

## **Charter of the Faculty Senate State University of New York at Buffalo**

As approved by the Faculty Senate October 10, 1978, and amended December 21, 1995, December 10, 1996, and December 11, 2001.

### **Article I: Definitions**

1. Unless otherwise specified, terms used in this *Charter* which are defined in Article I of the *Bylaws of the Voting Faculty* shall have the same meanings in this *Charter* as are ascribed to them in Article I of the *Bylaws of the Voting Faculty*.

### **Article II: Powers and Duties of the Faculty Senate**

1. Pursuant to Article II, Paragraph 6, of the *Bylaws of the Voting Faculty*, the Senate shall have the authority to establish bylaws, standing orders, and special orders regarding both the conduct of its business and the procedures through which it will carry out the powers and duties designated in this *Charter*.

2. Pursuant to Article II of the *Bylaws of the Voting Faculty*, the Faculty Senate shall have the authority to represent and act for the faculty with respect to:

A. Faculty Status and Activity

1. Appointment, Promotion, and Tenure. The Senate shall act for and represent the Voting Faculty in all matters pertaining to the adoption, promulgation, and implementation of general University-wide standards and procedures regarding the appointment, promotion, and tenure of faculty. To the extent that any of these matters fall within the jurisdiction of a collective bargaining agent which represents the faculty the Senate shall consult with the bargaining agent, and shall advise the bargaining agent regarding the impact of appointment, promotion, and tenure procedures and standards on the academic program of the University.

2. Procedures and standards regarding conduct and evaluation of research and teaching. The Senate may establish procedures for evaluating teaching, and it may recommend guidelines regarding the responsibilities and liabilities of researchers and teachers. The Senate shall review and confirm procedures for review and evaluation of teaching which are proposed by any officer or agency of the University other than the Voting Faculty or the faculty of an academic unit.

3. Complaints or charges. The Senate shall establish, by standing orders, the procedures called for in Article II, Paragraph 4, of the *Bylaws of the Voting Faculty*.

4. University Articles of Governance. The Senate shall represent the Voting Faculty in any proceedings or procedures pertaining to the development of University-wide articles of governance applicable to the faculty.

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5. Speech and Assembly on Campus. The Senate shall act for and represent the Voting Faculty in all matters pertaining to freedom of speech and assembly on the campus.

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B. Academic Degree Programs

1. Undergraduate.

a. Admission. The Senate shall establish standards for the admission of undergraduate students to the University. Admissions standards established by the faculties of academic units for undergraduate degree programs or undergraduate departmental majors shall be reviewed by the Senate.

b. Curriculum.

i. The Senate shall discharge the powers and duties of the Voting Faculty regarding undergraduate degree requirements and policies and procedures regarding undergraduate curricula. These include, but are not limited to, educational requirements and other matters of academic policy common to the undergraduate programs of the University.

ii. The Senate shall approve the appointment of faculty representatives to University-wide committees responsible for reviewing course and curriculum proposals for undergraduate programs.

c. Evaluation. The Senate shall establish the system to be used in reporting faculty evaluations of undergraduate students' academic work.

d. Graduation. The Senate shall establish the general standards for graduation of students and awarding of baccalaureate degrees.

2. Graduate and Professional. The Senate may periodically review graduate and professional degree programs with respect to their quality, direction, admission standards, and degree requirements, may review general University policies and procedures regarding graduate and professional curricula, and may make recommendations to the professional or graduate program faculties, to the Provost, or to the President.

C. University-wide Matters

1. The Senate shall review, prior to adoption, all formal plans relating to the future of the University.

2. The Senate shall review, prior to adoption, all proposals regarding the formation, renaming, reorganization, or dissolution of academic units.

3. The Senate shall review, prior to adoption, articles of governance of academic units, provided, however, that the faculties of individual academic units shall not be deprived of their own independent authority to review and advise on such matters as are delineated in Article II, Paragraphs 2 and 3, of the *Bylaws of the Voting Faculty* and which directly relate to the academic policies and procedures of their respective academic units.

4. Pursuant to Article IV of the *Bylaws of the Voting Faculty*, the Senate shall act for the faculty and provide appropriate procedures for the election of representatives to the University Faculty Senate of the State University of New York.

5. Pursuant to Article V, Paragraph 2, of the *Bylaws of the Voting Faculty*, the Senate is empowered to act for the Voting Faculty as the legislative and regulatory body regarding the conduct of faculty elections and referenda.

### **Article III: Membership in the Faculty Senate**

1. The Chancellor, the President, the Provost, the Vice Provost for Graduate Education, the Vice Provost for Undergraduate Education, and the Academic Deans, all of whom shall serve *ex officio* without vote.
2. The Presiding Officer of the Voting Faculty, who shall serve as Chair of the Senate.
3. The Presiding Officer-elect of the Voting Faculty, who shall serve as Chair-Elect of the Senate.
4. The immediate past Chair of the Faculty Senate who shall serve *ex officio* without vote for a term of one year immediately following the expiration of his or her term as Chair.
5. The Secretary of the Voting Faculty, who shall serve as Secretary of the Senate.
6. The immediate past Secretary of the Faculty Senate who shall serve *ex officio* without vote for a term of one year immediately following the expiration of his or her term as Secretary.
7. Representatives elected by and from the membership of the Voting Faculty according to election procedures provided in Article V of this *Charter* and apportioned among the academic units of the University as provided in Article IV of this *Charter*.
8. The University at Buffalo representatives who serve in the University Faculty Senate of the State University of New York, as described in Article IV of the *Bylaws of the Voting Faculty*.

### **Article IV: Apportionment of Senators Among Electoral Units**

1. Electoral Units. For the purpose of electing the Senators representing the Voting Faculty (*cf.* Article III, Paragraph 7, of this *Charter*), the electoral units of the faculty shall be:
  - A. Each administrative division of the University in which at least ten (10) members of the Voting Faculty hold primary appointment, and whose chief executive officer is a Dean;
  - B. The University Libraries; and
  - C. The Institutional/General unit, which shall consist of all members of the Voting Faculty who are not members of units specified in subparagraphs A or B of this paragraph.
2. Reapportionment. The number of Voting Faculty and the administrative divisions in which they hold their primary appointments shall be determined every five years in academic years ending in 0 (zero) and 5 (*e.g.*, 2004-05, 2009-10) or at the request of the Faculty Senate Executive Committee. The recalculation of the Senate's composition shall be performed in that same year by the Elections Committee. The new electoral basis shall be in effect at the start of the immediately following academic year.

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3. Assignment of Faculty to Electoral Units. Voting Faculty shall be assigned to electoral units through the academic units in which they hold their primary appointments. Voting Faculty holding joint appointments in two or more academic units located in different electoral units may choose the single electoral unit to which they will be assigned. If such faculty do not make this choice, the Elections Committee will make the assignment.
4. Numbers of Senators and Allocation of Senators to Electoral Units. The Senators representing the Voting Faculty shall total approximately one hundred (100), allocated to electoral units as follows:
  - A. Each electoral unit shall have Senators approximately proportional to the Voting Faculty in that electoral unit, subject to these restrictions:
    1. Each electoral unit shall have at least one (1) Senator; and
    2. No electoral unit whose Voting Faculty is greater than twenty-five percent (25%) of the total Voting Faculty of the University but which enrolls in its courses and programs less than twenty percent (20%) of the total full-time equivalent students of the University as of the Fall semester of the academic year in which the number of Voting Faculty for apportionment of Senatorial positions is determined shall have more than twenty-five (25) Senators.
  - B. Senators shall be allocated to electoral units by these sequential steps:
    1. Twenty-five Senators shall be allocated to each electoral unit whose Voting Faculty is greater than twenty-five percent (25%) of the total Voting Faculty of the University but which enrolls in its courses and programs less than twenty percent (20%) of the total full-time equivalent students of the University;
    2. The allocation factor for Senators remaining after step 1. is completed shall be determined by:
      - a. subtracting the total of Senators allocated in step 1. from one hundred (100);
      - b. dividing the result of substep a. into the total of the Voting Faculty of all electoral units to which Senators remain to be allocated;
      - c. rounding the result of substep b. down to the nearest quarter-unit (0.25);
    3. Senators shall be allocated to each remaining electoral unit by dividing the Voting Faculty of each such unit by the allocation factor determined in step ii and rounding the result of this computation to the nearest unit unless it is less than one (1), in which case it shall be rounded to one (1).
5. Election of Senators. Voting Faculty nominated to be Senators shall be notified of their nominations prior to the formulation of any ballot, and shall be included in any ballot only upon written reply to this notification stating their willingness to be candidates and to serve if elected. Elections of Senators shall be subject to the limitations and requirements of this *Charter*, and the Voting Faculty in each electoral unit shall elect the number of Senators allocated to that electoral unit by the Elections Committee.
6. Senatorial Terms. Senatorial terms shall be two (2) years, starting on July 1, except in the case of Senators elected to fill unexpired terms. Terms of Senators in each electoral unit shall be staggered so that each year a unit elects one-half of its Senators, or the closest applicable whole

number thereof. A Senator who has served two (2) consecutive two (2) year terms shall be ineligible to serve as a Senator for one (1) year following the expiration of the second consecutive term in office.

7. Implementation. The Senate shall provide in its Standing Orders for any rules or procedures required to implement the terms of this Article.

## **Article V: Elections and Referenda**

1. In standing orders, the Senate shall provide rules and regulations for the conduct of faculty elections and referenda. Such rules and regulations shall be consistent with the laws of the State of New York and the United States, the *Policies of the Board of Trustees*, and the *Bylaws of the Voting Faculty*.

2. The Elections Committee shall supervise University-wide faculty elections and referenda and administer the rules and regulations promulgated by the Senate pursuant to Paragraph 1 of this Article.

3. Cumulative voting procedures shall be used in nominating and electing the Senators provided for in Article III, Paragraph 8, of this *Charter*. Those procedures shall provide that in each election each eligible voter within an electoral unit shall be allocated votes equal in number to the total number of Senators to be elected from the electoral unit in that election, and that the total number of votes so allocated may be cast for one or more candidates, in such proportion as each eligible voter determines.

4. The Senate may choose to use a mail ballot to submit propositions before the Senate to the Voting Faculty either for advice or for final disposition. A mail ballot on a proposition before the Senate is mandated when requested by twenty-five percent (25%) or more of the Senators present at any regular meeting of the Senate. When a proposition before the Senate is referred to the Voting Faculty, alternative propositions will be included on the ballot if supported by a vote of more than twenty-five percent (25%) of the Senators present at that meeting. Any alternative so presented shall be limited to the general issue of the original proposition which the Senate voted to refer to the Voting Faculty.

5. A referendum on a proposition before the Senate is mandated when requested by petition in writing by five percent (5%) of the Voting Faculty, signed by the petitioners and delivered to the Secretary of the Senate within twenty (20) calendar days (exclusive of University recesses or weekends) following notification to the Voting Faculty of any action taken by the Senate regarding the proposition in question.

6. Mail ballots or referenda under Paragraphs 4 and 5 of this Article shall be completed within fifteen (15) calendar days following the distribution to the Voting Faculty of the ballot and any supporting materials.

7. All matters before the Senate may be referred to a mail ballot or referendum except questions of order and privilege, and motions to adjourn, to fix the time at which to adjourn, to accept minutes of previous meetings, to receive reports, and to refer to committees for study and report. For purposes of this Article, the terms 'proposition before the Senate' and 'matters before the Senate' mean items of Senate business on the agenda for or properly presented in a regular or special meeting of the Senate.

## **Article VI: Committees of the Faculty Senate**

### 1. Executive Committee of the Senate

A. There shall be an Executive Committee of the Senate.

B. Composition. The Executive Committee shall be composed of the following:

1. Representatives elected by and from the Senators of the several electoral units;
2. The Senators elected to the University Faculty Senate of the State University of New York;
3. The officers of the Senate as provided in Paragraph D of this section;
4. The immediate past Chair and immediate past Secretary of the Faculty Senate who shall serve *ex officio* without vote for a term of one year immediately following the expiration of their terms in office;
5. The President and Provost who shall serve *ex officio* without vote.

C. Apportionment. The representatives specified in subparagraph B.1. of this Paragraph shall be apportioned among the electoral units which seat Senators as follows:

1. Each electoral unit having no fewer than two (2) Senate seats and no more than seven (7) seats shall have one (1) representative;
2. Each electoral unit having more than seven (7) Senate seats and no more than fourteen (14) seats shall have two (2) representatives;
3. Each electoral unit having more than fourteen (14) Senate seats and no more than twenty-one (21) seats shall have three (3) representatives;
4. Each electoral unit having more than twenty-one (21) Senate seats and no more than twenty-eight (28) seats shall have four (4) representatives;
5. Each electoral unit having more than twenty-eight (28) seats shall have five (5) representatives.
6. All electoral units which each seat only one (1) Senator (*cf.* Article IV, Paragraph 3, of this *Charter*) shall as a group have one (1) representative.
7. Representatives shall be elected by and from the Senators of the electoral units in numbers consistent with the provisions of this subparagraph.
8. The Secretary of the Senate shall, at the beginning of each calendar year, determine which electoral units fall in the categories provided by this subparagraph, inform the Senators of the several electoral units of the representation for which they are eligible, and request that each group caucus to choose their representative(s).
9. All representatives chosen on the basis of the apportionment prescribed in this subparagraph shall take office on July 1.

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D. Officers.

1. The Chair and Chair-elect of the Senate shall be Chair and Chair-Elect of the Executive Committee respectively.
2. The Secretary of the Senate shall be a member of the Executive Committee and shall serve as Secretary to the Executive Committee.

E. Terms of Office.

1. The Chair and Secretary shall serve staggered two-year terms and shall not serve more than two consecutive terms in the office to which they have been elected.
2. SUNY Senators shall serve for the length of their service in the University Faculty Senate of the State University of New York.
3. All other members elected to the Executive Committee shall serve for one (1) year terms and shall be eligible for reelection.

F. Duties.

1. The Executive Committee shall act as the representative of the Senate and in an advisory capacity to the President of the University at Buffalo. As representative of the Senate, the Executive Committee is authorized to act for the Senate between Senate meetings in all matters within the jurisdiction of the Senate under any of the following conditions:
  - a. When the action involves implementation of existing Senate policy;
  - b. When there is insufficient time to bring a matter before the Senate; such actions shall be reviewed by the Senate at its next regularly scheduled meeting;
  - c. Pursuant to such delegation and direction as the Senate shall provide in this *Charter* or in standing or special orders.
2. The Executive Committee shall set the agenda for the Senate.
3. The Executive Committee through its Chair shall submit reports on all its non-procedural votes to the Senate at all regular Senate meetings.
4. The Executive Committee may establish ad hoc Committees.
5. The Executive Committee shall serve as the Senate's Committee on Committees. It shall write the charges, determine the size and composition, and appoint the members of all Senate committees, both standing and ad hoc. It shall also nominate members of the Voting Faculty to serve on non-Senate committees and other bodies which seek Senate representation.
6. The Executive Committee shall receive reports from Senate committees and (with the exception of reports created pursuant to Article 7 of the Standing Orders of the Faculty Senate) shall transmit them to the Senate, whether with or without endorsement or comment, reserving the right first to recommit reports to committee for further work. *Cf.* the Standing Orders of the Faculty Senate for procedures relating to reports.
7. The Executive Committee shall act pursuant to such delegation and directions as the Senate shall provide in this *Charter*, standing or special orders.

2. Standing Committees of the Senate.

- A. Standing Committees. The standing committees of the Senate, other than those specified in subparagraph 2.B. below, and their charges, shall be listed in the Standing Orders of the Senate.

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B. Procedural Standing Committees. The standing committees of the Senate dealing with Senate procedure, and their general charges, shall be:

1. Bylaws.

a. Composition. The Bylaws Committee shall include among its members the Parliamentarian of the Faculty Senate and any other members appointed in accordance with Article VI.2.C of this *Charter*.

b. Charge. This committee shall review, report and recommend to the Senate matters concerning amendments to the *Charter of the Faculty Senate* and to the *Bylaws of the Voting Faculty*, and matters concerning standing and special orders of the Senate.

2. Elections.

a. Composition. The Elections Committee shall consist of the Secretary of the Senate, who shall serve as Chair, plus the two most immediate predecessors in that office. The Executive Committee of the Senate may appoint additional members.

b. Charge.

i. The Elections Committee shall review, report and recommend to the Senate rules and regulations for the conduct of University-wide faculty elections and referenda (including, but not limited to, rules governing apportionment of senatorial seats to electoral units, consistent with Article IV, Paragraphs 4 and 5 of this *Charter*).

ii. The Elections Committee shall assign faculty members to electoral units consistent with the provisions of Article IV, Paragraph 3 of this *Charter*.

iii. The Elections Committee shall supervise University-wide faculty elections and referenda, administering the procedures, rules and regulations promulgated by the Senate and by this *Charter* according to the calendar shown in the Standing Orders.

iv. The Elections Committee shall work with the Elections Committee of the Professional Staff Senate in conducting elections for the University Faculty Senate of the State University of New York.

C. Membership. Unless otherwise specified, members of standing committees shall be appointed to two-year renewable terms by the Executive Committee of the Senate, in such number as the Executive Committee deems reasonable. Committees will be composed of members of the Voting Faculty and such other persons as in the judgment of the Executive Committee should be invited to sit on committees. The Chair of each standing committee shall be a member of the Voting Faculty and, where appropriate, the faculty membership of each standing committee shall be generally representative of the major academic organizational units of the Voting Faculty. Standing committees may establish subcommittees and appoint the members thereof; subcommittee membership shall be reported to the Executive Committee.

D. Reports. All Standing Committees of the Senate shall submit reports as prescribed in the Standing Orders of the Faculty Senate.

3. Other Committees of the Senate. The Senate may establish other committees to act for it and to review, report and recommend to the Senate on matters within the jurisdiction of the Senate. Each committee shall be provided with a charge stating its assignment and the length of its existence. Committees will be composed of members of the Voting Faculty and other persons who in the judgment of the Faculty Senate Executive Committee should be invited to serve on

them.

4. Jurisdiction of Committees of the Senate. A committee may review any topic within its charge, subject to the guidance of the Executive Committee.

## **Article VII: Meetings**

1. Meetings of the Senate.

A. Meetings of the Senate shall be held at regular intervals, not less frequently than six (6) times between September 1 and May 30 of each academic year.

B. Special meetings of the Senate may be called at any time by the Chair of the Senate, by the Executive Committee, or upon petition of twenty (20) members of the Senate. A petition for a special meeting shall be in writing, signed by each of the petitioning Senators, and shall be delivered to the Secretary of the Senate. A petition for a special meeting shall set forth the matters to be presented at the special meeting. Unless the petition for a special meeting stipulates a later date, such special meeting shall occur not later than fifteen (15) calendar days (exclusive of official University recesses or weekends) after the petition is delivered to the Secretary of the Senate.

C. A majority of the voting members of the Senate shall constitute a quorum.

D. Upon recognition by the Chair of the Senate, Voting Faculty who are not members of the Senate may obtain the privileges of the floor and of speaking on the floor of the Senate, without vote, at any meeting. Others may obtain the same privileges by written request to the Chair of the Senate or by resolution of the Senate at any meeting.

E. Unless otherwise provided in this *Charter* or standing orders, the Senate shall observe *Robert's Rules of Order* in conducting its meetings.

2. Meetings of the Executive Committee of the Senate.

A. Meetings of the Executive Committee shall be held at regular intervals, not less frequently than every two weeks September through May exclusive of official university recesses, and at such additional times as the Executive Committee or the Chair of the Executive Committee shall deem necessary.

B. A majority of the voting members of the Executive Committee shall constitute a quorum.

C. The Executive Committee may adopt such rules for the transaction of its business as it may deem necessary. In all areas not governed by such rules, *Robert's Rules of Order* will apply to the conduct of its meetings.

## **Article VIII: Amendments**

1. Amendments to this *Charter* may be proposed by:
  - A. Petition of ten percent (10%) of the UB Faculty Senate, or
  - B. Petition of ten percent (10%) of the Voting Faculty, or
  - C. The Bylaws Committee of the UB Faculty Senate.
  
2. Amendments to this *Charter* proposed for the consideration of the Senate shall be presented in writing to the Secretary of the Senate. The Secretary shall transmit the proposed amendment to the Executive Committee, which shall in turn forward it to the Bylaws Committee for its consideration and recommendation(s). After receiving the report of the Bylaws Committee, the Executive Committee shall forward the proposed amendment to the Senate along with its recommendation. If the Executive Committee fails to act on and transmit the proposed amendment to the Senate within 60 days after it is received by the Secretary of the Senate, the Secretary will transmit the proposed amendment to the Senate at its next scheduled meeting. Such proposed amendment shall take precedence over any other item on the agenda for that Senate meeting.
  
3. Amendments to this *Charter* shall be adopted either:
  - A. Upon an affirmative vote of two thirds of the Senators present and voting in a regular or special meeting of the Senate, a quorum being present, or,
  - B. Upon an affirmative vote of a majority of those casting ballots in a referendum of the Voting Faculty.
  
4. The procedure for adopting amendments set forth in Article VIII.3.A shall be followed when amendments are proposed by petition of members of the UB Faculty Senate or by proposal of the Senate's Bylaws Committee as set forth in Article VIII.1.A and VIII .1.C.
  
5. The procedure for adopting amendments set forth in Article VIII.3.B shall be followed when amendments are proposed by petition of members of the Voting Faculty as set forth in Article VIII.1.B.
  
6. Amendments proposed for the consideration of the Voting Faculty shall be treated according to the procedures specified in Article VII, Paragraph 3, of the *Bylaws of the Voting Faculty*.
  
7. No amendment to this *Charter* may be adopted between May 1 and September 30 of any year.

**Article IX: Separability Clause**

If any clause, sentence, paragraph, section, or part of this *Charter* shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

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For further information, contact the Faculty Senate at (716) 645-2003 or at its e-mail address: [zbfacsen@acsu.buffalo.edu](mailto:zbfacsen@acsu.buffalo.edu)