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ASU ACD 112–01: *Academic Constitution and Bylaws*

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Purpose

To provide an *Academic Constitution and Bylaws* by which faculty members and academic professionals of Arizona State University participate in the governance and administration of the university and the development of university policy.

Sources

Arizona Revised Statutes 15-1601

Arizona Board of Regents Policy Manual- 1–113 and 6-201

Applicability

Faculty
Academic professionals
Members of the Academic Assembly

Preamble

University governance requires communication and collaboration among faculty, staff, students, and administration. Collective wisdom improves decisions, promotes consensus, and builds trust. The [faculty](#) and [academic professionals](#) of Arizona State University, through this constitution, provide for the organization and procedures by which they may efficiently and effectively contribute to the governance of the university in support of its collective effort to promote the economic, social, cultural, and environmental health of the communities it serves. There are hereby created the Academic Assembly, the University Senate, and the University Academic Council (hereinafter abbreviated as the UAC).

I. The Academic Assembly

A. Membership

1. All faculty in a tenure-eligible or tenured position.
2. All academic professionals with full-time multi-year, probationary, or continuing [appointment](#) positions.
3. The president of the university and the executive-vice-president-and-provost of the university.
4. All full time faculty with fixed appointments (i.e., instructors, lecturers, senior lecturers, principal lecturers, clinical faculty, research faculty, and professors of practice).
5. Members of the Emeritus College.
6. The membership of the Academic Assembly may be changed through amendment of this constitution.

B. Officers

1. The president of the university.
2. The executive vice president and provost of the university.
3. The campus presidents of the Academic Assembly.
4. The campus presidents-elect and immediate past presidents of the Academic Assembly.
5. The secretary of the Academic Assembly.

Comment [C1]: ADD and Senate

The secretary of the Academic Assembly and Senate shall be appointed from the membership of the Academic Assembly by the UAC, with the advice of the University Senate Committee on Committees and the consent of the University Senate, for a term of two years, beginning June 1.

6. The faculty ombudsperson of the Academic Assembly.

The faculty ombudsperson of the Academic Assembly shall be appointed from the membership of the Academic Assembly by the UAC, with the advice of the University Senate Committee on Committees and the consent of the University Senate, for a term of two years, beginning June 1. The faculty ombudsperson may not hold any administrative appointment of department chair or higher. Each campus shall also have a faculty ombudsperson of the campus for a term of two years, beginning June 1, nominated by the UAC members from that campus with the advice and consent of the senators from that campus. The campus faculty ombudspersons may not hold any administrative appointment of department chair or higher.

Comment [CB2]: Change to may

C. Meetings

1. Regular meetings: Regular meetings of the university-wide Academic Assembly are not envisioned. A campus president of the Academic Assembly may call meetings of the Assembly membership for the campus of which he or she is president. The president of the campus on which any Assembly meeting takes place, or his or her designee, shall preside. Campus meetings shall be held at least once each semester. The agenda of each meeting shall be published in a form accessible to Assembly members at least one week in advance of the meeting.
2. Special meetings: The president of the university or the UAC may call meetings of the Academic Assembly. Any 50 members of the University-wide Academic Assembly may request a special meeting of the whole Assembly by writing the chair of the UAC. Any 15 members of a particular campus may request a special meeting of the campus Academic Assembly membership. The purpose of any special meeting must be explicitly stated, and the special meeting shall be limited to that subject. A specific agenda and any proposals for action shall be sent to each member of the Assembly at least two weeks prior to the meeting.
3. Quorum: Twenty percent of the members shall constitute a quorum at either the University or the campus level of the Assembly.
4. Voting: The UAC shall determine the method of voting for the University-wide Assembly; however, a secret ballot shall be ordered upon the request of twenty-five members. By a majority vote of those present and voting, the Academic Assembly may order its members polled by electronic ballot.

Comment [C3]: DELETE the

Comment [C4]: ADD meetings

Comment [C5]: REPLACE BY all Assembly

For campus-wide Assembly votes, the method of voting shall be determined by the campus representative body; however a secret ballot shall be ordered upon the request of ten members.

5. Rules: The current edition of *Robert's Rules of Order*, newly revised, shall prevail unless otherwise specified in this constitution and bylaws.

D. Authority and Functions

1. The Academic Assembly shall have the power, subject to the authority of the Arizona Board of Regents, and to the limitations hereinafter provided, to propose on all matters of educational policy, faculty grievance, faculty personnel, financial affairs, university support services, and all other matters affecting the faculty and academic professional role in the university, its campuses, research parks, and other facilities. The Academic Assembly normally will exercise this power through its representative body, the University Senate. Nothing in this constitution and bylaws is intended to imply assumption of powers not available by state law or policies of the Arizona Board of Regents.
2. The records of the Academic Assembly shall be kept by the secretary for the use of the Academic Assembly and the Arizona Board of Regents.

Comment [C6]: ADD faculty-student policies,

Comment [C7]: REPLACE BY The Secretary is responsible for keeping the records of the Academic Assembly for the use of the Academic Assembly and the Arizona Board of Regents.

II. The University Senate

A. Membership

1. Elected members: The basic representational unit in the University Senate shall be the degree-granting unit. The method of selecting senators from any representational unit shall be determined by the Assembly members of that unit. Degree-granting units with fewer than 40 Academic Assembly members shall select one senator. Degree-granting units with 40 or more Academic Assembly members shall select one additional senator. Degree-granting units with 100 or more Academic Assembly members may select a third senator. Proposals for a representational unit other than the individual degree-granting unit shall be submitted to the UAC, which will insure the appropriateness of the proposal for representing the Assembly members affected by the proposal and will submit the proposal to a vote of the affected Assembly members for their approval. The UAC shall adjudicate the number of senators from each representational unit. The University Senate itself shall certify the qualifications of its members.

Comment [C8]: ADD The following non-degree granting units applied for and received approval for membership in the University Senate: Emeritus College (1 representative); Ross Blakely Law Library (1 representative); LeRoy Eyring Center for Solid State Science (1 representative); ASU Libraries' Librarians Assembly (2 representatives).

- a. The ordinary term of senators shall be three years, commencing on June 1.
- b. Attendance: Senators are expected to attend all regular and special meetings of the Senate. When absence is unavoidable, the senator should designate a substitute and inform the Senate secretary or, this not being feasible, notify the secretary of the Senate of the anticipated absence (excused absence).
- c. Upon notification from the secretary that a senator has accumulated three unexcused absences in one academic year, the UAC shall declare the seat vacant and shall request in writing that the head of the representational unit request the Assembly members of that unit to fill the vacancy.
- d. Representational units shall replace senators who take leaves of absence, sabbaticals, or who have resigned. Senators selected under this provision will complete either the unexpired portion of the term or the period of the leave only.
- e. All senators should be available to serve on at least one Senate or University committee. Refusal of committee service may be construed as resignation from the Senate.

Comment [C9]: New paragraph

Comment [C10]: ADD during their term

2. *Ex officio* voting members

- a. The members of the UAC.
- b. The secretary of the Academic Assembly.
- c. The parliamentarian of the University Senate, consistent with Robert's Rules regarding voting by the parliamentarian.

3. *Ex officio* nonvoting members.

- a. The president of the university.

- b. The executive vice president and provost of the university.
- c. The executive vice president and chief financial officer of the university.
- d. The dean of the Graduate College.
- e. The University Librarian.
- f. The ombudsperson of the Academic Assembly
- g. The chair of the Classified Staff Council.
- h. A representative of Undergraduate Student Government and the president of the Graduate and Professional Students Association.

Comment [C11]: Delete the word Classified since this group's name is officially Staff Council

B. Senate Leadership

1. The UAC shall serve as the executive board of the University Senate. The UAC shall consist of the presidents, presidents-elect, and immediate past presidents of the campuses.
 - a. The Assembly membership of each campus shall elect a new president-elect each Spring semester in accordance with procedures established in bylaw III of the University Senate. The president-elect will take office June 1.
 - b. The president-elect shall become president the following year on June 1. In the event that the office of president is vacated, the president-elect from that same campus shall become president, and a new president-elect shall be elected.
 - c. In the event that the office of immediate past president is vacated, the University Academic Council members from that campus shall, with the advice and consent of the University Senate membership from that campus, appoint a former campus president to the position. If no former president is available to serve, the UAC membership from that campus shall appoint, with the advice and consent of the University Senate membership from that campus, an Academic Assembly member to fill the vacancy.
 - d. The members of the UAC shall serve as representatives to the Arizona Faculties Council and adopt policies and procedures as may be needed for ASU's participation in the Faculties Council. The UAC shall designate, when appropriate, the chair for the Arizona Faculties Council.
 - e. The UAC shall have general supervision of the affairs of the University Senate between its business meetings, fix the hour and place of meetings, make recommendations to the Senate, propose amendments to the constitution and bylaws, initiate and stimulate the study of matters of concern to the university, and perform such other duties as are specified in this constitution and the Senate bylaws. The UAC shall be subject to the orders of the Senate, and none of its acts shall conflict with action taken by the Senate.
 - f. The UAC shall meet monthly throughout the year and schedule special meetings as needed. All meetings shall provide for teleconference participation of members not able to be physically present. Half the

Comment [C12]: ADD in person

Comment [C13]: REPLACE BY may

membership, with at least one from each campus, shall constitute a quorum. The UAC shall keep minutes of its meetings and make such minutes available to the University Senate and the Academic Assembly within two weeks.

- g. ~~By April 15 of each year, the UAC shall designate from among its membership an individual to serve as president of the University Senate, beginning June 1. This Senate president or his/her designee shall convene meetings of the UAC and shall preside over meetings of the University Senate and the Academic Assembly.~~
- h. By the end of the fall semester the UAC shall elect from among its membership an individual to serve as President-Elect of the University Senate, who will succeed to the position of President of the University Senate and Chair of the University Academic Council on June 1. The specific duties of the President-Elect, like those of the current campus Presidents, shall be determined in collaborative discussion with the current President.
- i. From the period of May 16-August 15th annually, the UAC shall have the authority to act on behalf of the Senate; to carry out necessary Senate duties during the period of time in which faculty are not on contract. The Senate President shall report on any such activity at the first Senate meeting following each summer break.

Comment [CB14]: Strike this section

Comment [CB15]: Replace remaining section g with: **Beginning June 1st, the Senate president or his/her designee shall convene meetings of the UAC and shall preside over meetings of the University Senate and the Academic Assembly.**

Comment [CB16]: New Section "h"

Comment [CB17]: New section i Summer UAC authority

- 2. The secretary of the Academic Assembly shall be the secretary of the University Senate. The secretary shall be responsible for notifying members of all meetings of the university-wide Academic Assembly and the University Senate and shall keep records of all Senate business, including Senate meeting attendance of senators, maintain the Senate archives in the Academic Assembly office, and assist in conducting the annual elections.
- 3. The parliamentarian shall be appointed by the UAC for a term of one year and shall be a member of the Academic Assembly.

Comment [Hs18]: REPLACE BY the notification of

Comment [Hs19]: REPLACE BY is responsible

Comment [C20]: ADD The secretary shall attend the ABOR meetings.

C. Meetings

- 1. The UAC shall establish a standard day and time for regular monthly meetings of the University Senate. Additional meetings may be called by the UAC, including additional meetings requested in writing by at least ten senators.
- 2. A majority of the University Senate membership shall constitute a quorum.
- 3. The method of voting shall ordinarily be at the discretion of the presiding chair of the meeting, but motions to alter the method of voting may be offered, consistent with Roberts Rules of Order.

4. The order of business shall include:
 - a. call to order
 - b. action on minutes
 - c. report from the UAC
 - d. report from the University president or designee
 - e. report from the provost or designee
 - f. other reports
 - g. unfinished business
 - h. new business
 - i. reports from Senate committees
 - j. open forum
 - k. adjournment.
5. Normally, meetings of the Senate shall be open; however, it shall enter into executive session upon agreement of two-thirds of the members present.
6. Any visitor may request permission to participate in Senate discussions and debate. The visitor may do so at the discretion of the Senate.

Comment [C21]: REPLACE BY old

D. Authority and Functions

1. The University Senate, subject to the authority of the Board of Regents, shall have power to act for and represent the Academic Assembly under existing regulations in all matters including, but not limited to:
 - a. Academic affairs, which shall include: honorary degrees, establishment and disestablishment of colleges and schools, laboratories, classified research/contracts, centers and institutes, academic programs including general studies, curricula, research, and extended education.
 - b. Personnel affairs, which shall include: governance, hiring, affirmative action, academic freedom, grievance, tenure, promotion, sabbatical and other leaves of absence, retirement, faculty and academic professional development, faculty and academic professional perquisites, and job descriptions.
 - c. Faculty-student policies, which shall include: conduct, organizations, admissions, registration, grading, retention, graduation requirements, academic integrity, scheduling, advisement and counseling, undergraduate, graduate and post-graduate/certificate education, and all other faculty-student academic concerns.
 - d. Financial affairs, which shall include: strategic planning, annual budget planning, allocation of university resources, insurance, salary schedules, patents and copyrights, compensation review, acceptance of endowments/donations affecting the university's reputation, and legislative action.
 - e. University services and facilities, which shall include: physical plant, campuses, master planning, design review, parking, athletic programs, university-wide information and communications services, library,

computer services, auxiliary services, utilities, and other university facilities.

2. The Senate shall create standing and/or *ad hoc* committees with representation from all campuses, as appropriate, to address these aforementioned matters.
3. The Senate shall formulate and amend bylaws to organize and facilitate its operation.
4. All actions of the Senate shall be subject to review by the Academic Assembly upon written request to the university president and the UAC by any 50 members of the Academic Assembly. Request for review shall be made within three weeks after the mailing/posting date of the Senate minutes. The action in question shall be reviewed at a meeting called expressly for that purpose.
5. Any 10 Academic Assembly members may petition in writing and secure consideration by the Senate on any appropriate matter, including proposed amendments to the constitution. Any such initiative may be presented to any member of the Senate, who shall then convey the proposal to the UAC for placement upon the Senate agenda.
6. Summaries of Senate actions shall be posted on the Senate Website within two weeks after each Senate meeting.
7. Unless otherwise directed by the University Senate, actions of the Senate shall be forwarded to the UAC for execution. For actions requiring approval by the university president or other administrative officer, the UAC shall create a transmittal form that specifies the action passed by the Senate, along with vote result, and a request that the university president or other administrative officer report back to the UAC with his or her response to any action requested by the Senate. At its discretion or at the request of one-fourth of the senators present and voting or at the request of a majority of senators from any one campus present and voting, the UAC shall draft a letter to accompany the transmittal form that states the various arguments put forward by both those who spoke in favor and who spoke in opposition to the Senate action so that the views and wisdom of the Senate can be fully explicated.
8. The records of the University Senate shall be kept by the secretary for use of the UAC, the members of the Academic Assembly, the university administration, the Board of Regents, and the general public in accordance with the Arizona Open Records Act. They shall be retained by the secretary University Senate Office in accordance with approved Arizona retention/disposal schedules.
9. The enumeration of the specified functions and authorities in this constitution shall not be construed to deprive the University Senate of those powers necessary to carry out its broad mandate. In discharging its authority, the University Senate shall assure the coordination and continuity of its affairs and promote maximum communication

Comment [C22]: REPLACE BY petition in writing

Comment [Hs23]: DELETE secretary

with the university administration and the Board of Regents.

III. Amendments to the *Constitution*

A. The UAC shall appoint a committee to review the constitution and bylaws at four-year intervals, beginning in the Fall 2012 semester, and to recommend appropriate changes for Senate consideration.

B. Amending the Constitution

1. Any senator may propose an amendment as a main motion.
2. Any 10 Academic Assembly members may petition the UAC to amend the constitution. The UAC shall forward any proposed amendment to the University Senate for its consideration.
3. Amendments may only be introduced at a regular meeting of the Senate. No amendment may be acted upon at the same meeting in which it is introduced. Proposed amendments to the constitution may be submitted to university counsel for analysis prior to the second reading of the amendment.
4. A majority of the University Senate membership must approve any amendment. Perfecting amendments, those that address cosmetic corrections of numbering, grammar, and language, may be ratified by unanimous consent of the University Senate. All other amendments to the constitution must be submitted to the Academic Assembly for ratification.
5. Amendments to the Constitution shall be ratified by the Academic Assembly as follows:
 - a. The secretary shall send a copy of each amendment to all members of the Academic Assembly at least two weeks before scheduled forums or meetings of the Academic Assembly called by the UAC for the purpose of discussing the amendment(s). Forums to discuss the amendment(s) shall be held on each campus.
 - b. Alternatively, amendments may be discussed at a regular meeting of the campus Academic Assembly memberships, provided that each amendment is sent to all members of the Academic Assembly at least two weeks before the meeting.
 - c. Within a week following the Academic Assembly meetings or forums at which one or more amendments were considered, electronic or printed ballots shall be distributed under the authority of the Senate secretary to all members of the Academic Assembly. These ballots will conform to the instructions provided in Senate bylaw III. A. 5. The election and vote tally will conform to the instructions provided in Senate bylaw III. A. 6, 7, and 8.
 - d. Approval requires support of two-thirds of all Academic Assembly members casting a ballot.
 - e. Upon approval by Assembly action, amendments shall be forwarded to

Comment [C24]: ADD general

Comment [C25]: DELETE

Comment [C26]: OR available to all Academic Assembly members.

Comment [C27]: DELETE

Comment [C28]: REPLACE BY Secretary of the Senate

Comment [C29]: DELETE

Comment [C30]: ADD Academic

ABOR counsel and university counsel for their written analyses in accordance with applicable Board policy (ABOR 1-113) and to the university president for his or her consideration. Amendments shall become effective when approved by the university president.

Comment [C31]: ADD general

Comment [C32]: DELETE

C. Amending the Bylaws

1. Any senator may propose an amendment as a main motion.
2. Any 10 Academic Assembly members may petition the UAC to amend the bylaws. The UAC shall forward any proposed amendment to the University Senate for its consideration.
3. Amendments may only be introduced at a regular meeting of the Senate. No amendment shall be acted upon at the same meeting in which it is introduced. Proposed amendments to the bylaws may be submitted to university counsel for analysis prior to the second reading of the amendment.
4. A two-thirds vote of those Senate members present and voting is necessary to adopt an amendment.
5. An affirmative vote on the motion to amend the bylaws is not subject to a motion to reconsider. While the approval of the Senate is sufficient to adopt an amendment, a majority of those Senate members present and voting in the same meeting at which the amendment is approved may refer the amendment to the Academic Assembly for ratification. Referred amendments require the approval of the Assembly to be adopted.
6. Any bylaw passed by the Senate shall be subject to review by the Academic Assembly upon written request to the university president and the UAC by any 30 members of the Academic Assembly. Request for review shall be made within three weeks after the posting date of the Senate minutes. The action in question shall be reviewed at a meeting called expressly for that purpose. A motion may be made at that meeting to refer the Senate-approved amendment to a vote of the Academic Assembly, a majority of those present and voting needed for ratification of that referral motion. Any amendment referred to the Academic Assembly for ratification requires a majority of those voting to approve.
7. Any bylaws amendment subject to the ratification of the Academic Assembly shall be ratified in accordance with sections III.B.5.a, b, and c of this constitution.
8. Upon approval by the Senate and acceptance by the Academic Assembly either by vote or acquiescence, any amendment shall be forwarded to ABOR counsel and university counsel for their written analyses in accordance with applicable Board policy (ABOR 1-113) and to the university president for his or her consideration. Amendments shall become effective when approved by the university president.

Comment [C33]: ADD general

Comment [C34]: REPLACE BY c and d

Comment [C35]: REPLACE BY consensus

Comment [C36]: DELETE