for cause (for malicious, irrational, or dishonest conduct or for dereliction of duty but not for unpopular positions or their advocacy), and upon the votes of two-thirds of the whole Senate (President included).

Article 4. Senate Officers

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Section 1. President: The Senate President calls, presides at, and sets the agenda for Senate and plenary meetings, refers complaints, proposals, and inquiries to the Senate or Committees, negotiates with the Trustees an annual budget for Senate operations, appoints and supervises Senate staff, serves on the Trustees Committee on Academic Affairs, advises the Administration and Trustees on any issues that he/she or they may raise, certifies all faculty actions and reports them to the Senate, Administration, and Trustees, submits an annual report on faculty concerns and accomplishments to those same audiences, and serves as public spokesman for the Senate.

Section 2. Vice President: The Vice President meets with the Senate, acts as President in the President's absence, and serves as secretary of the Senate by announcing Senate and plenary meetings and circulating their minutes (unless the Senate votes to proceed in secret to protect someone from injury), by maintaining records of Senate actions and a census of Senate membership, and by publicizing elections and reporting their results.

Section 3. Parliamentarian: The Parliamentarian shall be the final authority as to questions regarding the conduct of meetings of the bodies of the Faculty Senate.

Section 4. Program Coordinator: The Faculty Senate Program Coordinator shall serve an administrative role and shall have the following responsibilities: (1) prepare meetings agendas, minutes, and scheduling; (2) keep record of all proceedings and committee reports; (3) make documents available; (4) organize elections; (5) serve as an ex-officio and attend all meetings of the Senate.

Section 5. Immediate Past President: Serves as an ex-officio in the advising of the president elect. Upon request, may suggest to the Senate and President on specific items, while providing information regarding decisions, pending activities, and any other requests made by the Senate and President.

Section 6. College Faculty Association Chairs: As ex-officio members, college chairs offer relevant expertise related to their respective colleges.

Section 7. Members: The elected members of the academic senate, support the decision making process associated with the organization's responsibilities.

Article 5. Committees

Section 1. Standing Committees: The Senate has six standing committees appointed by the Senate. Besides Chairs, who may vote, they have equal numbers of additional voting members from each college's faculty and any nonvoting members whom the Senate may wish to include for their expert advice. Appointments are for two years, with no limit on reappointment. Each standing committee shall meet at least once every semester. The Senate may establish other, Ad Hoc Committees to serve for long or short durations and report to the Senate on subjects specified in their charge.

Section 2. Chairs: Committees elect their own chairs subject to the approval of the Senate. All regular series faculty members from any of the colleges (as Instructor, Assistant Professor,

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Associate Professor, or Professor) are eligible for membership in a Senate Committee.

Section 3. Membership: Faculty can only be members of one Senate Committee, with the exception of the Academic Senate, *Academic Appointments and Promotions*, and the *Academic Rights, Privileges, and Grievances* Senate committees. Each committee will comprise of 5 primary members and 5 alternate members. Only the primary member can cast a vote if both are present during a committee meeting. Every member of the faculty has the right to be heard by any standing Committee.

Section 4. Reporting: All standing committees report to the Senate President and to the Senate. Confidential matters related to the *Academic Rights, Privileges and Grievances Committee* and to the *Academic Appointments and Promotions Committee* will be reported only to the Senate President (the Senate President at his/her discretion may share reports from the *Academic Rights, Privileges and Grievances Committee* and from the *Academic Appointments and Promotions Committee* with the Senate as needed). Each standing committee shall submit an annual report of its activities to the Senate. All Senate approved recommendations are subject to the Provost, President, and Board of Trustees' approval before implementation. Absent a vote to proceed in secret lest the University or some individual suffer harm, each Committee shall also keep a record of its proceedings and make it available to any interested Senate member.

Section 5. Committee on Programs and Assessment: The *Committee on Programs and Assessment* guides the implementation of policies that facilitate effective program, college, and university-wide student learning outcomes assessment. The committee's charter includes: (i) monitoring national standards in student learning outcomes assessment, (ii) ensuring that program and college level assessment plans are tied to university-wide student learning goals, (iii) making recommendations for revisions to program, college, or university-wide assessment plans based on the university's strategic and academic plans, (iv) making recommendations for improvements to the university's infrastructure in order to support effective student learning and appropriate standardized student learning assessment, and (v) review and make recommendations for new program curriculum and proposals. The committee also reviews and recommends legislation to the Senate on the establishment, revision, and rescission of admissions, financial aid, curriculum changes, and degree requirements of departments, colleges, and programs of instruction.

Section 6. Committee on Faculty Affairs: The *Committee on Faculty Affairs* will respond to concerns of the faculty regarding compensation, workload, and contracts. It will also review legislation and operations on all aspects of research and education conducted at the University or under its authority or supervision, including but not limited to sources of funding, the allocation of overhead charges and university resources, the use of human and animal subjects, the sharing of information, and the protection and sharing of intellectual property. The committee makes recommendations to the Senate.

Section 7. Committee on Student Affairs: The *Committee on Student Affairs* ensures the academic development, availability of resources, and overall well-being of the students and facilitates their successful and timely progress toward graduation. The committee's responsibility is to work with the Office of Student Affairs to support the development, review, and

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implementation of policies related to student affairs at the university, including recruitment and retention, academic and career advising, student rights and responsibilities, scholarships, alumni relations, and student life.

Section 8. Committee on Appointments and Promotions: The *Committee on Appointments and Promotions* reviews legislation and recommends policy at the university-wide level on the recruitment, appointment, and promotion of faculty and other academic personnel (adjunct and clinical).

Section 9. Committee on Clinical and Community Programs: The *Committee on Clinical and Community Programs* oversees all clinical and other community-service programs that the University has established, approved, or assigned academic responsibilities. Besides recommending policies as it sees fit to the Senate, Administration, and Trustees, the Committee shall seek ways to enable and encourage community members to sound effective alarms in reaction to poor performance and unmet needs.

Section 10. Committee on Academic Rights, Privileges, and Grievances: The *Committee on Academic Rights, Privileges, and Grievances*, on an as needed basis, hears, evaluates, and recommends responses to complaints of misconduct against faculty members as well as complaints by faculty members of unfair treatment by agents or agencies of the University. When a grievance is between faculty and administrative personnel an ad hoc committee will be established. The committee will comprise of members from the Senate and university grievance committees. The committee will be co-chaired by members of each grievance committee. Due to the confidential nature of grievances and the possibility of faculty-faculty, student-faculty, and faculty-administration grievances, recommended resolutions may be subject to the approval of the relevant dean, the Provost, the President, and/or the Academic Affairs Committee of the Board of Trustees before implementation.

Article 5. Meetings

Section 1. Meeting associated with the Academic Senate include: (1) Academic Senate Bi-monthly meetings; (2) Monthly General Assembly meetings; (3) Standing Committee Meetings; (4) Open Forums; (5) Closed Sessions.

Section 2. Quorum: Once a simple (50%) majority of the Senate members are present at the meetings, quorum is achieved. The Senate President counts towards a quorum and may participate in Senate and faculty-wide votes, but in the Senate he/she votes last and may not cast a secret ballot. In the Senate a quorum for taking action of any sort is fifty percent of elected representatives (unfilled positions not counted). Constitutional amendments require the affirmative votes of two-thirds of Senate quorum present. All other acts require a simple majority of those present.

Section 3. Agenda: The President and Program coordinator develop General Assembly and Academic Senate meeting agendas. Anyone who wishes to place an item on the published agenda shall present the item to the Chair or Program Coordinator in time before the scheduled meeting time. Those interested in committee-specific agenda items should contact the Program Coordinator or the respective committee chairs.

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Section 4. Minutes: The Faculty Senate Program Coordinator shall keep minutes for each meeting of the Senate, General Assembly, and Standing Committees. These shall be a summary of the discussion of every matter of importance, every motion, and votes.

Section 5. General Assembly Meetings: The General Assembly shall meet every second Tuesday of the month to discuss pertinent information associated with the faculty and university-wide items. In addition, the meeting shall provide a space for updates from the university administration, academic senate committees, and the academic senate, along with any other offices. The meeting will provide a space for faculty to share comments, questions and/or concerns. Finally, the meeting will also include highlights and introductions of our faculty.

Section 6. Academic Senate Meetings: The Academic Senate will meet every two weeks to discuss multiple faculty and university-related items. In addition, all voting and decision-making will take place during these meetings. The academic senate president and committee chairs, along with the college faculty association chairs will provide an update to the senate.

Section 7. Open Forums: The Senate may, in addition, conduct open forums to solicit the opinions and concerns of faculty members and others and may interpolate Faculty Committee Chairs, Administration officers, and those who manage educational, research, or clinical programs under the authority of the University.

Section 8. Closed Sessions: Monthly Faculty General Assemblies and committee meetings, including Academic Senate meetings, are open to all faculties. At every regularly scheduled monthly meeting of the Faculty General Assembly, there shall be an open session to discuss matters of general concern. This session may be followed by a closed session to discuss matters of a sensitive and or confidential nature that may be of concern to faculty members. Resolutions passed in a closed session shall be duly reported at the next open Faculty General Assembly. During closed Faculty General Assembly where a potential conflict of interest may exist because a faculty member has both an administrative and faculty role, e.g., discussions of concerns about the administration, any faculty member(s) with a senior administrative role (President, Vice Presidents, Provost, Associate and Assistant to Provost and Vice Presidents, Deans, and Associate and Assistant Deans, etc.) must be recused from participation in said meeting(s).

Section 9. Meeting Cancellations: A meeting shall be cancelled at the request of the President of the University, President of the Faculty Senate, and/or majority senate members.

Article 6. Amendment

Amendment to the Bylaws may be proposed by a passing motion at a regular meeting of the Faculty Senate, but may not be acted on until the next regular meeting of the Senate. Modifications shall require a two-thirds majority of the Senators present at said meeting. Whenever an official reorganization of the University requires alterations to these Bylaws, the Academic Senate shall establish a committee to make the necessary changes. Two-thirds majority vote will still remain.

Article 7. Ratification

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These Bylaws go into effect upon its endorsement by the affirmative votes of two-thirds of Senate members present and the Board of Trustees. The incumbent Senate shall conduct both that vote and the first election for the new Senate and President.

* Additional Senate members are permitted by the Bylaws, but they must first be recognized as such by the Committee on Academic Appointments and Promotions after ratification, elections, and Committee appointments.

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