



Ohio Administrative Code Rule 3342-2-05 Faculty senate charter.

Effective: April 26, 2021

(A) Preamble. The university is dedicated to teaching, advancing knowledge, and to public service. The faculty of the university supports these aims and resolves to promote excellence in all endeavors. In the interest of achieving these objectives, the charter and bylaws of the university faculty senate as set forth in this rule and in rule 3342-2-06 of the Administrative Code, respectively, define a role and mechanisms for effective participation of the faculty in the formation and establishment of university policies and the conduct of university affairs.

(B) Entitlement and functions of the faculty senate.

(1) Adoption of and amendments to this charter and the accompanying bylaws.

(a) This charter and the accompanying bylaws shall, following ratification by the board, supersede all earlier versions of the faculty senate charter and bylaws.

(b) Amendments to this charter and the accompanying bylaws shall proceed in accordance with paragraph (H) of this rule..

(2) General responsibilities and rights of the faculty senate.

(a) The faculty senate shall be concerned with the formulation and enactment of policies for the university as a whole.

(b) The faculty senate shall render advice and, if appropriate, act upon any matters laid before it by the president, bodies of the university, bodies of the faculty senate, or members of the faculty.

(c) Consistent with a principle of shared responsibility, the faculty senate shall recognize its own prerogative and that of the administration of the university to consider any matter relevant to the welfare of the university. Consistent with a need for differential responsibility, the charter and bylaws



shall provide for differential involvement of the faculty senate across areas of university interest.

(i) There shall be domains within which the faculty senate and/or its bodies have a primary responsibility. That responsibility is, foremost, to approve or disapprove proposed changes in policy. It shall be understood that faculty senate actions in areas of primary responsibility will be disapproved by the president only in circumstances where substantive reason can be described. It is also understood that a primary responsibility conveys neither an exclusive right nor an exclusive obligation for the genesis or presentation of proposals for change. Ideas and recommendations are the privilege and responsibility of every segment of the university community.

(ii) There shall be domains within which responsibilities for decisions and actions are shared cooperatively with others as specifically assigned through regular channels. Major proposals within these areas shall uniformly be referred to the faculty senate for consideration as provided in implementing procedures.

(iii) There shall be domains in which the faculty senate recognizes an important interest, but within which its role is primarily advisory and consultative.

(d) The faculty senate shall organize, establish, and define the functions of its councils, committees, and commissions.

(e) The faculty senate shall define its own rules and procedures within the limits of this charter and the accompanying bylaws.

(3) Specific responsibilities and rights of the faculty senate.

(a) Primary responsibilities.

(i) The faculty senate shall have primary responsibility for the academic standards and the educational policies of the university. This responsibility shall encompass proposals for the establishment, discontinuance, or major alteration of academic programs.

(ii) The faculty senate shall have primary responsibility for general policies related to professional



standards of the university and its faculty. This responsibility includes general policies on faculty appointment, rank, promotion, leave, tenure, and academic privilege; welfare, and dismissal; it also encompasses general policies related to the evaluation of academic programs, units, and personnel.

(iii) The faculty senate shall have primary responsibility for defining the mechanisms of approved or established faculty participation in university governance and in statewide faculty issues and bodies.

(b) Shared responsibilities. The faculty senate shall participate in and consider with others, by means specified in the faculty senate bylaws as included in rule 3342-2-06 of the Administrative Code, problems related to long-range academic planning, student affairs, selection of academic administrative officers, and academic facilities in long-range planning.

(c) Advisory responsibilities.

(i) The faculty senate bylaws shall provide for a body advisory to the president on the university budget.

(ii) The faculty senate shall be consulted with respect to proposed changes in the administrative organization of the university directly and primarily related to academic divisions.

(iii) The faculty senate shall be prepared to render advice on nonacademic facilities.

(d) Recommendations approved by the faculty senate shall be forwarded to the president and, as appropriate, to other subordinate members or bodies of the university; thereafter, the president or the appropriate administrative officers or bodies of the university shall within ninety days advise the faculty senate, in writing, of the nature of the action which has been taken in reference to the recommendation. "Action" as defined shall mean steps which have been taken toward acceptance, rejection, or further study of the recommendation. In the absence of such response within ninety days, acceptance may be assumed.

(e) If a recommendation approved by the faculty senate is not accepted by the president, or appropriate officer, the matter shall be discussed in detail by the interested parties, with the end in



view of mutually satisfactory action but without prejudice to final decision.

(f) The faculty senate shall be responsive to faculty petitions seeking initiative and referenda as defined in paragraph (B)(7) of rule 3342-2-06 of the Administrative Code.

(i) On petition containing at least one hundred signatures of tenure-track faculty members and/or full-time non-tenure-eligible faculty members as defined in paragraphs (D)(1)(b) to (D)(1)(c) of this rule, any action of the faculty senate shall be submitted to a referendum of the entire tenure-track and full-time non-tenure-eligible faculty.

(ii) On petition containing at least one hundred signatures of tenure-track faculty members and/or full-time non-tenure-eligible faculty members, the faculty senate shall submit the issue initiated by the petition to a vote of the faculty senate or of the entire tenure-track and full-time non-tenure-eligible faculty, whichever is requested in the petition.

(iii) A majority of votes cast in either an initiative or a referendum shall have the force of faculty senate action.

(iv) The secretary may review any and all signatures to a petition and discard those deemed not to be signed by a tenure-track or full-time non-tenure-eligible faculty member.

(v) All petitions and the signatures contained therein are public records and subject to disclosure to anyone who submits a request to the office of general counsel.

(C) Membership.

(1) Academic unit representatives.

(a) Academic unit representatives shall be elected representatives.

(b) An "academic unit" is a faculty body headed by an administrative officer who reports to the provost or the vice president for Kent state system integration



(c) The full-time non-tenure-eligible faculty shall be considered a unit separate from the academic units in which they have their primary assignments.

(d) Each college, independent school, regional campus, and the university libraries shall be entitled to representation.

(e) Tenure-track faculty with appointment in the college of applied and technical studies shall be entitled to representation in addition to their representation as members of a regional campus.

(f) The number of representatives from an academic unit shall be determined in accord with the faculty senate bylaws and shall be based upon the most recent faculty census.

(2) At-large representatives.

(a) At-large representatives shall be elected representatives.

(b) The number of the at-large representatives shall be determined in accord with the faculty senate bylaws and shall be based upon the most recent faculty census.

(3) Full-time non-tenure-eligible representatives:

(a) Full-time non-tenure-eligible faculty shall be entitled to representation.

(b) Full-time non-tenure-eligible representatives shall be elected representatives.

(c) The number of representatives for the full-time non-tenure-eligible faculty unit shall be determined in accord with the faculty senate bylaws and shall be based upon the most recent faculty census.

(4) "Ex officio" representatives.

(a) The faculty senate bylaws shall enumerate the titles of those individuals who shall be "ex officio" members of the faculty senate.



(b) "Ex officio" representatives are without vote.

(c) Except where specifically indicated otherwise in this charter or the accompanying bylaws, "ex officio" members share the privileges and responsibilities of elected members.

(D) Elections.

(1) Eligibility for faculty senate membership.

(a) Only tenure-track faculty members and full-time non-tenure-eligible faculty members with academic rank are eligible for election to the faculty senate.

(b) Regular faculty members with academic rank are individuals who hold a tenured or tenure track position and the titles of instructor, assistant professor, associate professor, or professor. Tenure track faculty members are full-time faculty members or librarians with indefinite tenure or full-time faculty members or librarians in the probationary period prior to the tenure review. Tenured or tenure-eligible administrators with faculty rank are not considered to be tenure-track faculty members for the purpose of the faculty senate charter and bylaws.

(c) Full-time non-tenure track faculty members with academic rank are individuals who hold the titles of instructor, lecturer, assistant professor, associate professor, or professor. Full-time non-tenure-eligible faculty members are full-time faculty members or full-time librarians who do not hold an appointment in a tenure-track position. Administrators with faculty rank are not considered to be full-time non-tenure-eligible faculty for the purpose of the faculty senate charter and bylaws.

(2) Term of office.

(a) The term of office for an elected representative is three years, except in special circumstances for which the faculty senate bylaws shall make provision.

(b) The faculty senate year shall begin on the first of June and shall end on the thirty-first of May of the following calendar year.



(3) Electorate.

(a) All tenure-track faculty members; full-time non-tenure-eligible faculty members, and full-time administrators with academic rank except for those who have ex officio membership status are entitled to vote in the elections of their assigned academic unit.

(b) All tenure-track faculty members and full-time administrators with academic rank except for those who have ex officio membership status are entitled to vote in the election of at-large representatives.

(c) An annual census of tenure-track faculty members, full-time non-tenure-eligible faculty members, and full-time administrators with academic rank shall be taken in the fall term of each academic year by the provost or designee. The census shall be used to determine the electorate, the number and apportionment of elected representatives, and to identify by name, department, and academic unit all tenure-track faculty members, full-time non-tenure-eligible faculty members, and full-time administrators with academic rank.

(4) Nominations. Candidates for academic unit representative, full-time non-tenure-eligible representative, and at-large representative shall be nominated as specified in the faculty senate bylaws.

(5) Election procedures.

(a) Elections shall be conducted by the secretary of the faculty senate and certified by the vice chair of the faculty senate.

(b) Elections of both academic unit and at-large representatives shall be conducted by the fractional single transferable vote (FSTV) system.

(E) Officers and delegates of the faculty senate.

(1) Election of officers.



- (a) Elected officers of the faculty senate shall be elected annually.
- (b) Only elected representatives are eligible for election as officers.
- (2) Officers. The elected officers of the faculty senate shall be the chair, the vice chair, the secretary, and an at-large member of the executive committee.
- (3) Delegates. A "delegate" shall be an official faculty senate representative to another body which is either within or external to the university as defined in paragraphs (B)(5) to (B)(6) of rule 3342-2-06 of the Administrative Code.
- (4) Appointed officers. The faculty senate bylaws may define the responsibilities of additional officers who shall be selected by appointment.
- (F) Meetings.
- (1) Types of meetings.
- (a) The faculty senate shall hold regularly scheduled meetings which may be attended by any member of the faculty, administration, or student body, or by other guests upon invitation of the faculty senate.
- (b) The faculty senate may hold special meetings which may be closed to nonmembers by the chair of the faculty senate, by the faculty senate executive committee, or by vote of the faculty senate.
- (2) Frequency and schedule of meetings. The faculty senate shall schedule at least eight regular meetings per year.
- (3) Procedures and rules.
- (a) The faculty senate bylaws shall establish rules and procedures under which the faculty senate meetings shall be conducted.



(b) A quorum shall be a simple majority of the elected members. The presence of a quorum is required for the faculty senate to take binding action and to vote on substantive matters.

(c) Meetings of the faculty senate, except where explicitly specified otherwise in the faculty senate charter and bylaws, shall be conducted in accord with "Robert's Rule of Order Revised."

(4) Minutes of all regular faculty senate meetings shall be made available to the faculty.

(G) Councils, committees and commissions.

(1) Rights of the faculty senate and definitions.

(a) The faculty senate may establish faculty senate councils. A "faculty senate council" is a permanent body chaired by the president, the provost, or a faculty senate member appointed by the faculty senate executive committee.

(b) The faculty senate may establish faculty senate committees. A "faculty senate committee" is a permanent body chaired by a faculty member, or an administrative officer other than the president or the provost.

(c) The faculty senate may establish faculty senate commissions. A "faculty senate commission" is a body which is discharged upon completion of a specific responsibility.

(d) A "body of the faculty senate" is any council, committee, or commission so designated by the faculty senate charter or the accompanying bylaws, or established by action of the faculty senate.

(e) Bodies not of the faculty senate whose primary concerns are the total university, as opposed to collegial and departmental matters, shall be referred to as university councils, university committees and university commissions.

(2) Councils of the faculty senate. The educational policies council shall be a body of the faculty senate. The educational policies council shall consider curricular matters of concern to the university



as a whole, and shall be the faculty senate body responsible for long-range academic planning for the university. Following discussion and support of the educational policies council, all curricular matters including associate, undergraduate, graduate, certificate, and research programs offered on all campuses are forwarded to the faculty senate for approval.

(3) Committees of the faculty senate.

(a) The faculty senate executive committee shall be a body of the faculty senate.

(b) The professional standards committee shall be a body of the faculty senate.

(c) The committee on administrative officers shall be a body of the faculty senate. The committee on administrative officers shall represent the faculty senate and the faculty in procedures implemented to select or replace the president, the provost, and other academic administrative officers of the university. It shall be available for consultation by the president on other matters involving administrative officers.

(d) The committee on committees shall be a body of the faculty senate.

(e) The faculty ethics committee shall be a body of the faculty senate.

(f) The faculty senate budget advisory committee shall be a body of the faculty senate.

(g) The faculty marshals shall be a body of the faculty senate.

(h) The survey of student instruction review committee shall be a body of the faculty senate.

(i) The university libraries advisory committee shall be a committee of the faculty senate.

(4) Commissions of the faculty senate. The chair of the faculty senate shall establish commissions as needed.

(5) Responsibilities and prerogatives of the faculty senate councils, committees and commissions.



(a) Faculty senate bodies shall carry out charges directed to them by the faculty senate or the chair of the faculty senate.

(b) Faculty senate bodies shall assume responsibilities within their general sphere of interest.

(c) Faculty senate bodies may appoint subcommittees.

(6) University councils, committees, commissions and boards.

(a) The president, in consultation with the committee on committees, shall designate those university councils, committees, commissions and boards to which the faculty senate may appoint one or more senator(s) to full membership. The appointee(s) shall be the faculty senate representative(s) of the body.

(b) Those university councils, committees, commissions, and boards designated positively under paragraph (G)(6)(a) of this rule shall report to the faculty senate upon request.

(c) The faculty senate may recommend responsibilities to university councils, committees, commissions and boards.

(7) Membership of faculty senate bodies shall be determined in accordance with the procedures in the faculty senate bylaws. Membership of faculty senate bodies shall be listed on the faculty senate website.

(8) Additional programs, functions, and responsibilities of the faculty senate may be established.

(H) Amendments.

(1) Proposals to amend the faculty senate charter.

(a) Proposals to amend the faculty senate charter may be submitted to the faculty senate at any regular meeting.



(b) A valid proposal to amend the faculty senate charter must be submitted in writing and must be supported by the handwritten signatures of:

(i) At least ten elected members of the faculty senate, or

(ii) At least twenty-five tenure-track and/or full-time non tenure-eligible faculty members, or

(iii) The majority of the membership of a charter and bylaws commission appointed by the chair of the faculty senate to prepare proposed amendments.

(2) Votes upon proposed amendments to the faculty senate charter.

(a) The faculty senate shall vote upon a proposed amendment to the faculty senate charter at the regular meeting immediately following the one at which the amendment is introduced.

(b) The secretary of the faculty senate shall circulate a written copy of the proposed amendment to each member of the faculty senate at least two weeks in advance of the meeting at which a vote is to occur.

(c) Written ballots shall be used in votes upon proposed amendments to the faculty senate charter.

(d) Amendments to the faculty senate charter shall require a favorable vote of at least two-thirds of the members of the faculty senate present and qualified to vote.

(3) Proposed faculty senate charter amendments ratified by the faculty senate.

(a) Amendments ratified by the faculty senate shall be submitted to the president and the board for approval.

(b) Amendments approved by the president and the board shall be incorporated into the faculty senate charter.



- (c) A veto of a proposed amendment shall be accompanied by a statement expressing reasons for the veto.
- (d) An amendment which fails because of a veto may be voted upon again by the faculty senate and, if the vote is favorable, may be submitted to the president and the board a second time.
- (4) Proposed faculty senate charter amendments which fail to be ratified by the faculty senate.
- (a) A proposed amendment which fails to receive faculty senate approval may be ratified by a vote of the full-time faculty as described in paragraph (H)(4)(c) of this rule.
- (b) The secretary of the faculty senate shall conduct a referendum on the question of the amendment if a petition requesting a referendum is submitted containing the signatures of at least one hundred tenure-track and/or full-time non-tenure-eligible faculty.
- (c) Ratification of a proposed amendment by the full-time faculty shall require a favorable vote of at least two-thirds of the electorate consisting of tenure-track and non-tenure-eligible faculty members eligible and voting.
- (d) Amendments ratified by the faculty shall be processed in the same manner as amendments ratified by the faculty senate.
- (5) Amendments to the faculty senate bylaws.
- (a) Amendments to the faculty senate bylaws shall require a favorable vote of at least two-thirds of the members of the faculty senate present and qualified to vote.
- (b) Amendments to the faculty senate bylaws ratified by the faculty senate shall be submitted to the president and the board for approval, with any veto accompanied by a statement expressing reasons for the veto, and, subsequently, the amendment is subject to resubmission by the faculty senate a second time for final disposition.
- (6) Effective date for incorporation of amendments into the faculty senate charter and the



accompanying bylaws, and for implementation of changes mandated by amendments.

(a) Amendments to the faculty senate charter and the accompanying bylaws are incorporated into said charter and bylaws immediately after approval by the faculty senate, the president, and the board, and pursuant to the procedures established in section 111.15 of the Revised Code for the filing of new rules, amendments or rescissions.

(b) Changes mandated by incorporation of amendments into said charter and/or bylaws will be implemented immediately, subject to the following understandings and exceptions.

(i) No current member of the faculty senate shall be removed from membership as a consequence of new rules governing number and/or apportionment of representatives. All senators shall serve out their terms.

(ii) When changes in rules increase the number of elected representatives due any constituency, the increase shall be accomplished in the immediately following regularly scheduled election.

(iii) In instances in which application of the principle of immediate implementation introduces ambiguities or creates special problems, the faculty senate shall vote to resolve the points at issue.

(I) Miscellaneous provisions.

(1) Rights of the board of trustees. The board reserves the power to initiate and make changes in this charter or to take other actions in accordance with sections 3341.01 to 3341.06 of the Revised Code or any applicable statute, or rules, directives, or regulations of the Ohio department of higher education.

(2) A member of the faculty senate may be granted a reduced teaching load during the period of this service to the faculty senate. Officers and members of the executive committee of the faculty senate shall be granted reduced teaching loads during the period of their service to the faculty senate.

(3) Delegates to the faculty senate.



- (a) All bodies to which the faculty senate has delegates may send delegates to the faculty senate.

- (b) The faculty senate may recognize delegates from other bodies.