

# CONSTITUTION OF THE IUPUI FACULTY

Note: The first IUPUI Faculty Constitution was adopted in 1969. The present Constitution, with accompanying Bylaws, was adopted in April of 1978, and has been amended several times. This version includes amendments through 2019.

## PREAMBLE

We, the faculty members of IUPUI, in recognition of our common goal to better human conditions through the process of education, and in recognition and appreciation of the rights and responsibilities bestowed upon us by the State of Indiana through the Indiana University and the Purdue University Boards of Trustees for the accomplishment of this goal, do establish this Constitution for the purpose of creating a system which will aid in the identification, definition, and accomplishments of major specific objectives of this faculty.

## ARTICLE I. FACULTY MEMBERSHIP

### Section A.

1. Individuals serving full-time who hold instructor (including lecturer) or professorial (including clinical and research) rank, as well as librarians of comparable rank, and who perform their functions primarily in Indianapolis, or who, having their principal functions elsewhere have rank in an academic unit which is primarily situated at IUPUI, shall be considered members of the faculty.
2. The faculty is divided between, on the one hand, tenured and tenure-track faculty members, and, on the other, non-tenure-track faculty members.

### Section B.

1. All tenured and tenure-track faculty members shall be voting members of the faculty (referred to herein as the Voting Faculty).
2. Regarding issues that are in the broadest sense of the term relevant to IUPUI, voting privileges can be granted to full-time non-tenure-track faculty members, but these privileges must be made explicit in this Constitution or its Bylaws.
3. Any provision in the IUPUI Constitution or Bylaws stating, directly or by implication, that voting shall occur by means of an in-person vote or a paper ballot shall be understood to permit electronic voting. The method and means of electronic voting shall be as established from time to time by the IUPUI Faculty Council Executive Committee.

### Section C.

The Office of Academic Affairs at IUPUI shall be responsible for maintaining a census of the faculty, as well as a census of the Voting Faculty. It shall send a certified list of Voting Faculty as of October 1 to the President of the Faculty, and to the President of each academic unit not later than the middle of October each year.

## **Section D.**

Anyone wishing to challenge any inclusion or omission from the official list shall first petition the Office of Academic Affairs. If that Office holds against the petitioner, the petitioner may present his or her case to the Faculty Council, which may rule for the petitioner by a 2/3 vote of those present and voting.

## **ARTICLE II. FACULTY RIGHTS AND RESPONSIBILITIES**

The faculty shall:

1. advise the Chancellor of IUPUI, the Indiana University and the Purdue University Presidents, and the Boards of Trustees concerning policies for admission, retention, and academic placement of students;
2. establish policies governing conduct and discipline of students;
3. develop curricula, course content, academic procedures, and degree requirements, and nominate candidates for degrees, subject to the rights of review by appropriate governing bodies within the universities and by appropriate external bodies when their prerogatives are affected;
4. fix the academic calendar and the general policies for scheduling classes;
5. establish policies for institutional and student participation in extracurricular activities;
6. advise the Chancellor of IUPUI, the Indiana University and the Purdue University Presidents, and the Boards of Trustees concerning policies and administration of the libraries;
7. recommend to the Chancellor of IUPUI procedures for implementing at Indianapolis all-university criteria and procedures for appointments to the faculty, general faculty welfare, dismissal from the faculty, non-reappointment, promotion in academic rank, tenure, and sabbatical leaves of absence;
8. consult with decision-making administrators regarding proposed changes in academic organizations;
9. continually review educational policies;
10. consult with decision-making administrators regarding planning of physical facilities and staffing;
11. participate in the process of selecting candidates for major executive academic positions; and,
12. have the right to petition the Boards of Trustees through appropriate channels regarding views of the faculty on any matter pertaining to the conduct and welfare of the institutions.

## **ARTICLE III. EXERCISE OF RIGHTS AND RESPONSIBILITIES**

### **Section A. Academic Unit Organization**

The faculty of academic units within the university exercise their rights and responsibilities through faculty organization established by the faculty of those units, subject to the limitations of this Constitution.

## **Section B. The Faculty Council**

1. Authority shall be exercised on behalf of the faculty by the Faculty Council (referred to herein as the Council) in regular and special meetings, subject to the limitation of this Constitution.
2. The Council shall adopt Bylaws of the IUPUI Faculty Council.
3. The Council shall fill vacancies for unexpired terms of any of its elected officers.

## **Section C. Review of Council Actions**

1. If, at a duly called regular or special meeting of the Voting Faculty, a majority of those present and voting opposes an action of the Council, that matter shall be remanded to the Council for reconsideration. To become effective, it must then be reaffirmed by 2/3 of the entire membership of the Council. However, by a majority vote the Council may submit the matter to a mail ballot of the faculty where a majority of those voting shall suffice for passage.
2. Fifty members of the Voting Faculty may mandate a referendum concerning an action of the Council. The Executive Committee of the Council shall conduct the referendum.

## **Section D. Meeting of the Faculty**

1. There shall be at least one meeting of the Voting Faculty during the academic year. The time and place of the meeting shall be determined by the Vice President of the Faculty in conjunction with the Executive Committee. The Vice President of the Faculty shall preside at any meeting of the faculty. The Chancellor of IUPUI shall report on the state of the Indianapolis campus at the annual meeting.
2. Special meetings of the faculty may be called by the President of the Faculty, the Chancellor of IUPUI, the Vice President of the Faculty, the Executive Committee of the Council, the Council itself, or by petition of at least fifty members of the Voting Faculty, said petition to be delivered to the President of the Faculty. A special meeting shall be called within thirty days of receipt of such a petition. Any special meeting of the faculty must be called for a specific purpose and may depart from that purpose only by a suspension of the rules of order. Faculty must be given notice of time, date, place, and agenda of any meeting of the faculty at least ten days in advance. The Vice President of the Faculty shall be responsible for keeping minutes of such a meeting and for distributing a copy of the same to each member of the faculty.
3. One hundred members of the Voting Faculty shall constitute a quorum for a meeting of the faculty.

# **ARTICLE IV. FACULTY COUNCIL**

## **Section A. Membership**

Faculty Council shall be composed of elected and ex officio members. All members of the Council shall be eligible to vote in matters brought before the Council, unless otherwise restricted in this Constitution, the Bylaws, or university policy.

1. Elected members. Faculty members dedicated to teaching, research, creative work, and service, and librarians dedicated to performance, professional development, and service shall represent academic units. To be entitled to representation on the Faculty Council, an academic unit shall have its faculty organization documents on file with the President of

the Faculty, be headed by an Academic Dean, and be certified by the IUPUI Faculty Council. The University Libraries of IUPUI shall be considered an academic unit.

- a) Elected members of the Council shall consist of unit representatives and at-large representatives.
  - b) If the Council selects as President of the Faculty or Vice President of the Faculty, a faculty member who is not otherwise a member of the Council, this shall confer ex officio membership.
  - c) If the Council elects to its Executive Committee a faculty member or librarian who is not otherwise a member of the Council, this shall confer ex officio membership.
  - d) Elected members of the Council shall serve terms of two years, commencing with the first Council meeting of the fall semester. No elected member shall be eligible to serve more than two terms consecutively.
  - e) Election of unit representatives. Each academic unit shall conduct its election of unit representatives by procedures it shall itself establish. The results of the unit elections shall be reported by each academic unit president or chair to the Faculty Council Director and the President of the Faculty no later than the middle of March. The President shall announce the results of the elections at the April Council meeting.
  - f) Election of at-large representatives. Election of at-large representatives shall be conducted in accordance with the procedures specified by the Faculty Council Bylaws.
2. Ex officio members. The Chancellor of IUPUI, two members from the Chancellor's Cabinet who hold faculty appointments, having been designated by the Chancellor, and any elected member of the Executive Committee who is not otherwise a member of the Council shall be ex officio members of the Council.
  3. Alternate members. A member of the Council who must be absent from any meeting of the Council may be represented at that meeting by an alternate who is not a member of the Council, who will be permitted voice and vote. If the absent member is a member of the Voting Faculty, the alternate must be a member of the Voting Faculty. If the absent member is not a member of the Voting Faculty, the alternate may be any member of the faculty. The alternate may have only one vote and may not represent more than one member of the Council.
  4. Non-voting, ex officio members
    - a) The head of each academic unit located in Indianapolis shall be a non-voting ex officio member of the Council.
    - b) An elected representative of the faculty organization of academic units utilizing existing IUPUI faculty shall be non-voting ex officio members of the Council. The voting rights of each IUPUI faculty member shall be vested solely with the department and school or college of his or her primary academic appointment. Each such faculty organization shall be entitled to elect one ex officio non-voting representative.
    - c) An elected Parliamentarian of the Council who is otherwise not an elected member of the Council shall be a non-voting ex officio member of the Council.
    - d) The President or, in his or her absence, the Vice President of the IUPUI Student Assembly shall be a non-voting ex officio member of the Council.
    - e) The President of the IUPUI Staff Council shall be a non-voting ex officio member of the Council. When the Staff Council President is unable to attend meetings of the Council, he or she may send a designated alternate.
    - f) Members of the University Faculty Council (UFC) not otherwise holding positions in the IFC, shall be non-voting ex officio members.
    - g) An elected representative of the IUPUI Senior Academy (an organization of retired IUPUI faculty and staff members) shall be a non-voting ex officio member of the Council.

5. An individual elected in more than one capacity may serve in only one seat during the elected term on the Council.

### **Section B. Officers**

The Officers of the Faculty Council shall be the President of the Faculty, the Chancellor of IUPUI, the Vice President of the Faculty, and the Parliamentarian of the Faculty Council. The Presiding Officer shall be the Vice President of the Faculty or his or her designee. The President of the Faculty, the Vice President of the Faculty, and the Parliamentarian may be from any academic unit, and shall be selected in accordance with the procedure specified by the Faculty Council Bylaws.

### **Section C. Meetings of the Council**

1. Regular meetings of the Council shall be held monthly during the academic year, starting in September.
2. Special meetings may be called by the President of the Faculty, the Chancellor of IUPUI, the Vice President of the Faculty, the Executive Committee, or by petition of at least 20 members of the Council, said petition to be delivered to the President of the Faculty. The person(s) calling the meeting shall state the reason(s) for calling it, and the business of the meeting shall be restricted to items relevant to the matters for which it is called. Members of the Council must be notified at least one week in advance of the meeting.

### **Section D. Quorum**

A majority of the Faculty Council shall constitute a quorum.

### **Section E. Record**

The Vice President of the Faculty shall be responsible for preparing minutes of the Faculty Council meetings and the President of the Faculty shall be responsible for preparing minutes of the Executive Committee meetings. The original copies of all minutes and the verbatim recording of the Faculty Council meetings shall be retained cumulatively in the Faculty Council Office for a period of at least one academic year. At the end of a year the original copies of the minutes and the verbatim recordings shall be sent to the IUPUI Archives for preservation.

### **Section F. Executive Committee**

1. **Composition.** The Executive Committee shall consist of ten members of the faculty, eight who are Voting Faculty and two who are not Voting Faculty, elected by the Faculty Council. The President of the Faculty, who will chair the Committee, the Chancellor of IUPUI, or that officer's designee, and the Vice President of the Faculty, shall serve ex officio. The Immediate Past President of the Faculty shall also serve as a non-voting ex officio member.
2. **Eligibility.** Any person who has served as an elected member of the Council, as Chair of a Council Committee, as the presiding officer of a school faculty governance body, or in leadership of an academic unit committee within the past four years is eligible for election to the Executive Committee. Two of the elected faculty on the Committee may be from the same academic unit, provided one is Voting Faculty and one is not. If the School of Medicine has two members, both may be Voting Faculty, and one each from the basic science and clinical departments.

3. Election. Each year, at the Council's April meeting, the Nominating Committee shall submit a slate of nominees to serve on the Executive Committee. At the following May meeting of the Council, four members of the Voting Faculty and one member who is not Voting Faculty shall be elected to the Executive Committee for terms of two years. They shall be eligible for re-election, provided that no person shall serve more than two terms consecutively.
4. Duties. The Executive Committee shall:
  - a) determine the agenda for its own meetings and for regular meetings of the Council;
  - b) solicit, with the help of the Faculty Council Director, the interest of faculty in serving on IUPUI Faculty Council Standing Committees by the middle of March;
  - c) serve as the Committee on Committees for the Council;
  - d) conduct the elections which are governed by the provisions of the Faculty Council Bylaws, and rule on matters of dispute relating to election procedures;
  - e) determine the proper apportionment of unit representatives among the academic units, in accordance with the Bylaws; and
  - f) perform such other duties as may be assigned to it by the Council or by the Council's Bylaws.

### **Section G. Procedures**

1. A member of the Council may appeal an action of the Executive Committee to the Council, which may overrule the Executive Committee by majority vote.
2. Matters which the Council deems to be of extraordinary significance may, by majority vote, be termed "important," thereby requiring a 2/3 vote of those voting in the Faculty Council to ratify.

## **ARTICLE V. REVIEW FUNCTIONS OF THE FACULTY**

### **Section A.**

The faculty shall express its judgment on any administrative action brought to its attention which raises an issue of academic freedom, tenure, promotion, salary, the nature and conditions of work, non-reappointment, or dismissal.

### **Section B.**

The Faculty Boards of Review shall consider grievances of faculty members or librarians concerning academic freedom, tenure, promotion, salary adjustment, the nature or conditions of work, or reappointment. Any faculty member or librarian desiring a review of university action in these stated areas shall request, in writing, a review by a Faculty Board of Review.

### **Section C.**

Collective faculty judgment on major issues affecting faculty interests may be expressed via a referendum. A referendum shall be initiated by delivery to the President of the Faculty of a petition by the Chancellor of IUPUI, the Vice President of the Faculty, the Executive Committee of the Council, the Council itself, or at least 50 members of the Voting Faculty. The Executive Committee of the Faculty Council shall conduct the mandated referendum within four weeks of the delivery of such petition. The question (or series of questions) comprising the referendum shall be answerable by the word "yes" or "no." A majority vote shall be necessary to sustain or reject the question(s). The President of the Faculty shall inform the faculty of the results of the

referendum within a period of no longer than 30 days after the final receipt date of answer specified on the circulated referendum.

## **ARTICLE VI. AMENDMENTS**

### **Section A.**

A constitutional amendment may be brought to the Council by any member thereof, or by a petition signed by twenty members of the Voting Faculty.

### **Section B. Adoption**

1. If an amendment is approved by two-thirds of those present and voting at any regular meeting of the Council, copies of the amendment shall be distributed by campus mail by the President of the Faculty to the Voting Faculty within one week of this approval.
2. If fifty or more members of the Voting Faculty so request by a written petition delivered to the President of the Faculty within three weeks after Council approval, the President of the Faculty shall then call a special meeting (Constitution Article IV, Section C, Subsection 2) of the entire Voting Faculty within no less than two weeks nor more than four weeks to consider the amendment. The amendment may be returned to the Council (with or without instructions) by a majority vote of those present and voting at this special meeting. If the amendment is not returned to the Council, the President of the Faculty shall conduct a mail ballot within one week after the meeting.
3. If no meeting is requested, a mail ballot shall be conducted within four weeks after Council approval and counted no earlier than four weeks later.
4. The ballots shall be distributed within a time frame to assure that both ten-month and twelve-month faculty will have the opportunity to cast their ballot.
5. An amendment shall become effective at the beginning of the academic year following its adoption, unless otherwise specified.

Amended: 06/26/86; 10/07/87; 06/25/92; 01/01/93; 03/04/93; 07/01/98; 03/02/00; 05/31/04; 03/03/09, 11/03/09, 04/03/18, 05/07/19.