A Proposed
University of Oregon Statement of Internal Governance

The University of Oregon recognizes the scope of faculty governance prescribed by the Oregon State Legislature and the Oregon State Board of Higher Education.

RELEVANT OREGON REVISED STATUTES
(May be altered only by state legislative action)

ORS 352.010 Status of Faculty. “The President and the professors constitute the faculty of each of the state institutions of higher education and as such have the immediate government and discipline of it and the students therein. The faculty may, subject to the supervision of the State Board of Higher Education under ORS 351.070, prescribe the course of study to be pursued in the institution and the textbooks to be used.” [Amended by 1987 c.246 paragraph 4; 1989 c.492 paragraph 3]

[In this context, “professors” means: “One that publicly teaches any science or branch of learning: particularly, an officer in ... a university ... whose business is to read lectures or instruct students in a particular branch of learning” (WEBSTER’S 1828), as stated by the office of the Oregon State Attorney General (November 7, 2008, see footnotes 9 and 12). In this governance document “Faculty” refers to the statutory governing body, which consists of the University President, Professors (including emeriti), and career Instructors.

When the Faculty convenes, it is referred to as the Faculty Assembly.]

ORS 352.004 Presidents of state institutions. “The president of each state institution of higher education within the Oregon University System is also president of the faculty. The president is also the executive and governing officer of the institution, except as otherwise provided by statute. Subject to the supervision of the State Board of Higher Education, the president of the institution has authority to control and give general directions to the practical affairs of the institution.” [Formerly 352.020; 2005 c.22 paragraph 249]

STATE BOARD OF EDUCATION INTERNAL MANAGEMENT DIRECTIVE 1.123
(May be altered only by the State Board of Higher Education)

IMD 1.123 Internal Governance and Authority over the Faculty

“(1) The President shall have the right to convene and preside over the faculty or faculties of the institution and shall have the right of veto over their decisions or those of the representative body, subject to review by the Chancellor. The President shall define the scope of authority of faculties, councils, committees, and officers, subject to review by the Chancellor, when not otherwise specifically defined by Board policy or established in the internal governance statement.

(2) Each institution shall have the right to formulate a statement of internal governance expressed as a constitution or in other appropriate format, which shall be ratified as the official statement of internal governance by those included in the internal governance structure of the institution and by the President. The internal governance statement is subject to review and modification when a new President assumes office and at such other times as shall be provided
for in the internal governance statement; any amendatory action shall also be subject to ratification by those included in the internal governance structure and by the President.”

UNIVERSITY OF OREGON CONSTITUTION (replaces ENABLING LEGISLATION of May 1995)
(May be altered by the Faculty Assembly or by the University Senate (Section 1, below) subject to ratification by the Faculty in accordance with ORS 352.010, ORS 352.004 and IMD 1.123)

THE FACULTY OF THE UNIVERSITY OF OREGON DELEGATES ITS GOVERNANCE AUTHORITY TO THE UNIVERSITY SENATE, DEFINED BY THE LEGISLATION BELOW

Section 1 Scope of authority of the University Senate.
• Effective (date), the Faculty (see section ORS 352.010 above) delegates to the University Senate (here-in-after referred to as Senate) the immediate government and discipline of the University and the students therein.
• Effective execution of its powers requires that the Senate express its views on University policies and priorities through appropriate legislation and resolutions.
• The Senate shall recognize the responsibilities and limitations of faculty governance prescribed by the State Legislature and the State Board of Higher Education as indicated above. Unless specified otherwise, an action taken by the Senate shall become effective two weeks after the following Senate meeting, unless vetoed by the President in accordance with IMD1.123 (1) before that time. An action so vetoed shall become effective two months after said veto is issued, unless the veto is specifically upheld by the Chancellor before that time.
• The Faculty retains authority to override decisions of the Senate by a vote of the majority of Faculty members present at a proper Faculty Assembly meeting (see Article 6 below).
• When a new University President assumes office, the Senate and the new President shall negotiate any modifications to this internal governance statement, and present the modified statement to the Faculty Assembly for its ratification or its return to the Senate for further work.
• The Senate shall set its own rules (Section 5) except:
  1. Its schedule of meetings shall be posted on its website and meetings shall be open to the public.
  2. In addition to current members of the Senate, all University of Oregon officers of instruction, emeriti faculty, librarians, officers of administration, classified staff; the twenty members of the Student Senate, twenty-five members of the ASUO Executive, and five members of the ASUO Constitution Court shall have the right to introduce legislation to the Senate and shall have the right to the floor on any matter under discussion in the Senate.
  3. No motions shall be debated or vote taken in the absence of a majority of the Senate membership. No motions shall be approved by an affirmative vote that is less than half of the members present.
Section 2 Senate membership.

2.1 The Senate shall consist of 51 (fifty-one) senate seats distributed among officers of instruction, librarians, officers of administration, classified staff and students, as follows:

37 Officers of Instruction
2 Librarians
3 Officers of Administration
5 Students
3 Classified Staff
1 President of the Senate

2.2 The thirty-seven (37) officer-of-instruction senators shall represent specific constituencies, as follows:
College of Arts and Sciences (21):
7 Humanities
7 Natural Sciences
7 Social Sciences
Professional Schools and Colleges (16):
5 Architecture and Allied Arts
3 Business
2 Education
2 Journalism and Communication
2 Law
2 Music

Within the College of Arts and Sciences:
- **Humanities**: Classics, Comparative Literature, Creative Writing, East Asian Languages and Literature, English, Germanic Languages and Literature, Honors College, Linguistics, Philosophy, Religious Studies, Romance Languages, Russian, Theater Arts.
- **Natural Sciences**: Biology, Chemistry, Computer and Information Science, Exercise and Movement Science, Geological Sciences, Mathematics, Physics, Psychology.
- **Social Sciences**: Anthropology, Economics, Geography, History, International Studies, Political Science, Sociology, Women’s Studies.

2.3 The number of officer-of-instruction senators representing the three divisions in the College of Arts and Sciences, as well as the number of officer-of-instruction senators representing each professional school or college, shall be based on the approximate proportion of tenure-related full-time-equivalent (FTE) appointments in the constituent unit relative to the total University of Oregon tenure-related FTE. Senate representatives shall be elected only by their constituent bodies.

2.4 If major changes occur in the distribution of officers of instruction--for example as the result of closure of a professional school or college--the Senate shall undertake reapportionment. In the absence of major changes in the distribution of officers of instruction, the Senate shall consider reapportionment every ten years starting 2006.
2.5 Terms of office for all officer-of-instruction, library, classified staff and officer-of-administration senators shall be two years, with approximately half of the senators’ terms expiring each year.

2.6 The five (5) student members of the University Senate shall represent academic majors and consist of the academic senators as defined in the constitution of the Associated Students of the University of Oregon (ASUO). The five student members of the University Senate shall be chosen by the ASUO academic Student Senators in a method designed by the latter. They shall serve in the University Senate for one academic year. Changes in the number of Student Senators can occur only as a result of Senate reapportionment. The number of Student Senators shall be independent of future changes in the ASUO constitution.

Section 3 Election Process

3.1 Elections shall take place each spring term to elect new senators, whose eligibility is defined in Section 4.

3.2 In each school and college and in the University of Oregon Library System, the Dean’s Advisory Committee or a similar elected body shall nominate at least two more candidates than the required number of senators to be elected for that unit. Eligible candidates in each unit may nominate themselves, and eligible candidates may nominate other eligible candidates within their own units.

3.3 The Secretary of the Faculty shall arrange for the election to the Senate seats held by officers of administration and those held by classified staff. Nominating petitions shall be circulated to all members of each unit for either self-nomination or for nomination of another member. At least two more candidates than the required number of senators to be elected for this unit shall be nominated.

3.4 All nominations for non-Student Senators—as provided for in 3.2 and 3.3—shall be sent to the Secretary of the Faculty, who shall conduct the elections. Officers of instruction, librarians, classified staff and officers of administration shall vote only for those candidates nominated from within their own units.

3.5 Those receiving the most votes shall be elected. If a tie vote results in the election of more senators than the number of available seats for a particular unit, a run-off election will be held.

3.6 The Secretary of the Faculty shall arrange the filling of vacancies by notifying the next eligible candidate, determined in descending order of the number of votes received in the most recent election for the represented unit. If no eligible candidate is available to fill the vacancy, the following procedure will be followed:

3.6.1 If the vacancy is for an Officer of Instruction Senator or for a Library System Senator, the Secretary of the Faculty shall ask the Dean’s Advisory Committee or a similar elected body for the appropriate College, School, or Library System to appoint
an eligible replacement senator from the constituency in question. If, following such a request, a suitable replacement is not appointed within two calendar weeks during which the University is in regular academic session, the Secretary of the Faculty shall appoint an eligible replacement Senator selected using a random process from the constituency in question.

3.6.2 If the vacancy is for an Officer of Administration Senator or for a Classified Staff Senator, the Secretary of the Faculty shall appoint an eligible replacement Senator selected using a random process from the constituency in question.

3.6.3 Appointments made by the Secretary of the Faculty using a random process pursuant to Sections 3.8.1 and 3.8.2 may be declined; however, if five such appointments are declined for a given position, the position will be declared vacant until the next election. Senators appointed under Sections 3.6.1 and 3.6.2 serve until the end of the academic year and are eligible to stand for election.

3.6.4 If the vacancy is for a Student Senator, the Secretary of the Faculty shall ask the President of the Student Senate for an appointment of an eligible replacement Student Senator to fill the vacancy.

Section 4 Eligibility and Voting Criteria for Officers of Instruction, Officers of Administration and Classified Staff.

4.1 Each academic unit specified in Section 2 shall determine who is eligible for the purpose of voting for and nominating candidates to serve as officer-of-instruction senators, subject to the following limitations. All tenure-related officers of instruction holding the academic rank of instructor or higher, and employed at .50 FTE or greater, shall be eligible. No faculty person appointed at less than .50 FTE shall be eligible, nor shall any officer of administration who does not hold a tenure-related officer-of-instruction appointment in a school or college, nor shall emeritus, courtesy, adjunct, or visiting faculty members, nor shall any student. Senior administrators, who are ineligible for membership on the Faculty Advisory Council, shall also be ineligible for election to the Senate. All career non-tenure track faculty (NTTF) with appointments as officers of instruction shall be eligible to stand for election, to nominate, and to vote in elections to the Senate and University Committees, subject to the distribution and apportionment specified in Section 2. Career NTTF shall include those who, at the time of their nomination, have had a continuous 0.50 FTE appointment for a minimum of 3 years.

4.2 Officers of instruction who are appointed at .50 FTE in each of two units, as specified in section 2.2 shall declare in writing to their dean in which one of those two units they want to be eligible officer of instruction for the purpose of Senate nominations and elections. The Dean shall forward the lists of eligible officers of instruction to the Secretary of the Faculty, who shall distribute the list for each unit to all eligible officers of instruction in that unit. If the Secretary is notified in writing by any eligible officer-of-instruction that he or she does not want to stand for election, that person’s name shall not appear on any ballot for election.
4.3 Officers of administration, excluding those specified in section 4.1, and holding appointments at .50 FTE or greater, are eligible to be nominated for, serve as, and vote for officer-of-administration senators.

4.4 Officers of administration who do not want to be nominated shall notify the Secretary of the Faculty in writing of their desire not to be nominated when the nomination forms are distributed by the Secretary.

4.5 All classified staff shall be eligible to be nominated for, serve as, and vote for classified staff senators.

4.6 Classified staff who do not want to be nominated shall notify the Secretary of the Faculty in writing of their desire not to be nominated when the nomination forms are distributed by the Secretary.

Section 5 Senate Rules and Procedures

5.1 The Senate shall adopt its own internal rules and procedures.

5.2 The election of Senate officers shall take place at the last meeting of the Senate each spring. The vice president shall be elected from among the officers-of-instruction who have served on the Senate anytime in the previous five years (inclusive of the academic year in which they are elected vice president) and will become president at the end of the following year by confirmation of the Senate.

5.3 The seat of any senator shall be considered vacant if the senator is absent two times in one term from regularly scheduled meetings of the Senate, unless the Secretary of the Senate has been notified in advance of the senator’s illness or anticipated absence on university business.

5.4 No senator shall serve more than two consecutive two-year terms but may be elected again after an absence of two years.

Section 6 Faculty Assembly

6.1 The Faculty Assembly consists of the University President and the professors as defined above [see ORS 352.010 Status of Faculty]. Unless specified otherwise, an action taken by the Assembly shall become effective two weeks after the Assembly meeting, unless vetoed by the President in accordance with IMD1.123 (1) before that time. An action so vetoed shall become effective two months after said veto is issued, unless the veto is specifically upheld by the Chancellor before that time.

Upon appointment of a new University President, the Faculty Assembly shall ratify (or return to the Senate) an internal governance statement following its negotiated preparation by the Senate and the new President as set forth in Section 1.

6.2 The Faculty Assembly shall operate according to Robert’s Rules. Meetings shall be open to the public.
6.3 A Faculty Assembly may be convened by the University President, by an affirmative vote of the Senate or after a petition to so convene has been signed by 20% of the non-emeritus members of the Faculty.

6.4 Meetings of the Faculty Assembly shall be held at 3:30 PM, on a Wednesday, not fewer than four weeks nor more than six weeks from the time of a call for the meeting by the University President, or by the affirmative vote of the Senate or from the time of the submission of a valid petition as provided for in 6.4.5, except that no meeting shall be scheduled for exam week, between terms or during the summer term. In such an event, the meeting would be scheduled for the second Wednesday of the subsequent term.

No motions shall be debated or actions taken in the absence of 150 Assembly members. A simple motion or resolution shall pass upon an affirmative vote by a majority of the members in attendance. A motion to change governance shall require a 2/3 vote of members in attendance. A meeting that is adjourned for lack of quorum shall be reconvened on the following eligible Wednesday.

6.4.1 At least four weeks before the meeting, The Secretary of the Faculty shall send notification of the meeting to all members of the Faculty who have e-mail addresses in the University Directory. The notification shall remind recipients that they are members of the Faculty, that classes are suspended for the duration of the meeting and that they are expected to make any effort to attend the meeting. Further notification of the meeting shall include notices in the Daily Emerald and on the University Calendar, Senate, and Assembly Web sites. On the Monday immediately prior to the meeting, members shall be reminded to attend. This reminder shall include the text of this section (6.4.1) and a copy of the agenda for the meeting.

6.4.2 Motions to be included in the agenda of an announced meeting shall be submitted to the Secretary of the Faculty not later than two weeks prior to the meeting. The agenda shall be composed by the FOC (see Section 7) in consultation with the University President and the Secretary of the Faculty. The meetings shall be chaired by the University President or by his/her designated replacement, normally the Provost. Minutes of the meeting shall be posted on the Assembly web site no later than one month after the meeting.

6.4.3 An alphabetical list of members of the Faculty (with titles and campus addresses; without phone numbers or e-mail addresses) shall be maintained and linked from the Assembly Web site. The list shall be headed by the criteria for membership as specified by ORS 352.010, and the list shall be updated annually, as early in the Fall Quarter as is feasible.

6.4.4 The Secretary of the Faculty shall maintain an annually updated list of Faculty members with phone numbers and e-mail addresses. The list shall be used to e-mail the agenda for each Senate meeting to the Faculty, and to forward other communications, from the University President, the Secretary of the Faculty, the Senate President, of the FOC (Section 7) that are relevant to the business of the Faculty.

6.4.5 The University adopts the following procedures to enable the Faculty to carry out its governance responsibilities:
• (a) Prior to circulating a petition to convene the Faculty Assembly, Petitioners will submit the text of their petition, endorsed by at least 40 members of the Faculty, to the Secretary of the Faculty who will forthwith give notification of the petition to members of the Faculty. The announcement shall include the text of the petition and a copy of 6.4.5 (b) below. A printed Faculty membership list titles and campus addresses, organized by departments, shall be made available to petitioners by the Secretary of the Faculty upon submission of a petition endorsed by at least 40 Faculty Members.

• (b) Deans, directors and department heads will adopt practices, appropriate for their administrative units, that promote the accessibility of their Faculty Members to petitioners.

• (c) In order for the petition to go into effect, petitioners must submit sufficient valid signatures to the Secretary within 100 days of the petition announcement.

Section 7 Faculty Oversight Committee (FOC)

7.1 Duties: The FOC, an elected committee of Faculty Members, bears the immediate responsibility of overseeing the activities of the Senate and the University President. No legislation shall be initiated by the FOC. The FOC shall meet in the Fall, before the first Senate Meeting of each academic year to organize its activities.

7.1.1 Oversight of the Senate: The FOC shall assume the responsibility for assuring that no Senate Meeting at which a Motion is to be considered is attended by less than two FOC members. FOC members shall report their attendance to the Secretary of the Senate, who shall record their presence in the Minutes. FOC members may not introduce motions to the Senate.

The FOC shall meet each term following the final Senate meeting of that term, at which time it shall discuss and ratify each Senate action taken or shall return an action to the Senate with advice. Failure of the Senate and the FOC to reach agreement on actions returned may result in a call to meeting of the Faculty Assembly (see Section 6).

7.1.2 Oversight of the President: In a manner they deem suitable, the FOC shall monitor the performance of the President with special attention to his/her facilitation of Faculty Governance as specified in ORS 352.010.

7.2 Reports: The FOC shall produce an annual report to the Faculty and the Senate regarding the performances of the Senate and the President.

7.3 Membership: Five Faculty from CAS, four from Professional Schools and two at large. No sitting Senator may serve.

7.4 Rules: The FOC will set its own rules, except that

1. Its schedule of meetings shall be posted on its website and its meetings
shall be open to the public.

2. An affirmative vote of a majority of its members is required for each action.