

1. Who has the power to create new bylaws for the University Faculty?

See Article IV Section 1 of the University Statutes, “The University Senate is endowed with all the legislative powers and authority of the University Faculty and shall be the policy-making assembly at the Institution.”

- suggests possible need for University Senate bylaws amendment in order to create a second group known as the University Faculty empowered to provide recommendations—*independent of the University Senate—to various administrators, or*

- amend University Statutes by eliminating or revising the statement that endows the University Senate with all the legislative power and authority of the faculty.

See also BoR Policy manual (302.06) regarding the legislative power and authority of the faculty as follows:

“The faculty, or the council, senate, assembly, or such other comparable body, shall make, subject to the approval of the president of the institution, statutes, rules and regulations for its governance and for that of the students; provide such committees as may be required; prescribe regulations regarding admission, suspension, expulsion, classes, courses of study, and requirements for graduation; and make such regulations as may be necessary or proper for the maintenance of high educational standards. A copy of the statutes, rules and regulations made by the faculty shall be filed with the Chancellor. The faculty shall also have primary responsibility for those aspects of student life which relate to the educational process, subject to the approval of the president of the institution.”

2. The proposed University Faculty bylaws (Article V) cite BoR policy as requiring that the university faculty meet at least once each semester. But in fact, BoR Policy (302.05) states the following:

302.05 FACULTY MEETINGS

“Each faculty shall meet at least once each academic term and at such other times as may be necessary or desirable, except at those institutions which have a council, senate, assembly, or other such body, in which case the faculty shall meet at least twice a year. Each faculty shall appoint a secretary who shall keep a record of the proceedings.”

Two possible meanings?

- the existence of a council, senate, assembly or other such body requires two meetings of faculty per year over and above council, senate, assembly meetings, or
- such councils, senates, assemblies, etc., must meet at least twice a year.

Some USG institutions with councils, senates, assemblies or other such bodies also have a separate University Faculty group with bylaws while others do not. The proposed University Faculty bylaws may reflect an invalid assumption about BoR policy that warrants further investigation.

3. The proposed University Faculty bylaws seem to limit conditions under which the President of the University may call a meeting of the faculty that may be in violation of BoR Policy as follows:

204 PRESIDENTIAL AUTHORITY AND RESPONSIBILITIES

“The president shall be the ex-officio chair of the faculty and may preside at meetings of the faculty. The president and/or the president's designee shall be a member of all faculties and other academic bodies within the institution. He/she shall decide all questions of jurisdiction, not otherwise defined by the Chancellor, of the several councils, faculties, and officers. The president shall have the right to call meetings of any council, faculty, or committee at his/her institution at any time. The president shall have the power to veto any act of any council, faculty, or committee of his/her institution but, in doing so, shall transmit to the proper officer a written statement of the reason for such veto. A copy of each veto statement shall be transmitted to the Chancellor. At those institutions that have a council, senate, assembly, or any such body, the president or the president's designee may chair such body and preside at its meetings. The president shall be the official medium of communication between the faculty and the Chancellor and between the council, senate, assembly, or any such body and the Chancellor.”

4. The proposed University Faculty Bylaws open up the clear potential for conflict between recommendations from the University Senate and from the University Faculty with no clear route for reconciliation.

- Possibility that the university president, who has responsibility for deciding questions of jurisdiction, may be left without institutional guidelines on such incidents.