

FACULTY CONSTITUTION*

TEXAS SOUTHERN UNIVERSITY

3100 Cleburne

Houston, Texas 77004

CONSTITUTION AND BYLAWS

OF

THE FACULTY ASSEMBLY

AND

FACULTY SENATE

Approved by the Board of Regents of Texas Southern University _____

**SECTION I
THE CONSTITUTION OF THE FACULTY ASSEMBLY
AND THE FACULTY SENATE**

**PART I
THE FACULTY ASSEMBLY**

**ARTICLE I
FUNCTIONS OF THE FACULTY**

The faculty of the University shall perform the following functions in regard to the academic operation of the university: approval of degrees; curriculum planning; determination of requirements for earned degrees; establishment of academic regulations, recommendation of candidates for appointment, tenure, retention, and promotion; participation in the selection and evaluation of academic administrators; and consider matters that affect the welfare of the members of the faculty.

The Faculty Assembly is the official policy making body of the Texas Southern University (TSU) faculty. It is the faculty's vehicle for participation in the shared governance of the university.

The recommendations of the Faculty Assembly are made to either the Provost or directly to the President of the University for appropriate action or for endorsement to the Texas Southern University Board of Regents. The Assembly may delegate such powers as it chooses to the Faculty Senate. All decisions and/or actions of the Faculty Senate, however, are subject to review, endorsement or repeal by the Faculty Assembly.

ARTICLE II MEMBERSHIP

The Faculty Assembly (Assembly) shall consist of all instructional personnel of TSU with the rank of instructor or above, including professional librarians of faculty rank. The President, Provost, Deans and other administrators with faculty rank, including assistant and associate deans are members; but they may not hold office or vote during the election of officers of the Assembly, or on any matter before the Assembly. All persons identified above are automatically members of the Faculty Assembly.

**ARTICLE III
ORGANIZATION**

Faculty Chairperson: The Chairperson of the Assembly shall be a tenured member of the faculty and shall be elected by the Assembly for a term of two (2) years and shall be the presiding officer of the Assembly. The Chairperson shall have only such other duties and responsibilities as specifically designated in the Constitution and Bylaws or as may be granted by vote of the Assembly membership or the Faculty Senate. It shall be the responsibility of the Chairperson to transmit all decisions and recommendations of the Assembly to the President of TSU, either

directly or via the Provost or to the Provost through the appropriate TSU Vice President, with a copy being submitted simultaneously to the Assembly Vice Chairperson. The Chairperson shall inform the Assembly within fifteen (15) university working days of the status of the recommendations made by the Assembly. The Chairperson and the Secretary of the Assembly shall maintain (in duplicate) a certified file of all proceedings of the Assembly. Such file(s) shall be accessible for review by faculty members upon request.

To serve as assembly chairperson a faculty member must be a full-time faculty person in school or college must hold a joint appointment in two or more schools or colleges of Texas Southern University, and have had 5 or more years of full-time employment at TSU as a member of the instructional staff.

A member of the Assembly may not hold the position of Faculty Assembly Chairperson for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Faculty Vice Chairperson: The Assembly shall elect a Vice Chairperson, who must be a tenured faculty member, to serve for a term of two (2) years. This person shall be chairperson pro-tem and shall preside over the Assembly in the absence of the Chairperson or at the pleasure of the Chairperson. It shall be the responsibility of the Vice Chairperson to communicate all decisions of the Assembly to the appropriate persons when acting as presiding officer of the Assembly, and to follow the same rules and guidelines that apply to the Chairperson.

A member of the Assembly may not hold the position of Vice Chairperson for more than two (2) consecutive terms unless continued service is requested by the Assembly and subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election. To serve as Assembly Vice Chairperson a member must have had five (5) or more years of full time employment as a member of the TSU instructional staff.

Faculty Secretary: The Assembly shall elect a Secretary to serve for a term of two (2) years. The Secretary shall oversee the keeping of a correct record of the proceedings of the Assembly and of the Faculty Senate, shall supervise the transcription and processing of minutes of the meetings of the Assembly, and have these edited and distributed to members of the Assembly and/or Faculty Senate within twenty (20) working days following each Assembly meeting.

A member of the Assembly may not hold the position of Secretary of the Assembly for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Editor: The Assembly shall elect an Editor of the Faculty Speaks to serve for a term of two (2) years. The Editor shall bear primary responsibility for communicating information from the Faculty Assembly and Faculty Senate to the University's faculty. This includes the publication of the newsletter "The Faculty Speaks."

A member of the Assembly may not hold the position of Editor for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Faculty Treasurer. The Assembly shall elect a Treasurer to serve in that position for a term of two (2) years. This person shall keep accurate accounts and records of all funds budgeted by the Assembly. The Treasurer shall also collect and disburse any and all funds which the Assembly and the Faculty Senate may collect or assess. The Faculty Treasurer shall have such other duties and activities as determined by the Assembly and the Senate. The Treasurer shall make a written, official, fiscal report semi-annually to the Assembly and shall make additional reports upon request from the Assembly or from the Chairperson.

A member of the Assembly may not hold the position of Treasurer' for more than two (2) consecutive terms unless continued service is requested by the Assembly' and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Faculty Parliamentarian. The Assembly shall elect a Parliamentarian to serve in that position for a term of two (2) years. This person shall have the duty to serve as the authority on procedures regarding the conduct of Assembly and/or Senate meetings, and shall answer all questions incidental thereto. Robert's Rules of Order, latest edition, shall be recognized by the Assembly as the procedural authority of the Assembly.

A member of the Assembly may not hold the position of Parliamentarian for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election. To serve as Parliamentarian, a member shall have had two (2) or more years of full-time employment as a member of the TSU instructional staff.

Faculty Assembly / Faculty Senate Counsel. The Faculty Assembly/Faculty Senate Counsel (Counsel) shall be a tenured faculty member of the Assembly who is licensed to practice law in Texas. To serve as Counsel, a member shall have had five (5) or more years of full time employment as a member of the TSU instructional staff.

The Counsel shall advise the Assembly and Senate on legal matters and shall represent the Assembly and Senate in all legal affairs and proceedings. The Faculty Chairperson shall appoint the Counsel for a term of two (2) years with confirmation being made by the Faculty Senate.

The member may not hold the position of Counsel for more than two (2) consecutive terms unless continued service is requested by the Faculty Chairperson and is subsequently confirmed by a two-thirds (2/3) vote of the Faculty Senate members present at the confirmation.

ARTICLE IV MEETINGS

A. General and Special Meetings: The Chairperson, or in his/her absence, the Vice Chairperson, shall convene the Faculty Assembly meetings through written notices which are circulated at least ten (10) days in advance of the meeting date, except under emergency circumstances.

At least two (2) meetings shall be convened during each academic year. Special meetings may be called at the written request of ten (10) percent of the membership at large or by seventy-five (75) percent of the faculty' of any College or School when such a request is presented to the Chairperson or Vice Chairperson. The Chairperson or Vice Chairperson must respond to such requests for special meetings by circulating a written notice of the special meeting call within three (3) university working days subsequent to receiving the petition or request.

- B. Agenda: The Chairperson, Vice Chairperson and the Secretary shall determine the agenda for all meetings except emergency' or special meetings. Emergency and special meetings shall be called for a specific purpose and that purpose shall determine the agenda and shall be so stated in any meeting notices. All meeting notices shall contain an agenda. Except in the case of special or emergency meetings, members of the Faculty Assembly may submit or communicate in writing to the Chairperson or Vice Chairperson any items for consideration on the agenda under the general headings of either old or new business. Such submissions for inclusion on the agenda may be made up to and including five (5) university working days before the scheduled meeting. Any items not completed on a meeting agenda must be included on the next available meeting agenda unless these items have been indefinitely suspended by a vote of the assembly, are tabled until a specific date, or are handled by the assembly in some other manner consistent with *Robert's Rules of Order*, latest edition.
- C. Quorum: A quorum shall consist of ten (10) percent of the Assembly's membership, or thirty five members, whichever is smaller.
- D. Succession: In the absence of the Chairperson and Vice Chairperson, the succession for presiding officer shall go from the Vice-Chairperson to the Secretary to the Treasurer to the Parliamentarian to the Assistant Secretary, and then to any member of the Assembly so elected by the Assembly.

ARTICLE V AMENDMENTS

This Constitution may be amended by a three-fourths (3/4) vote of the members present and voting at a meeting called for that purpose. The amendments (additions and/or changes) shall be distributed to the membership at least thirty (30) calendar days prior to any meeting at which a vote is required; such a meeting must be called and the agenda distributed at least ten (10) working days in advance of such a meeting.

ARTICLE VI COMMITTEES

- A. University Committee on Rank, Tenure, Promotion and Salary: The Faculty Assembly shall elect annually tenured faculty members to serve on the University Committee on Rank, Tenure, Promotion and Salary. The composition of the Committee shall be as follows: One (1) member from the College of Humanities, Fine Arts and Social Sciences, one member from the College of Science and Technology; one (1) member from the library faculty; one

(1) member from each of the remaining Schools and Colleges within TSU. No “current department chair or other faculty member who currently holds an appointment that reviews matters within the jurisdiction of the Committee may serve as a member of the committee. Members of this Committee shall serve two-year terms, but terms shall be staggered so that approximately one-half of the committee members’ terms shall expire in alternate years. The functions of the Committee are to (1) review the recommendations and the denials thereof which originate at the library, departmental, school, and college levels with regard to rank, tenure, promotion and salary; (2) monitor the processes and criteria by which faculty members are promoted or advanced from one rank to another; (3) monitor compensation with regard to merit pay, salary disparity, and salary inequity; and (4) make such reports to the administration as might be appropriate based upon its reviews and findings.

- B. Faculty Advisory Committee: This Committee shall be constituted according to the provisions called for in the *TSU Faculty Manual*.
- C. Faculty Hearing Committee. This Committee shall be constituted according to the provisions called for in the *TSU Faculty Manual*.
- D. Budget Committee: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.
- E. Committee on Inquiry: The Committee on Inquiry shall be a standing committee of the Assembly whose members have Ad Hoc status and who are appointed by the Assembly Chairperson. The purpose of this Committee shall be to provide a mechanism for faculty members, individually or collectively, to initiate inquiry into matters pertaining to administrative impropriety. The charge of this Committee shall be to determine if there exists a substantial basis for any complaint lodged by the faculty or a faculty member. Should the Committee determine that there is sufficient evidence to warrant an inquiry, it is further vested with plenary power to investigate charges identified in the faculty’s complaint and to report formally its findings and/or recommendations to the Faculty Assembly, Faculty Senate, the President of the University, and/or the TSU Board of Regents, as well as to any other involved parties. Access to the Committee’s services can be achieved through: (1) written petition by the aggrieved party to the office of the Faculty Assembly, (2) through the office of the Provost, or (3) to the office of the President.
- F. Advisory Committee to the Faculty Manual: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.
- G. Faculty Research Committee: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.
- H. University Library Committee: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.
- I. Faculty Grievance Committee: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.

- J. Other Committees: The Faculty Assembly and Faculty Senate may establish other committees for any specific task and for any' specified duration of time. Such committees may be joint committees, with representatives also being drawn from the student body or from other bona fide campus groups.
- K. University Administrative Committees: Faculty representatives are appointed to all university administrative committees as provided in the *TSU Faculty Manual*.

**ARTICLE VII
OTHER REPRESENTATIVES**

The Faculty Chairperson shall be a member of the Academic Council (Deans Council) as well as the President's Council. The Faculty Vice-Chairperson shall be a member of the Academic (Dean's) Council. The Faculty Chairperson, Vice Chairperson, or their designee may represent the Faculty Assembly and Faculty Senate on or before all committees and in all meetings to ensure the ongoing liaison with the TSU administration and thus shall represent the TSU faculty in all matters affecting the university faculty's welfare.

**ARTICLE VIII
REMOVAL AND RECALL**

- A. Officers: All representatives and officers elected by the Assembly are subject to recall or dismissal from their duties by a three-fourths (3/4) vote of the Assembly's membership. Grounds for dismissal shall include, but are not limited to (1) failure to fulfill the duties and responsibilities of the office; (2) moral impropriety; (3) misuse of the power or information associated with the office; (4) misuse of Assembly funds; (5) misrepresentation of any material facts that affect the Assembly and its relations with other organizations or entities within or outside the University. In all cases, the Assembly is the final arbiter of misconduct, impropriety or malfeasance; and the Assembly may establish whatever rules or definitions of these terms, which it chooses.

The procedure for recall or dismissal shall be by submission of these issues as agenda items or as privileged motions from the floor, in accordance with *Roberts Rules of Order*, latest edition. Under no circumstances may the person who is the subject of a recall or dismissal preside over the meeting that is to decide the issue. When submitted as an agenda item, this item must appear on the agenda of the next available meeting.

When this agenda item is reached, charges and debates of charges are initiated via a motion to recall or dismiss. This motion is not subject to amendment, subsidiary motion, postponement, or reconsideration. Recall or Dismissal is accomplished only when the motion to recall is passed by a three-fourths (3/4) vote of the Assembly membership.

This action vacates the office and the Assembly may elect a replacement for the person dismissed or recalled to fill the remainder of the term of office, and may do so immediately if the Assembly so chooses.

- B. Committee Members: A member of any committee formed by the Assembly may be removed from that Committee by the Chairperson of that Committee if he/she is absent without cause from three (3) consecutive sessions, including called meetings. A substitute member may be appointed by the Committee Chairperson with the approval of the Faculty Chairperson.

ARTICLE IX VACANCIES

A member may resign from his elective office for personal reasons or will be considered to have resigned if he/she is away from the University for one (1) or more academic semester. All vacancies arising from such resignations shall be filled by election within thirty days of the Chairperson's having been apprised of the resignation. However, if a member receives a paid leave of absence or a sabbatical leave, and then a replacement shall be elected within thirty days of the leave having been made known to the Faculty Chairperson. The replacement member shall serve temporarily in the position until either the faculty member returns from leave or until the originally elected faculty member's term of office expires. The resulting part-term service in the elective office shall not be counted towards the maximum number of consecutive terms, which a member can serve.

Vacancies in the office of the Chairperson of the Assembly shall be filled by elevation of the Vice Chairperson to Chairperson and by the election of a new Vice Chairperson by the Assembly.

**PART II
FACULTY SENATE
ARTICLE I
SCOPE**

The Faculty Senate shall serve as the executive body of the Faculty Assembly. It derives its power from the Faculty Assembly and is responsible to the Assembly. It shall have power to discuss and to adopt resolutions upon matters relating to University life. It shall make preliminary formulations of educational policies or plan programs and make recommendations to the Assembly. Its recommendations and/or decisions and actions are subject to review, approval, or rejection by the Faculty Assembly.

**ARTICLE II
MEMBERSHIP**

The membership of the Faculty Senate shall consist of the elected officers of the Assembly, the Parliamentarian, the Deans (as associate, non-voting members), the Faculty Assembly/Senate Counsel, and twenty-one (21) elected representatives chosen such that there shall be not less than one (1) representative from each of the University's schools and colleges and from the University Library. Representatives shall be full time faculty and staff. Further, in compliance with the rule that there must be at least one (1) representative from each unit, election of the remaining representatives shall be carried out by the University's Schools and Colleges in a manner proportionate to the number of students enrolled in each school or college. The apportionment shall be based on the University 20th day full-time equivalent enrollment figures for the preceding year's fall term. Each Senate member shall serve a term of two (2) years.

**ARTICLE III
ORGANIZATION**

The Faculty Chairperson shall be the presiding officer of the Faculty Senate. The Faculty Chairperson and the Vice Chairperson shall each maintain a file of all the proceedings of the Faculty Senate. It shall be the responsibility of the Faculty Chairperson to transmit all of the Senate's decisions, actions and/or recommendations to the Faculty Assembly for its review, approval, disapproval, information, or action.

The Vice Chairperson shall serve as Chairperson pro-tem and shall preside in the absence of or at the pleasure of, the Chairperson. In the absence of the Chairperson and Vice Chairperson, the succession for presiding officer of the Senate shall go from Vice Chairperson to the Secretary to the Treasurer to the Parliamentarian to the Assistant Secretary, and then to any member of the Senate so elected by members of the Senate.

The Secretary and Assistant Secretary of the Assembly shall keep records of the proceedings of the Senate's meetings via audio or videotaped recordings and shall transcribe, process, and

distribute these proceedings to the Senate members not less than five (5) days prior to the next Senate meeting.

ARTICLE IV MEETINGS

The Faculty Senate shall meet regularly at a time specified by the Chairperson on the first Thursday of each month, September through May. However, if the regular meeting day is a University holiday, the meeting shall convene on the following Thursday.

Special meetings shall be called by the Chairperson, or in his absence, by the Vice Chairperson. Special meetings can also be called pursuant to the written request of eight (8) or more members of the Faculty Senate.

- A. Agenda: The Chairperson, the Vice Chairperson, and the Secretary of the Senate shall decide the agenda for each meeting. Members who wish to have any particular matter included on the agenda shall communicate this wish in writing to the Faculty Chairperson or the Vice Chairperson at least five (5) days in advance of the desired meeting date. Every effort shall be made to include such items on the agenda of the next available meeting.
- B. Quorum: Forty (40) percent of the Faculty Senate membership shall constitute a quorum for any meeting of the Senate.
- C. Absences. If a member is absent from two (2) successive regular meetings, the Chairperson shall report this neglect of duty to the Senate. The Chairperson shall then notify the offending member and request that the member attend the next meeting. If absences persist, the Chairperson shall give notice to the member that an action for removal will be initiated. The Chairperson shall subsequently present the information about the offending member to the Senate for appropriate action. The Senate shall vote either to remove or retain the offending member. If the Senate votes to remove the member, the Chairperson shall notify the affected academic unit in writing that its offending member has been removed, shall give the reason for the removal, and shall indicate the unit's need to elect a replacement within thirty days.

ARTICLE V ELECTION OF THE FACULTY SENATE

Election to the Senate shall be conducted in a meeting called specifically for that purpose by the Deans of the respective Colleges or Schools. The representative of the Graduate School shall be elected by the Graduate School faculty. The head librarian shall assemble the professional librarians having faculty rank to elect their representative.

The election of Faculty Senate members shall occur no later than the 30th day of April of each odd numbered year. The election shall be by balloting, in conformity with the Bylaws of the

Faculty Assembly and of the Faculty Senate; and the results shall be communicated in writing to the Chairperson on or before May 1st of an election year.

ARTICLE VI COMMITTEES

- A. Committee Responsibilities of Chairperson and Vice Chairperson: The Chairperson and Vice Chairperson shall serve on the Academic Council (Deans' Council). One or both shall report to the Faculty Senate and the Faculty Assembly when necessary. The Chairperson shall be a voting member of the Academic Council (Deans Council). The Vice Chairperson shall be a non-voting member, except when serving in the absence of the Chairperson. The Chairperson, Vice-Chairperson or their designated representative shall attend all Board of Regents. Faculty representation on other University committees may be necessary and may even be requested by the President of the University or one of the University Vice Presidents. Names of persons to serve on these committees shall be given to the President or Provost by the Chairperson as per request.
- B. Benefits and Insurance Committee. The Faculty Senate shall elect biennially a Benefits and Insurance Committee consisting of five members who shall review and advocate the faculty's interest and protection with regard to the benefits offered to the University' employees. Joining the appointed Committee shall be a representative or representatives from the Administration and from the non-Instructional personnel. Thus, the Committee shall consist of seven (7) members unless a larger number is authorized by the Faculty Senate or by the University President. However, the number of Committee members shall not exceed a total of nine (9).
- C. Review of Administrative Personnel. The evaluation of the administrative personnel including the President, Vice-Presidents, the Deans, and the Department Chairpersons is conducted on an annual basis using instruments that have been approved by the Board of Regents as part of the normal operations of the University. The Faculty Senate shall monitor the annual evaluation of administrators and access to these evaluations shall be made available to the Faculty Senate.

ARTICLE VII RECALL AND REMOVAL

SENATORS: Members of the Faculty Senate are subject to recall and dismissal by the unit (division, department, school, etc.), which elected them as its representative. The procedure for this process shall be determined by the affected unit.

**SECTION II
BYLAWS OF THE FACULTY ASSEMBLY
AND FACULTY SENATE**

**ARTICLE I
DATE OF ELECTION**

The election for all offices, committees, and representatives of the Assembly and of the Faculty Senate shall be held no later than the thirtieth 30th day of the month of April in an election year. The election year shall be each odd numbered calendar year and shall be considered as the time when all terms of office shall have expired unless these terms are elsewhere in this document stated to be different. All election results are to be reported immediately to the Faculty Assembly Chairperson.

Newly elected officers shall take office at the beginning of the fall semester following their election.

**ARTICLE II
NOMINATIONS AND ELECTIONS OF OFFICERS**

A member shall not be nominated for any elected office unless he/she is present at the meeting and accepts the nomination. In the event of an unavoidable absence, he/she shall file written acceptance with the presiding officer, or the written acceptance shall be furnished the presiding officer by the person making the nomination at the time of the meeting to elect officers.

Voting shall be by ballot. An Ad Hoc Committee appointed by the incumbent Chairperson shall be designated to count ballots after the close of the voting. Results of an election shall be before adjournment of the meeting during which balloting has been conducted. Ballots shall be announced subject to review by any challenger. In each area where such is applicable, the nominee receiving the highest number of votes shall be declared elected, unless a specific percentage of the vote is required. Also, in the event of a tie in an election the final decision to determine the winner shall be made by the drawing or casting of lots in the presence of the Assembly and under the supervision of the presiding officer.

**ARTICLE III
TERMS OF OFFICE**

For purposes of the determination of terms of office, remuneration, and benefits, a year shall be construed to mean twelve (12) months and shall consist of two (2) full academic terms and the inclusive summer.

**ARTICLE IV
REMUNERATION AND RELEASE TIME**

The Faculty Chairperson, Vice Chairperson, and Faculty Secretary shall be remunerated by the University for their duties to the Assembly, Senate and University during the summer months at one-sixth (1/6) of their academic year (9 month) salaries. During the regular semester, they shall receive release time in the amount of one-half course load.

**ARTICLE V
NOMINATIONS AND ELECTIONS OF UNIVERSITY COMMITTEE
ON RANK, TENURE, PROMOTION AND SALARY**

Election of the University Committee on Rank, Tenure, Promotion and Salary shall be made from a slate of nominees submitted to the Assembly by each of the academic units eligible to have a representative on the Committee. The Assembly-at-large may vote for any nominee from any of those submitted on slates as well as for any Assembly members who may be nominated from the floor of the Assembly. The Committee, however, shall elect its own chairperson. A member of this Committee may not serve more than two (2) consecutive terms unless requested by the Assembly and subsequently confirmed by a two-thirds (2/3) vote of the membership who are present and who are voting.

**ARTICLE VII
AMENDMENTS**

These By-laws may be amended by a two-thirds (2/3) vote of the Faculty Assembly members who are present and who cast votes at a meeting called for that purpose. The amendments (additions and/or changes) shall have been distributed to the entire membership at least thirty (30) calendar days prior to any meeting where a vote is required.

THIS IS THE END OF THIS DOCUMENT

* Note: The Faculty Constitution and bylaws are included as information items. They are not subject to the same amendment process, as does the Faculty Manual.