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Article II. The Faculty Senate [1]

The Faculty Senate

A. Membership and Organization.

The membership of the Faculty Senate is described in Article I.A.2.a. The president of the university shall be the president of the Faculty Senate. The chair of the Faculty Council shall be the vice president of the Faculty Senate.

B. Meetings and Quorum.

The Faculty Senate shall meet semi-annually, as well as: 1) upon the call of the president or vice president of the Faculty Senate; 2) upon a resolution passed by a two-thirds majority of the entire voting membership of the Faculty Council; or 3) upon a petition signed by at least two hundred members of the Faculty Senate and submitted to the chair of the Faculty Council. Such calls, resolutions, or petitions shall set forth the specific purpose for calling the meeting. There must be at least 72 hours notice to the faculty of a Faculty Senate meeting. A quorum is designated as at least four members from each campus plus the vice president of the Faculty Senate. Proxy voting shall not be permitted.

The vice president of the Faculty Senate shall preside at meetings of the Senate, and, in the absence of the vice president, the chair-elect of the Faculty Council shall preside. The vice president of the Faculty Senate shall be responsible for having the minutes of meetings of the Faculty Senate recorded, preserved and published.

C. Functions.

1. The Faculty Senate, at its meetings, shall, as appropriate:

a. hear reports of the president of the university, of the chair of the Faculty Council, and committees of the Faculty Senate and Faculty Council

b. discuss issues raised by members of the faculty and administration

c. refer matters that it wishes to have studied to the Faculty Council, to any or all of the campus faculty assemblies, or the appropriate standing or special committee(s)

d. establish or dissolve special committees

e. establish or revise procedures of the Faculty Senate not included in the governing documents

f. refer to a ballot any substantive motions or resolutions that require a vote of the full Faculty Senate

2. Procedures. The Faculty Senate may act at any meeting upon matters of a procedural nature and may act to approve motions from the Faculty Senate Grievance Committee, formerly the Privilege and Tenure Committee, concerning changes in its bylaws or grievance procedures. It may act upon other substantive motions or resolutions before it only by deciding whether to refer the matter to a ballot of the whole membership of the Faculty Senate, as hereinafter provided in C.4 of this Article, and this rule may not be waived or suspended. Recommendations, motions or resolutions may originate from any member of the Faculty Senate, the Faculty Council or any of their committees. The Faculty Senate may amend the form of the matter before it and make recommendations to the originator(s) for further disposition.

3. Initiative. Petitions for action of the Faculty Senate by initiative shall be in writing and shall contain the complete text of the motion on which a vote is sought. If such a petition is signed by not less than 200 members of the Faculty Senate, the vice-chair of the Faculty Senate shall refer the matter to a vote of the full Faculty Senate by ballot as provided in C.4 of this Article. Such petitions also may be used to initiate amendments to this constitution, but in such cases, the ballot shall be subject to the requirements of Article VIII.

4. Ballots. An electronic ballot or accessible alternative on any subject may be authorized by a majority vote at any Faculty Senate meeting. The text of any motion or resolution from a Faculty Senate member or the Faculty Council requiring action by the Faculty Senate through a ballot shall be distributed to the members of the Faculty Senate or published at least 72 hours in advance of the time of the meeting at which the proposal to conduct a ballot shall be brought to a vote. A two-thirds majority of those responding to the ballot shall be necessary for passage of motions or resolutions, and the vote shall be valid only if there is at least a 10% response rate from each campus to the ballot received. Responses shall be made to the office of the Faculty Council. The ballots shall be tallied, and the results certified by the Executive Committee of the Faculty Council. Ballots shall be distributed only after September 1 and prior to May 1 in any year. The date upon which the votes shall be tallied shall be provided. Except in extraordinary circumstances, that date shall be not less than thirty (30) days from the time of distribution of the ballots. Any exceptions to these procedures will be stated in this constitution where those exceptions apply.

5. Results. The results will be reported within fourteen (14) days from when they are tallied.

D. Faculty Senate Standing Committee(s).

1. Faculty Senate Grievance Committee (Grievance Committee) – formerly the Privilege and Tenure Committee

a. Definitions of Tenure and Rights of Faculty. Tenure is one of the principal means of protecting the academic freedom of faculty. Tenure and faculty rights are enumerated in the Laws of the Regents and Regent Policies, and must also conform to the laws, regulations and constitutions of the United States and the State of Colorado.

b. Membership and Organization. Members of the Grievance Committee shall be approved by their respective faculty assemblies and then by the Faculty Council and shall serve a term of three years. Terms are renewable. Efforts shall be made to ensure equal representation from all campuses and broad participation from diverse groups. The Grievance Committee is organized as investigative panels, each with a chair. The committee officers and panel chairs shall be elected by the entire committee. No member of the faculty shall be eligible to sit on the committee for three academic years following the final decision about a case in which that faculty member is the grievant.

c. Meetings and Quorum. The Grievance Committee shall meet at least once during each of the fall and spring semesters and on the call of the chair. The quorum for a meeting of the Grievance Committee shall consist of a simple majority of the voting members of the committee. Absentee voting shall not be permitted.

d. Functions. The Grievance Committee, through its panel structure, conducts investigations and mediations of, and hearings on, faculty grievances that are submitted by members of the Faculty Senate and fall within the jurisdiction of the Committee, as enumerated in the Laws of the Regents and Policies of the Regents. The Grievance Committee considers contemplated dismissals for cause of tenured and tenure-track faculty referred by the president or chancellor. In dismissal cases, the burden of proof shall be upon the university; in all other cases, the burden of proof shall be upon the faculty member. For all grievance cases, written conclusions and recommendations are made to the president and/or chancellor, as appropriate, with a copy to the grievant(s). The Grievance Committee shall make recommendations concerning university policies and procedures on faculty rights and responsibilities that arise from the outcomes of grievance investigations. The Grievance Committee shall also make recommendations concerning practices and procedures which appear to precipitate grievances. These recommendations shall be made to the Executive Committee of the Faculty Council for appropriate referral. The Grievance Committee shall recommend additions or revisions to its bylaws and grievance procedures to the appropriate bodies for approval.

e. Grievance Procedures. The investigations, hearings, and mediations of the Grievance Committee shall be confidential, systematic and objective, as guided by the procedures for this purpose, which are enumerated in the Bylaws.

f. Legal Counsel. The chair of the Grievance Committee is authorized by the Board of Regents to select licensed legal counsel, separate and distinct from the Office of the University Counsel and not under the supervision of the University Counsel, to advise the Grievance Committee on issues of a legal nature which arise during the committee's investigation or hearing of an individual grievance. The chair's selection of the individual attorney to provide advice to the committee is subject to the approval of University Counsel and other approvals required by law.

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