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Appendix A: Constitution

Article I—Purpose

This Constitution shall define the duties, rights, responsibilities, and relations of all individuals and groups involved in the operation of Minot State University, hereafter called the “University.”

Article II—State Board of Higher Education

Minot State University is under the control of the State Board of Higher Education, hereafter called the “Board.”

Article III—The President of the University

Section 1.

The President of the University is appointed by the Board in accordance with selection processes established by the Board. In the selection process, the Chancellor of Higher Education consults with appropriate campus constituencies to identify potential membership for an institutional presidential search committee. These constituencies include, but are not limited to: faculty, students, administrative staff, alumni, and representatives from the region in which the institution is located. The Chancellor recommends this committee membership to the Board.

Section 2.

The President is the chief executive officer of the University. Acting directly or through the delegation of duties to the administrative staff, the President shall administer the non-academic affairs of the University. Acting directly or through the Vice President for Academic Affairs, the Faculty Senate, and others, the President shall administer the academic affairs of the University. Academic affairs are those which directly involve classroom instruction, curriculum, and the awarding of degrees.

Section 3.

The President shall select a second-in-command to act in his/her absence from the campus, or in the event of his/her disability. The President shall notify the Board members, Chancellor, and the University staff of this selection. If the President is to be absent for an extended period of time, the Chancellor shall be notified.

Section 4.

The President may suspend or overrule action taken by the Faculty Senate. The specific procedure shall be in accordance with the provisions of Article VI, Section 8.

Article IV—Faculty

Section 1.

The faculty shall consist of the President, Vice President for Academic Affairs, Associate Vice President of Graduate, Online, Distance and Continuing Education, Assistant Vice President for Academic Affairs, and the teaching staff of the University who have the rank of Professor, Associate Professor, Assistant Professor, or Lecturer.

Section 2.

Faculty appointments shall be recommended to the President by the appropriate chairperson in consultation with the Vice President for Academic Affairs. The retention, termination of services, and dismissal of University faculty shall be in accordance with the Regulations on Academic Freedom, Tenure, and Due Process given in SBHE Policies.

Section 3.

Subject to Board policy, the faculty through the Faculty Senate has responsibility for all academic matters and for certain non-academic matters of the University. The faculty shall recommend: 1) any changes, deletions, or additions of courses for classroom instruction or of major, minor or their requirements for graduation, such as standards of grading; 2) any matters affecting faculty welfare; 3) any change in scheme of faculty organization or of chain-of-command involving faculty; and 4) this Constitution and Bylaws and any subsequent changes.

Section 4.

The chief duty of the faculty shall be to teach students and to maintain an environment conducive to the intellectual and personal development of individuals, and the advancement of the University community and society as a whole.

Section 5.

The President of the University may call faculty meetings at which he/she or an appointee shall preside.

Section 6.

Initial rank or advancement in rank for each faculty member shall be determined by the administration, according to guidelines set forth in the Bylaws.

Article V—Academic Freedom, Tenure, and Due Process

Section 1.

Academic freedom is unhampered opportunity to seek the truth in any field. Minot State University recognizes that true education takes place only if academic freedom is the inviolable right of both students and faculty. The University, therefore, shall enjoin all of its members to promote and to practice academic freedom.

Section 2.

Tenured appointments shall recognize the right to continuous academic year employment in an academic unit or program area as defined by Minot State University and stated on each faculty member's contract. Detailed Regulations on Academic Freedom, Tenure, and Due Process, as approved by the State Board of Higher Education and appended to this

Constitution, apply at this institution.

Section 3.

The Faculty Senate shall create such Bylaws as may be necessary to provide for periodic evaluation of probationary and tenured faculty, and those faculty with special appointments.

Section 4.

Each year, according to guidelines set forth in the Bylaws, the Tenure Committee shall evaluate those faculty members who are qualified to be granted tenure on the basis of their years of service.

Article VI—Faculty Senate

Section 1.

The Faculty Senate shall be the responsible body of the faculty, with power to act for the faculty.

Section 2.

Members of the Faculty Senate shall be elected by the faculty in accordance with the general procedures set forth in the Bylaws.

Section 3.

Annual elections for senators shall be held in accordance with the general policies and procedures set forth in the Bylaws.

Section 4.

The Faculty Senate shall consist of the President of the University, the Vice President for Academic Affairs, three members elected from the faculty-at-large, one member elected by each of the academic divisions/departments' faculty, and one member elected by the librarians and Honors director. The election procedure and terms of service shall be in accordance with the policies and procedures set forth in the Bylaws. Eligibility for Senate membership shall be limited to full-time faculty as defined in Article IV, Section 1 and professional librarians. The President of the University shall be a non-voting member of the Senate ex officio. The Vice President for Academic Affairs shall be a voting member of the Senate ex officio.

Section 5.

The purpose of the Faculty Senate shall be:

- A. To examine any action taken by any committee, academic unit, or administrative office of the University which modifies policies or regulations of the University academic program.
- B. To act upon matters relating to curriculum and instruction, including Continuing Education, within the limits established by the Board.
- C. To cooperate with the President in determining policies pertaining to faculty relations, organization of the University academic programs, and student participation in the control of student affairs.
- D. To establish, to determine the method of personnel selection, to determine

the functions, and to supervise and review the proceedings and recommendations of all Senate committees.

Section 6.

The Faculty Senate may request the formation of an administrative committee to report to the Senate, to provide information and committee thinking on matters concerning academic freedom, University curriculum, and faculty affairs. The Senate may also request that an existing administrative committee report in the same manner.

Section 7.

University policies that affect academic affairs or faculty welfare shall be created or revised only after consultation with the Faculty Senate or with a Senate committee designated by the Senate.

Section 8.

If the University President suspends or overrules action taken by the Faculty Senate, the President shall present his/her views and reasons to the Senate in writing, within fourteen days of the Senate action. If the President's rulings do not meet approval by a majority of the entire Senate, and no agreement has been reached within fourteen days of the presentation, the Senate and the University President have the right to present the matter in writing to the Chancellor. The University President's ruling or action shall be in force until a decision is made by the Chancellor.

Section 9.

The Faculty Senate shall be responsible for reprimanding, censuring, or expelling any member of the Senate or its committees for failing to carry out the assigned duties. This action of the Senate shall be by a two-thirds vote.

Section 10.

The faculty may require the Faculty Senate to reconsider any Senate action, by submitting to the Senate President a petition signed by one-third of the faculty.

Section 11.

The faculty, by a majority vote, may overrule any Faculty Senate action. The specific procedure shall be in accordance with the provisions of Article VIII, Section 3.

Article VII—Officers

Section 1.

The officers of the Faculty Senate shall be President, Vice President, Secretary, and Immediate Past President. These officers shall perform the duties prescribed by the Constitution and Bylaws, and by the parliamentary authority adopted by the Senate.

Section 2.

Candidates for every office except the presidency shall be nominated. Elections shall be held in accordance with the policies and procedures set forth in the Bylaws. All officers shall serve for one year or until successors are elected. Their term of office shall commence at the close of the Annual Meeting at which they are elected.

Section 3.

The Vice President shall serve as President-elect and shall become President of the Faculty Senate the following year, and the President of the Faculty Senate shall become the Immediate Past President the following year.

Section 4.

No member shall hold more than one office at a time, and no member shall consecutively serve more than one full term in the same office.

Section 5.

Procedures for filling a vacancy left by a Faculty Senate officer:

- A. A vacancy for President shall be filled by the Vice President.
- B. A vacancy for Vice President or Secretary shall be filled by Faculty Senate election. Voting shall be by ballot; if there is only one nomination, the ballot may be omitted.
- C. A vacancy for Immediate Past President shall remain vacant until the end of that academic year.

Section 6.

The Faculty Senate shall be responsible for impeaching any officer of the Senate in cases of misconduct or neglect of duty in office. This impeachment and deposal from office shall require a two-thirds vote of the Senate. A motion for impeachment that has been seconded shall automatically be tabled for a minimum of ten calendar days. The Senate must vote on this motion within thirty-five calendar days, at a regular or special meeting.

Article VIII—Faculty Senate Meetings

Section 1.

The Faculty Senate shall hold regular monthly meetings during the academic year, at a time and place determined by the Senate President.

Section 2.

The last regular meeting of the academic year shall be known as the Annual Meeting. At this time, the Faculty Senate shall elect officers, receive reports from officers and committees, and address any additional business that may arise.

Section 3.

Special meetings of the Faculty Senate or the faculty may be called by the Senate President or by the Executive Board. The Senate President must call such meetings upon the written request of ten members of the Faculty Senate or one-third of the faculty. The purpose of the meeting shall be stated in the call. Except in cases of emergency, at least five days' notice shall be given. The specific procedure for emergency meetings shall be in accordance with Article III, Section 1.I. of the Bylaws.

Section 4.

Faculty members may be present at Faculty Senate meetings but shall not be entitled to vote or to make motions. Such faculty members may, at their request and with approval of the Senate, be given the privilege to speak.

Section 5.

All records of the Faculty Senate and Senate committees shall be archived and made available as a matter of public record. The Secretary of the Senate shall be responsible for the safekeeping of the records.

Section 6.

Twelve members of the Faculty Senate shall constitute a quorum.

Section 7.

The Faculty Senate agenda shall be proposed by the Senate President, with the assistance of the Executive Board.

Article IX—Bylaws

Section 1.

The Faculty Senate may, by a two-thirds vote, adopt or amend such Bylaws as shall be deemed necessary to affect the provisions of this Constitution.

Section 2.

Such approved or amended Bylaws shall be submitted in writing to the faculty and shall be approved by at least two-thirds of the faculty casting ballots. The ballot shall be taken no less than ten or more than thirty calendar days from the time that proposed, or amendment Bylaws are distributed to the faculty. One-third of the faculty shall constitute a quorum.

Article X—Amendments

Section 1.

Amendments to this Constitution shall be approved by a two-thirds vote of the Faculty Senate.

Section 2.

Such amendments shall then be submitted in writing to the faculty and shall be approved by at least two-thirds of the faculty casting ballots. The ballot shall be taken no less than ten or more than thirty calendar days from the time that proposed amendments are distributed to the faculty. One-third of the faculty shall constitute a quorum.