



Minutes

Date: February 14, 2023

Time: 2:30 p.m.

Location: Edgar Brown Union Student Senate Chambers

President Vernon called the Faculty Senate meeting to order at 2:32 pm.

1. APPROVAL OF MINUTES

Minutes approved as distributed.

2. SPECIAL ORDERS

No special order.

3. REPORT

- a. Robert H. Jones, Executive Vice President for Academic Affairs & Provost

Dr. Jones presented several updates:

1. Resource-Based Budget (RCM): Currently, the administration is working is how the budget looks. There will be two shadow years, FY2024 and FY2025. The administration is meeting with various teams to forecast different RBB models using the current budget. This exercise will find ways of doing things more efficiently.
2. Open searches: The College of Education has an open search for the Dean of the college, and several candidates are under review. The Associate Provost and Dean of Undergraduate Studies Jean Bertrand. Inquiries to have students in search committees. Important in the search is that this position serve students with staff reporting. Therefore, student and staff voices are essential.

Questions to the Provost.

There was a question regarding the status of the use of Google suite on campus.

The Provost will gather more information about the status of the Google suite use on campus and report back to the Senate.

Another question that was asked was regarding the recent legislature request.

The request is at an early stage, and our team is watching this and all the bills in the current legislative session.

- a. Standing Committees
 - i. Finance and Infrastructure Committee; Chair Karen Kemper
No report.
 - ii. Research and Scholarship Committee; Chair Hugo Sanabria
No Report.
 - iii. Policy Committee; Chair Svetlana Poznanovik
 - 1. PCR 202107 Faculty Senate Allocation
Votes in favor 19
Votes opposed 1
Approved by majority
 - 2. FSR 202301 Constitutional Faculty and Faculty Senate Apportionment
Approved by majority
 - 3. FSR 202302 Review of Academic Administrators
Approved by majority
 - iv. Scholastic Policies Committee; Chair Peter Laurence
No report.
 - v. Welfare Committee; Chair Lindsay Shuller-Nickles
No report.
- b. University Committees/ Commissions
 - i. Committee on Committees; Chair Mary Beth Kurz
No report.

c. Faculty Representative to the Board of Trustees (BoT); Brian Powell

Dr. Powell reported on the past BoT meeting. Highlights include the education policy committee summer accelerate program for students getting a head start. Feasibility in veterinary medicine with very positive feedback and with a fast timeline. Feasibility studies included visiting vet schools and other due diligence activities.

Dr. Powell also informed the Senate that the next trustee visit to campus is on March 16. The board passed the resolution on adopting the Freedom of Expression on campus

See attached.

d. President's Report

"What a special day it is today. Not only is it Valentine's Day, but it is the Class of '39 Award for Excellence Unveiling Ceremony. This makes me think of the outpouring of love and dedication that each of our nominees, but especially our winner, Dr. Brian Powell, has for our institution, our community and beyond. It is a wonderful time to celebrate and fellowship with our colleagues.

As my term as President winds down, I have had countless people ask me "What's Next?", "Did you like it", "Would you do it again?" and many other similar questions. As we move into new business you will hear a call for Faculty Senate Officer nominations, so I thought it appropriate to briefly answer some of these questions publicly. First, the "What's Next?". Well, honestly, I will return to my full-time faculty role as a teacher, a researcher, and a knowledge disseminator into my community. It's the role I cherish the most and am arguably

the best at doing. It's the reason I went into academia as a career choice. Will I continue in a leadership role elsewhere on campus? Yes, I feel certain I will. My love of all things curriculum-related and my propensity to volunteer for countless committees point towards my continued involvement in some capacity. But being the Faculty Senate President does change you. It makes you more acutely aware of behind-the-scenes decision making that happen daily. It illuminates the struggles that we face globally on campus, in the state and in higher education in general. It makes you appreciate our role as faculty and the impact we make each day. It makes you proud to call each fellow faculty a colleague. So that leads me to the "Did you like it". Of course, I did! It was a daunting task, and one that I doubted I could do from day one, but in the end, it was exhilarating, empowering, and humbling all at the same time. So clearly, the "Would you do it again?" is also an easy question. A resounding yes, even though I may or may not be counting down the days until I get to pass the gavel off to Dave Blakesley, I would 100% do this again. The people I met, the roles I unknowingly assumed, and the impacts I serendipitously made proved this year to be one of personal growth and pride.

So, to anyone thinking about Faculty Senate leadership.... My two words of advice are... do it. Take that leap of faith. Put aside the nay sayers, the ones that say you don't have tenure yet, or that it is too much work, or your service is better somewhere else. Being involved as committee chairs and as an officer has been one of the most profound service roles I have had. Beyond chairing committees in my professional society, hosting conferences, and other university-committee roles, these Senate roles have been meaningful to me. I encourage you to reach out if you are interested and have questions. I encourage you to run for office. The Faculty Senate at Clemson University shares a strong history of relationship building and shared governance not enjoyed at other institutions. I know, I've asked others, they are jealous of what we have here. I hope this relationship continues to be enjoyed and respected for years to come, and I hope that each of you can share a similar story with your colleagues and encourage them to get involved in Senate. Our voice actually matters. In my first Presidential Report at the beginning of my term, I encouraged you to use that voice, and I say to you well done. You have done good work, and for that I thank you."

3. UNFINISHED BUSINESS

No unfinished business

4. NEW BUSINESS

a. Call for Nominations: Faculty Senate Officers
Secretary – No nomination

Vice-President - Nomination of Megan Sheffield by Vice-President David Blakesley

b. Call for Nominations: Alan Schaffer Award

ADJOURN

HUGO SANABRIA, Ph.D.
CLEMSON UNIVERSITY

Faculty Senate Secretary
Associate Professor
Physics and Astronomy
CU School of Health Research Faculty Scholar

ANNOUNCEMENTS:

None

UPCOMING MEETINGS:

1. Convention of Delegates Meeting: March 10th, 2023, 2:30 pm.
2. Faculty Senate Meeting: Tuesday, March 14, 2023, 2:30 pm
3. Faculty Senate Advisory Committee Meeting: March 28th, 2023, 2:30 pm
4. Faculty Senate Executive Committee Meeting: April 4, 2023, 2:30 p.m.



POLICY COMMITTEE REPORT

Standing Agenda Items 202106, 202107 & 202115: Faculty Senate Representation

The Policy Committee has considered this matter under the charge of general university policy review, faculty professional ethics; the appointment, tenure, and promotion of faculty, and faculty participation in university governance and submits this report for consideration by the Faculty Senate.

Background

These agenda items were committed to the Policy Committee by Faculty Senate President Thompson Mefford during a regular meeting of the Executive Committee in 2021. Faculty Senate President Kristine Vernon re-committed the matters during a regular meeting of the Executive Committee in April 2022. This consideration originated from action items and goals in the Faculty Senate's Strategic Plan for Inclusive Excellence to increase the representation of departments and faculty in the University's policy making assembly, the Faculty Senate.

The Policy Committee reviewed past reports including BR 202001, PCR 202001, PCR 201901, PCR 202112, and WCR 202223. Additionally, the Policy Committee has taken into consideration recent reports from the Convention of the Delegates including CODR 202101. This report includes considerations of three agenda items (202107, 202115, and 202106) regarding the membership constraints and apportionment of the Faculty Senate. The committee submits this report on all three standing agenda items.

The 2020 background report provided a summary of alternative apportionment ratios, while agenda item 202001 analyzed the reapportionment because of small allocation to colleges, specifically Education and Libraries. Recent reports from the Faculty Senate and the strategic goal of membership among the Association of American Universities (AAU) bears on this committee's reconsideration of reapportionment to not only consider broadening representation to specific departments, but also to include Special Faculty ranks as eligible members. The peer group from previous discussions was limited to institutions designated as land grant institutions in accordance with the definitions of the Morrill Acts of 1862 and 1890 and with the Carnegie Classification™ designation of R1 "Doctoral Universities – Highest Research Activity". An additional criterion was added to limit institutions to those with enrollment within 10% of Clemson University's total student

enrollment (25,822). These criteria established seven institutions in the sample: University of Delaware, Auburn University, Kansas State University, University of Nebraska-Lincoln, Clemson University, University of Arkansas, and Oklahoma State University-Main Campus.¹

This aspirational peer group has been modified to reflect the additional criteria of membership in the AAU and includes 12 institutions: Michigan State University; Purdue University; Rutgers University, New Brunswick; Texas A&M University; The Ohio State University; The Pennsylvania State University; The University of Arizona; University of Florida; University of Illinois, Urbana-Champaign; University of Maryland, College Park; University of Minnesota, Twin Cities; and University of Missouri, Columbia. Summaries of each institution's policies are appended to this report.

The analysis included determining for each institution:

- The number of eligible faculty
- Number of representative Senators
- Ratio of senators to faculty (apportionment ratio)
- Special faculty eligible for representation
- Combined representative assembly (staff, students, administrators, and faculty)
- Level of represented unit

Only two of the 12 institutions (Purdue and Ohio State) in the peer group exclude non tenure track faculty from service in the faculty assembly. Half of the assemblies (six) are combined shared governance entities, meaning they include staff, students, and administrators. Three are classified as limited combined assemblies, meaning they include voting members from across employment classifications (students, administrators and staff), but at a much smaller ratio. The other four assemblies are comprised of only faculty. Eight of the 12 institutions' assemblies in the peer group are apportioned by college (or equivalent academic units reporting to a Dean). The data is visualized in table 1 below.

¹ BR 202001

Table 1

University	Eligible Faculty	Senators ²	FS Ratio	Special Faculty	Combined	Representation
University of Illinois, Urbana-Champaign	2430	200	0.082	Yes	Yes	Department
University of Minnesota, Twin Cities	2416	155	0.064	Yes	Limited	Department
The Pennsylvania State University	3395	212	0.062	Yes	Yes	College
University of Maryland, College Park	1843	104	0.056	Yes	Yes	College
Purdue University	1747 ³	94	0.054	No ⁴	Limited	Department
University of Florida	2909	150	0.052	Yes	Limited	Department
Texas A&M University	2901	120	0.041	Yes	No	College
The Ohio State University	2196 ³	71	0.032	No ⁵	Yes	College
Michigan State University	2291	72	0.031	Yes	No	College
Rutgers University, New Brunswick	4324	116	0.027	Yes	Yes	College
University of Missouri, Columbia	1354	35	0.026	Yes	No	College
Clemson University	1035	35	0.034	No	No	College
The University of Arizona	2380	51	0.021	Yes	Yes	College

Discussion

The committee considered the agenda item by dividing the topic of representation into three parts:

1. The definition of faculty;
2. Apportioning the Faculty Senate; and
3. The effects of change.

Defining the Faculty

American Association of University Professors (AAUP)

“The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process.”⁶

² Number of Senators and Faculty Senate Ratios were computed according to the institution’s membership requirements

³ Only tenure track faculty are eligible

⁴ Clinical faculty are eligible

⁵ Faculty can be granted eligibility by the college faculty

⁶ AAUP, Statement on Government of Colleges and Universities, 1966 (<https://www.aaup.org/report/statement-government-colleges-and-universities>)

“Curricular and other academic decisions benefit from the participation of all faculty, especially those who teach core courses. Governance responsibilities should be shared among all faculty at an institution, including those appointed to less-than-full-time positions.”⁷

“In some AAUP policy documents, ambiguity results from a tendency to treat the concept of “faculty” as if its definition were self-evident. For example, the Statement on Government’s assertion that “[f]aculty representatives should be selected by the faculty according to procedures determined by the faculty” begs the question of who the faculty are. Does a system in which only tenured or tenure-track faculty can decide upon election procedures that apply only to tenured or tenure-track faculty meet the standard of fairness?

Institutional policies should define as “faculty” and include in governance bodies at all levels individuals whose appointments consist primarily of teaching or research activities conducted at a professional level. These include (1) tenured faculty, (2) tenure-track faculty, (3) full- and part-time non-tenure-track teachers and researchers, (4) graduate-student employees and postdoctoral fellows who are primarily teachers or researchers, and (5) librarians who participate substantially in the process of teaching or research. Those individuals whose primary duties are administrative should not be defined as faculty.

While reserving a specified number of seats for contingent faculty may be adopted as a transitional mechanism to ensure at least some contingent faculty representation in institutional governance bodies, ideally there should be no minimum or maximum number of seats reserved in institutional governance bodies where representation of contingent faculty is appropriate, as described elsewhere in this report.

All members of the faculty, defined on the basis of their primary function as teachers or researchers and assuming that they meet any time-in-service requirements, should be eligible to vote in all elections for institutional governance bodies on the basis of one person, one vote.”⁸

Clemson University – from *The Constitution of the Faculty of Clemson University*

“The Faculty of Clemson University consists of the President; Executive Vice President for Academic Affairs and Provost; other administrators with faculty rank; faculty with regular appointments as Professor, Associate Professor,

⁷ AAUP, Contingent Appointments and the Academic Profession, 2003 (<https://www.aaup.org/report/contingent-appointments-and-academic-profession>)

⁸ AAUP, The Inclusion in Governance of Faculty Members Holding Contingent Appointments, 2012 (<https://www.aaup.org/report/inclusion-governance-faculty-members-holding-contingent-appointments>)

Assistant Professor, or Instructor; Librarians; Emeritus Faculty; and such other individuals as the faculty may duly elect. A petition for the election to membership in the Faculty of any person who is not automatically a member must be submitted to the Faculty Senate and referred by that body, with its recommendation, to the faculty for action at the next regular meeting of the faculty. Election to membership shall be by simple majority vote of the members present.”⁹

“Any member of the Faculty may be eligible for membership on the Faculty Senate, except department chairs, school directors, deans, the Executive Vice President for Academic Affairs and Provost, vice Provosts, vice presidents, the president, and others with primarily administrative duties.”¹⁰

The Constitution limits shared governance participation by narrowly defining faculty as tenured and tenure track (TT). The most obvious solution to reaffirm Clemson University’s commitment to the principles outlined by the AAUP, as recommended by the Convention of the Delegates and the Welfare Committee, is to amend the definition by: including additional eligible faculty titles, redefining faculty by percentage of employment and primary function (i.e. full time instructional/research/clinical appointment), or defining faculty as TT and Non-TT and making both eligible for membership. The committee concurs with the Welfare Committee and the Convention of the Delegates regarding the inclusion of Special Faculty as members of the constitutionally defined faculty.

To that end the Policy Committee recommends defining the faculty as tenured and tenure-track faculty and librarians and non-tenure track faculty with the primary responsibility of teaching, research, and service or any combination thereof except faculty with the adjunct, visiting or temporary rank modifiers and post-doctoral researchers.

The committee discussed a combined Senate and finds that such a concept, while intriguing because of the number of peer aspirational institutions that have one, is beyond the scope of the charges from the three agenda items. Additionally, the committee considered the concept exercised at some peer aspirational institutions where academic administrators serve as members of the primary shared governance assembly, but also found that this topic was beyond the scope of this agenda item as well. However, academic administrators, according to the AAUP, bear some rights and responsibilities in shared governance so it may be worth discussion by the Faculty Senate in the future.

⁹ The Constitution of the Faculty of Clemson University Article I§1

¹⁰ The Constitution of the Faculty of Clemson University Article II§2

Defining the Apportionment

The Committee was charged with considering ways to increase departmental representation within the Faculty Senate. This consideration, combined with the recommendation above to increase the constitutional eligibility of members of the faculty, highlight the inadequacy of the membership cap on the Faculty Senate. For decades, 35 members have comprised the membership of the Faculty Senate; when the number of eligible faculty was several hundred and even now as we consider expanding the constitutional faculty to near 1500. The basis of the Faculty Senate's representation is proportional to the number of faculty in each college, so it is logical to suggest that the representation should increase with the size of the faculty. In fact, aspirational peer AAU institutions have larger faculty assemblies as detailed in the background section. Even in prior background reports (LGR1 peer group), Clemson University's Faculty Senate is among the smallest representative bodies.

Apportionment is the process of assigning representation. Apportionment discussions must include a debate concerning equal (or fixed) versus proportional representation. For this report, equal representation sets one representative for a defined number of constituent faculty (i.e. 1 fixed seat for every 25 faculty). Proportional representation is based on the total number of constituents against a defined number of representatives (Clemson University's current system).

Clemson University's Faculty Senate is a capped proportional system. The Constitution indicates:

“there shall be thirty-five members of the Faculty Senate. Emeritus faculty are excluded from the Faculty count for the purpose of Senate seat allocation. Senate seats shall be allocated according to the ratio of the number of members of the Faculty in a college to the total number of members of the Faculty in the university. Each college shall have as many seats as are in the nearest whole number when its ratio is multiplied by thirty-five, provided each college has at least one representative. For the purposes of this calculation, the Library is considered a college.

If the total number of seats allocated thus far is less than thirty-five, the remaining seats are allocated to the colleges with the larger fractions until there is a total of thirty-five members. If this formula produces an exact tie for a seat, each college involved shall be awarded a seat.”¹¹

The Policy Committee considered a number of different approaches to defining the apportionment ratio that achieves high representation across departments while maintaining proportional representation at the college level. This discussion included apportionment mechanisms utilized by peer aspirational AAU institutions. Ultimately, the committee opted to avoid complicating the apportionment process and recommends a simple mechanism such that each college is apportioned:

¹¹ The Constitution of the Faculty of Clemson University Art.II§2

- One seat for each academic unit; and
- One seat for every 40 members of eligible faculty.

Based on January faculty counts, such an apportionment would result in the seat allocation indicated in Table 2. This apportionment includes the recommended changes to eligible faculty. The 37 proportional seats (based on 1 for each 40 faculty) is close enough to the current fixed number of senators (35) to provide a comparison of apportionment ratios before and after the recommended changes. Currently the Faculty Senate’s apportionment ratio with 1,035 faculty and 35 senators is .034. The recommended changes would increase the eligible faculty to 1,465 and increase the apportionment ratio to .075. This apportionment ratio falls into the higher end of the representation spectrum of the aspirational peer AAU institutions examined by this report (table 1).

Table 2

College	# of Eligible Faculty	# of proportional seats	# of Departments	# of seats (total)
College of Agriculture, Forestry & Life Sciences	147	4	5	9
College of Architecture, Arts & Humanities	269	7	8	15
College of Behavioral, Social, and Health Sciences	224	6	7	13
College of Business	150	4	6	10
College of Education	73	2	3	5
College of Engineering, Computer and Applied Sciences	295	7	9	16
College of Science	247	6	5	11
University Libraries	34	1	1	2
Total	1465	37		81

The final language will be dependent on the Policy Committee’s definition of the academic unit called “department” in this report. The Constitution defines a department as “a discipline-specific, self-governing unit within a school or college”¹². The committee has identified two issues that are related to this definition:

1. The definition of “discipline-specific” is ambiguous to an extent such that multiple *related* or *non-related* disciplines may be found in a single academic department or school across the institution and may include the interpretation that an academic department **must** only include one discipline.

Clarifying the definition of “department” as an academic unit is a current agenda item for this committee and the discussion of the topic does not fall within the charge of this agenda item. However, the charge specifies defining academic units within the *Faculty*

¹² The Constitution of the Faculty of Clemson University, Preamble

Manual. Additionally, the formation of academic “schools” because of a departmental merger or multi-disciplinary departments confounds this issue further.

2. The definition falls under the Preamble of the Constitution

The committee discussed multiple schools of thought where Preambles to governing documents are concerned. First is the idea that the Preamble is not an official article of the constitution, thus not *legally* binding, as the Preamble serves as guidance or introduction. This conflicts with the fact that “department” is not defined elsewhere in the Constitution, yet its definition may be necessary for implementation of the recommended changes.

These issues are complicated with the second phrase, “self-governing unit within a school or college”, when considering the labels used to describe academic units such as academic units titled “school” without self-governing departments. The Board of Trustees very clearly gives the institution the authority to organize into collegiate faculties and such provisions are found in the Constitution in Article III. For simplicity, the Committee will maintain the college-centric theme of the Constitution by establishing that “self-governing academic unit” will be the basis of recognizing a **represented academic unit**. At this time, the committees does not find sufficient cause to further define academic units contained within “Colleges” in the Constitution.

The Policy Committee recommends each college is allocated one seat for every represented academic unit and 1 seat for every 40 eligible faculty in that college.

Effects

The committee discussed the ramifications of each of the changes. The Constitution references “faculty” as members of the general faculty, the Faculty Senate, the Grievance Board, and the collegiate faculty.

The Faculty Senate must consider the instances of “regular faculty” in the *Faculty Manual*, but this is beyond the scope of this agenda item and the policies contained in the *Faculty Manual* concerning “regular faculty” are not impacted by any proposed change. Coincidentally, the Faculty Senate approved, during the regular meeting in December 2022, the commitment of Standing Agenda Item 202209 to the Policy Committee to address the subject of “regular faculty” in the *Faculty Manual*.

General Faculty

The committee finds there is no negative impact to expanding the membership of the general faculty other than a higher physical number of faculty to consider and approve constitutional amendments. The size of the General Faculty assembly would increase to include the recommended faculty; however, the quorum requirements for regular business would remain unchanged.

Faculty Senate

The committee finds that increasing the size of the Faculty Senate would:

- Increase senate committee size which would increase each committee's capacity to investigate and report of agenda items within their constitutional charges. Additionally, the increase in total capacity would allow for greater flexibility when considering temporary committees to consider additional items. Members of temporary committees are majority senators and the increase in capacity would enable standing committees to still have adequate capacity to complete their agenda items even after contributing members to temporary committees.
- Provide leadership opportunities for an increased number of faculty of all ranks.
- Provide more intercollegiate interaction and collaboration.
- Result in the redundance of "alternate" Senators.
- Increase the pool of members eligible for election to the University Grievance Board considering that constitutional eligibility is based on "tenured regular faculty" that shall be "members, alternates, or former members of the Faculty Senate"¹³

Conversely:

- The potential for outsized representation of special faculty representatives on the Faculty Senate.
- The increase in the number of Faculty Senators would naturally increase the size of the standing committees from approximately 7 to 11. The additional faculty may place a burden on committee chairs in managing committee business.

Collegiate Faculty

The committee finds that expanding the definition of faculty would impact the definition of faculty in the colleges. There is no consistent definition of membership in the "collegiate faculty" across the colleges' bylaws resulting in varying degrees of permissive participation by "special faculty" in shared governance at that level. This also affects the provisions at the departmental level. Since the Constitution is the highest governing document, changes to the definition would necessitate changes to college bylaws to conform in granting "special faculty" membership rights in the faculty of each college. However, any change to the Constitution, once approved, would take effect immediately and conflicting collegiate policies would not supersede the Constitution. Simply put, anyone granted faculty status in the Constitution would have the rights and responsibilities thereof regardless of what the collegiate bylaws may indicate. The *Faculty Manual*, collegiate and departmental bylaws would have to be made explicit in which shared governance functions non-tenure track faculty can and cannot participate in, maintaining a close relationship with the principles of shared governance of the AAUP. In the interim, the *Faculty Manual* currently delineates between tenured, tenure-track and non-tenure track faculty with the adjectives "regular" and "special" and does not inherently conflict with the Constitution.

The Constitution does limit membership on the Curriculum Committees, indicating that, "The Undergraduate Curriculum Committee shall be comprised of the Dean of

¹³ The Constitution of the Faculty of Clemson University Art.II§8

Undergraduate Studies or other members of the Provost’s staff designated by the Provost as non-voting Chairperson, plus two representatives of the undergraduate curriculum committees of the several colleges”¹⁴ and “The curriculum committees shall review all curricular proposals in their respective areas of jurisdiction that emanate from the several collegiate faculties”¹⁵. The membership constraint on the various curriculum committees is grounded in the definition of constitutional faculty. Currently, curriculum committee membership is limited to tenured and tenure track faculty because of the current definition of faculty in the Constitution, which defines the membership of the collegiate faculty. “Special Faculty” would now be included and, per the Constitution, be counted as members of the collegiate faculty, entitling them to membership on the various curriculum committees. This would cause a conflict with the *Faculty Manual* that indicates “Voting membership of college curriculum committees is limited to regular faculty.”¹⁶ and defining regular faculty as tenured and tenure track. The Policy Committee discussed this impact by engaging the typical arguments in support and opposition of contingent, contract, or instructional faculty recommending, reviewing, and approving curricular agenda items. The Policy Committee is satisfied that because these positions are elected, departments and colleges can self-determine who they feel is best suited to represent their academic unit in curricular discussions and placing a limit at the university level is extraneous.

Grievance Board

The Grievance Board has multiple constraints set by the Constitution¹⁷, including the requirement that members “must be tenured regular faculty at the time of their election, and shall be members, alternates, or former members of the Faculty Senate.” The committee finds that addressing the membership of the Grievance Board is not within the scope of these agenda items but does find that the membership would be unaffected by this proposal. However as indicated above, the eligible pool of former members of the Faculty Senate may increase as the colleges would be allocated more seats each year.

Findings

The committee finds that the constitutional definition of faculty is limiting and in contradiction to the principles of shared governance as recommended by the AAUP and exercised by AAU aspirational peer institutions.

The committee finds the current definition of faculty unduly constrains Faculty Senate membership, effectively limiting eligibility to tenure track faculty, and inadequately defines the relationship of certain classes of faculty to shared governance at this institution.

¹⁴ The Constitution of the Faculty of Clemson University Art.IV§2

¹⁵ The Constitution of the Faculty of Clemson University Art.IV§3

¹⁶ Clemson University Faculty Manual, Chapter IX§K3f (p. 132)

¹⁷ The Constitution of the Faculty of Clemson University Art.II§8

The committee finds that the current fixed apportionment ratio is insufficient, considering the growth of the faculty since the Faculty Senate's inception, for representation across departments.

Recommendations

Based on the discussion and findings indicated above, the Policy Committee recommends that the Constitution of the Faculty of Clemson University is amended to:

1. Define the constitutional faculty as tenured and tenure- track faculty and librarians and non-tenure track faculty with the primary responsibility of teaching, research, and service or any combination thereof except faculty with the adjunct, visiting or temporary rank modifiers and post-doctoral researchers.
2. Amend the current Faculty Senate membership eligibility to include tenured and tenure- track faculty and librarians and non-tenure track faculty with the primary responsibility of teaching, research, and service or any combination thereof with the exception of faculty appointed with the academic rank modifiers of "adjunct, visiting or temporary" and post-doctoral researchers.
3. Allocate to each college 1 seat for every represented academic unit within a college and 1 seat for every 40 eligible faculty in that college.

The Policy Committee will draft a resolution to amend the Constitution of the Faculty of Clemson University upon acceptance of these recommendations by the Faculty Senate.

Policy and Literature Review

This section contains a summary of Land Grant R1 Public AAU member institutional policies regarding the structure of Faculty Senates and faculty membership.

Michigan State University¹⁸

72 Senators

3 Ex-officio nonvoting members

The voting faculty in the election of University-level councils and committees shall be all regular faculty, health professions faculty, and FRIB/NSCL faculty. Voting faculty also includes full-time fixed-term faculty who have served at least three consecutive years and full-time academic specialists who have served at least three consecutive years. Voting faculty must be engaged in academic activities of the university.

The first contingent of voting members of the Faculty Senate will be composed of faculty representatives from each college at the university. The college advisory committee/council in each college will conduct the election of that college's representatives. The Secretary for Academic Governance will oversee the elections.

Each college shall have at least two representatives, one of whom will be the chairperson of the College Advisory Committee. Each college shall have one additional representative for every additional fifty voting faculty in excess of one hundred not to exceed five total representatives. Each college with three or more representatives shall have at least one non-tenured faculty member among its representatives.

The second contingent of voting members of the Faculty Senate consists of the at-large faculty representatives on the Steering Committee (3.4.1.1).

The third contingent of voting members of the Faculty Senate consists of the individuals who sit as chairpersons of the University-level Standing Committees.

The President, the Provost, one elected member from ASMSU, one elected member from COGS, and the chairperson of the Athletic Council will serve as ex-officio members of the Faculty Senate, with voice, but no vote.

One representative of the faculty emeriti will serve as an ex-officio member of the Faculty Senate, with voice, but no vote.

The Secretary for Academic Governance shall be the Secretary of the Faculty Senate and shall serve as a non-voting ex-officio member of the Faculty Senate.

¹⁸ <https://acadgov.msu.edu/bylaws>

Purdue University¹⁹

The Senate is composed of 104 members.

The representation of the Senate is apportioned as follows:

The President of the University.

The Chief Academic Officer and the Chief Fiscal Officer of the University.

The Chairperson and Vice Chairperson of the Senate.

Three members elected by and representing the faculties of the regional campuses: one each from Purdue Northwest, Purdue Fort Wayne, and Indiana University—Purdue University Indianapolis.

One undergraduate student member selected annually by the Purdue Student Government (PSG) and one graduate student member selected annually by the Purdue Graduate Student Government (PGSG), with terms of office to begin on June 1.

The remaining ninety-four members are apportioned among the faculty units according to the number of faculty members attached to the respective faculty unit. This includes those the President assigns to participate in faculty government procedures, with the provision that no faculty unit has fewer than two members. Where a Dean is administratively responsible for more than one school, the faculties of these schools are considered a single faculty unit.

Between six and sixteen designated Advisors to the Senate are accorded full floor privileges but not the vote. The Advisors are members of the administrative staff appointed to the Senate by virtue of their positions. One of these is the Secretary of Faculties, who acts as Secretary to the Senate. Advisors may serve as members of Senate committees.

The Senate recommends the Advisors' Senate and committee assignments for a three-year term to begin the following academic year. When vacancies occur, the Nominating Committee consults with the chairpersons of the Senate Standing Committees and then, at the second regular meeting of the Senate in the spring, proposes to the Senate a slate of Advisors and their committee assignments. The Senate may recommend that Advisors serve successive terms.

An immediate past Chairperson of the Senate who has not been elected to a new Senate term serves as an ex officio member of the Senate, with full floor privileges but not the vote.

Only members of the voting faculty with professorial rank (tenured, tenure-track, and clinical faculty) are eligible for election to the Senate. Deans, Associate Deans, and Assistant Deans may not serve as Senators.

¹⁹ <https://www.purdue.edu/senate/about/bylaws.php>

Rutgers University, New Brunswick²⁰

The University Senate is composed of 217 Members: 116 Faculty, 21 Staff, 35 Administrators, 8 Alumni, and 36 Students.

To be elected to the Senate shall refer to tenure-track, non-tenure-track, and clinical faculty members of the University (other than part-time lecturers) holding the ranks: Distinguished Professor, Distinguished Teaching Professor, Distinguished Research Professor, Distinguished Clinical Professor, Distinguished Clinical Professor Law, Distinguished Extension Specialist, Distinguished Professor of Professional Practice, Professor, Teaching Professor, Research Professor, Clinical Professor, Clinical Professor Law, Extension Specialist, County Agent I, Professor of Professional Practice, Librarian I, Librarian of Practice I, Associate Professor, Associate Teaching Professor, Associate Research Professor, Clinical Associate Professor, Clinical Associate Professor Law, Associate Extension Specialist, County Agent II, Associate Professor of Professional Practice, Librarian II, Librarian of Practice II, Assistant Professor, Assistant Teaching Professor, Assistant Research Professor, Clinical Assistant Professor, Clinical Assistant Professor Law, Assistant Extension Specialist, County Agent III, Assistant Professor of Professional Practice, Librarian III, Librarian of Practice III, Instructor, Teaching Instructor, Research Associate, Clinical Instructor, Clinical Instructor Law, Extension Associate, County Agent IV, Instructor of Professional Practice, Librarian IV, Librarian of Practice IV, Assistant Instructor, Research Assistant, Clinical Assistant Instructor, Extension Assistant, County Agent V, Librarian V, Distinguished Professor, Professor, Adjunct Professor, Clinical Professor, Associate Professor, Adjunct Associate Professor, Clinical Associate Professor, Assistant Professor, Adjunct Assistant Professor, Clinical Assistant Professor, Instructor, Adjunct Instructor, and Clinical Instructor.²¹

Texas A&M University²²

For the purposes of apportionment, the population of an electoral unit (Colleges, Library, and College of Medicine) shall be determined as follows:

Each full-time equivalent faculty shall count as one member.

Each part-time faculty member shall count as one-fifth member.

The College of Medicine shall have two representatives from the clinical faculty of the College of Medicine. The College of Medicine shall otherwise be apportioned as above for their non-clinical faculty.

The number of seats established by apportionment shall not exceed 120.

No electoral unit shall have fewer than two senators.

For purposes of the Faculty Senate, individuals eligible for election shall be all faculty employed by Texas A&M University (1) whose appointment was approved by the Provost of Texas A&M University (2) whose faculty appointment at TAMU is the person's primary long-term position and (3) who is employed at TAMU with an annual FTE of at least

²⁰ <https://senate.rutgers.edu/about-the-senate/>

²¹ <https://policies.rutgers.edu/view-policies/governance-legal-matters—section-50>

²² <https://facultysenate.tamu.edu/Governing-Documents/Constitution>

0.75. Other academic appointees who receive full time salary from funds appropriated as teaching or library salaries shall also be counted as faculty.

The Ohio State University

The membership of the senate consists of 71 faculty, 41 students, 24 administrators, and 5 staff members.²³²⁴

A college or academic unit that appoints clinical/teaching/practice faculty determines the level of participation in college and departmental structures.²⁵

A college or academic unit that appoints clinical/teaching/practice faculty and elects senators may, by vote of at least a majority of all of its tenure-track faculty, determine that the clinical/teaching/practice members of its faculty are eligible for election to the university senate.

Following approval by a college or academic unit of eligibility of its clinical/teaching/practice faculty for election to the senate under the foregoing paragraph:

For purposes of selection of university senators, the electorate for the college or academic unit shall be composed of all tenure-track and clinical/teaching/practice faculty.

Any clinical/teaching/practice faculty member appointed by the college or academic unit may stand for election to serve as a representative in the senate.

The minimum and maximum numbers of clinical/teaching/practice faculty from each college or academic unit that may serve as representatives in the senate shall be determined by majority vote of tenure-track and clinical/teaching/practice faculty appointed by that college or academic unit within the limits provided for in paragraph (C)(4) of this rule.

One senator or not more than forty-five per cent of the senators representing that college or academic unit, whichever is greater, may be clinical/teaching/practice faculty of the college or academic unit.

Clinical/teaching/practice faculty will not be eligible to vote on the promotion or tenure of tenure-track faculty or the promotion of research faculty.

The Pennsylvania State University²⁶

For the purpose of defining the electorate of the Senate, the term “University faculty” shall mean all persons who hold full-time academic appointments, including instructors and all

²³ <https://senate.osu.edu/who-we-are>

²⁴ <https://codes.ohio.gov/ohio-administrative-code/rule-3335-5-37>

²⁵ <https://codes.ohio.gov/ohio-administrative-code/rule-3335-7-11>

²⁶ <https://senate.psu.edu/senators/faculty-senate-governance-documents/#membership>

professorial ranks and equivalent ranks as defined in University Policy AC21, with the following exclusions:

- (a) The President's immediate staff;
- (b) The immediate staff of the Executive Vice President and Provost, including Vice Provosts and Associate and Assistant Vice Provosts;
- (c) Other Vice Presidents, including Associate and Assistant Vice Presidents, Academic Deans and Chancellors;
- (d) Those holding affiliate academic appointments;
- (e) Faculty members of the Pennsylvania College of Technology.

The University of Arizona²⁷

The 70 voting members of the Faculty Senate are comprised as follows: 51 elected representatives (20 At-Large members and 31 members elected by colleges), 10 ex officio representatives, 1 member from the Appointed Professionals Advisory Council, 1 member from the Classified Staff Council and 7 students' representatives (4 students from ASUA and 3 students from GPSC). Faculty Senate membership is described in the Bylaws, Article VIII, Section 2.²⁸

Elected members of the Faculty Senate will hold office for two years, beginning on June 1 of the year in which they are elected, in accordance with the following:

Twenty members shall be elected, prior to June 1 of the odd-numbered years, by the General Faculty. These shall be designated Senators-at-Large.

A minimum of one member shall be elected prior to June 1 of the even-numbered years by each College Faculty. General Faculty members not affiliated with any college shall conduct an election as if they constitute a common college. Elected members of the Faculty Senate in addition to the twenty elected by the General Faculty and the ones elected by each College Faculty, including those acting as a common college, shall be apportioned among the several, but not necessarily all colleges, essentially in proportion to the number in each College Faculty. Such apportionment is to be established in accord with the census of the General Faculty by the Committee on Faculty Membership.

For purposes of University government, the General Faculty of The University of Arizona is composed of: Individuals who hold at least half-time tenured or tenure-eligible faculty appointments, Individuals who hold at least half-time continuing or continuing-eligible appointments, Individuals who hold at least half-time multi-year career-track appointments, Individuals who have held at least half-time year-to-year career-track faculty appointments for three (3) of the past four (4) years and who currently hold lecturer

²⁷ <https://facultygovernance.arizona.edu/participate/faculty-senate#requirements>

²⁸ <https://facultygovernance.arizona.edu/faculty-senate/faculty-senate-roster>

or ranked professorial titles that do not include an adjunct or visiting modifier, and Individuals who hold Emeritus status.²⁹

University of Florida

Elected Members who shall be apportioned among the academic units in proportion to the number of faculty members in each unit, except that no unit is to have fewer than two senate seats, and no unit is to have more than twenty-five seats (one-sixth of the total number of seats). Apportionment shall be determined as follows:

Determine the percentage of faculty members in each unit by dividing the number of faculty members in that unit by the total number of faculty members. Multiply that fraction times the total number of seats in the Senate (150) and round to determine the number of seats each unit is proportionally entitled to. In rounding, standard conventions should be applied, so fractions of .5 or more are rounded up, and fractions less than .5 are rounded down. If any unit receives more than one-sixth (25) of the total seats available in the Senate, that unit is assigned 25 seats. If any unit receives fewer than two seats in step one, that unit is assigned two seats. If the total number of seats assigned in steps 1-3 is less than 150, determine the total number of faculty members in the units which have not been assigned their number of seats in Steps 2 and 3, and determine the remaining number of seats to be assigned. Determine the proportionate share of each of these units by dividing the number of faculty members in that unit by the number from step 4. Multiply that fraction times the number of seats remaining to be assigned after step 3 and round to determine the number of seats each unit is proportionally entitled to, as in Step 1. If any unit would be assigned more than 25 seats, then it is assigned 25 seats and if any unit would be assigned fewer than 2 seats, it is assigned 2 seats. Steps 4 and 5 are now repeated with the additional units removed. If, owing to the necessary rounding off procedure, more or less than 150 seats have been awarded in the previous steps, adjust as follows. If more, reduce the number by subtracting one seat from as many units receiving seats through the rounding-off process as necessary, beginning with the smallest fraction that had led to an additional seat, until the total number of seats assigned is 150. If less, increase the number by adding one seat from as many units receiving seats through the rounding-off process as necessary, beginning with the largest fraction that had not led to an additional seat, until the total number of seats assigned is 150.³⁰

Only faculty as defined in Article III, Section 1, of this Constitution are eligible to be counted in determining the proportional representation of Academic Units within the Faculty Senate, to be elected to the Faculty Senate, and to vote for members of the Faculty Senate. The faculty of the University of Florida are those persons employed by the University of Florida during the regular academic year whose primary assignment is to carry out the academic mission of the University, namely, teaching, research and academic service. Titles of these persons shall be set forth in the Senate Bylaws. Questions about the faculty status of an individual shall be resolved by a committee charged with evaluating academic qualifications in the college in which the individual is appointed. The

²⁹ <https://arizona.app.box.com/s/r8ndupxl34xz5ori3lq1mx8l3v4et6bu>

³⁰ <https://generalcounsel.ufl.edu/media/generalcounselufledu/documents/Bylaws.pdf>

committee shall determine status based on whether the primary assignment is the carrying out of the academic mission of the University.³¹

Persons employed by the University of Florida during the regular academic year are members of the faculty if they hold one of the following academic titles:

- (a) Eminent Scholar
- (b) Graduate Research Professor
- (c) Distinguished Service Professor, Distinguished Research Curator
- (d) Distinguished Professor

33 of 35

Amendments adopted by the Faculty Senate through April 14, 2022

- (e) Professor, Associate Professor, or Assistant Professor
- (f) Curator, Associate Curator, or Assistant Curator
- (g) Research Scientist, Associate Research Scientist, or Assistant Research Scientist
- (h) Scholar, Associate Scholar, or Assistant Scholar
- (i) Engineer, Associate Engineer, or Assistant Engineer
- (j) Extension Scientist, Associate Extension Scientist, or Assistant Extension Scientist
- (k) University Librarian, Associate University Librarian, or Assistant University Librarian
- (l) Master Lecturer, Senior Lecturer, or Lecturer
- (m) PKY University Developmental Research School Professor, PKY Associate Professor, PKY Assistant Professor, or PKY Instructor
- (n) County Extension Agent IV, County Extension Agent III, County Extension Agent II, County Extension Agent I
- (o) Any of the above titles modified only by Clinical, Research, Extension, or Of Practice.³²

University of Illinois, Urbana-Champaign

The Senate of the Urbana-Champaign Campus is a legislative body composed of about 200 faculty, 50 students, and ten academic professional members. Duties of Senate committees are specified in the Senate Bylaws.³³

The faculty electorate shall consist of those members of the academic staff who are directly engaged in and responsible for the educational function of the University; ordinarily this will involve teaching and research. The faculty electorate shall consist of all persons of the campus non-visiting academic staff, excluding persons holding administrative appointments in excess of one-half time (the exception to this exclusion are executive officers of departments or similar units, and assistant or associate executive officers of such units, who are otherwise eligible), who:

³¹ <https://generalcounsel.ufl.edu/media/generalcounselufledu/documents/Constitution.pdf>

³² <https://generalcounsel.ufl.edu/media/generalcounselufledu/documents/Bylaws.pdf>

³³ <https://www.senate.illinois.edu>

Hold the modified or unmodified academic rank or title of professor, associate professor, or assistant professor, have at least a one-half time appointment, and are paid by the University; or

Hold the academic rank or title of instructor or lecturer at any rank, have at least a one-half time appointment, are paid by the University, and are not pursuing a degree from this University; or

Are retired members of the campus academic staff with the title of emeritus, and would otherwise be eligible for inclusion in the faculty electorate. However, retired members shall not be counted for purposes of the provisions of Sections 3, 4, and 5 of this Article.

Elections shall be held on the basis of faculty voting units. A faculty voting unit is the smallest academic unit, such as the department or similar unit, in each college or analogous academic division.

Section 4. A voting unit is entitled to elect at least one senator from its membership. Prior to each election, the Senate shall approve an apportionment formula to ensure that the total number of senators from the faculty electorate shall be as close to 200 as possible. The apportionment formula shall specify the number of members of the faculty electorate for allotment of the first senator and a number for the allotment of each additional senator.³⁴

University of Maryland, College Park

The Senate is composed of faculty, staff, students, and administrators that are peer-elected, volunteer, or appointed.³⁵

One faculty Senator shall be elected by the tenured or tenure-track faculty for each 15 faculty members as defined in 3.2.a.(1) above, or major fraction thereof (8 or more); and (2) One faculty Senator shall be elected by the professional track faculty for each 30 faculty members as defined in 3.2.a.(2) above, or major fraction thereof (16 or more).

full-time tenured and tenure-track faculty and their equivalent, defined as:

- (a) faculty who hold a tenured or tenure-track appointment at the rank of Professor, Associate Professor, Assistant Professor,
 - (b) Librarian faculty who hold a permanent status or permanent status-track appointment at the rank of Librarian II, Librarian III, or Librarian IV,
 - (c) Field faculty with titles parallel to the rank of Professor, Associate Professor, Assistant Professor, and
 - (d) Instructors and Lecturers who have job security; and
- (2) full-time professional track faculty³⁶, defined as:

³⁴ <https://www.senate.illinois.edu/constitution.asp>

³⁵ <https://www.senate.umd.edu/about-senate>

³⁶ https://www.senate.umd.edu/sites/default/files/resources/Plan_of_Organization.pdf

1. Instructional faculty series: Junior Lecturers, Lecturers, Senior Lecturers, and Principal Lecturers;
2. Artists-in-Residence series: Assistant Artists-in-Residence, Associate Artists-in-Residence, and Artists-in-Residence;
3. Clinical faculty series: Assistant Clinical Professors, Associate Clinical Professors, and Clinical Professors;
4. Research Professor series: Assistant Research Professors, Associate Research Professors, and Research Professors;
5. Research Scientist series: Assistant Research Scientists, Associate Research Scientists, and Research Scientists;
6. Research Scholar series: Assistant Research Scholars, Associate Research Scholars, and Research Scholars;
7. Research Engineer series: Assistant Research Engineers, Associate Research Engineers, and Research Engineers;
8. Faculty Specialist series: Faculty Specialists, Senior Faculty Specialists, and Principal Faculty Specialists;
9. Agent Associate series: Agent Associates, Senior Agent Associates, and Principal Agent Associates;
10. Faculty Assistants
11. Post-Doctoral ranks: Post-Doctoral Scholars and Post-Doctoral Associates³⁷

University of Minnesota, Twin Cities

The Faculty Senate shall be composed of the following voting members:

- (1) the president of the University;
- (2) the vice chair of the Faculty Senate;
- (3) the 155 elected faculty or qualified academic staff members; and
- (4) the 10 elected members of the Faculty Consultative Committee, the chair and vice-chair of the Faculty Consultative Committee, and the past chair of the Faculty Consultative Committee, who shall serve as ex officio voting members.

The deans, vice presidents, chancellors, provosts, the University Librarian, and the General Counsel shall serve as ex officio nonvoting members.

For the purposes of this constitution, the bylaws, and the rules, the term “faculty” shall include (1) individuals who hold full-time regular appointments as defined in the Regents’ Policy: Faculty Tenure, and (2) individuals who hold full-time multi-year or annually renewable term appointments as defined in the Regents’ Policy: Faculty Tenure and who have completed three years of service at the University.

For the purposes of this constitution, the bylaws, and the rules, the term “qualified academic staff” shall mean individuals who (1) hold full-time appointments as academic professionals, (2) have faculty-like responsibilities with a primary focus on teaching or research, and (3) have probationary/continuous appointments or have completed five years of service at the University.

³⁷ <https://policies.umd.edu/assets/section-ii/II-100G.pdf>

e. For the purposes of this constitution, the bylaws, and the rules, “full-time appointments” are defined as requiring at least 67% time.³⁸

University of Missouri, Columbia

A Faculty Council shall be composed of faculty members who shall be elected by the several divisional faculties as hereinafter provided. The Faculty Council shall have certain delegated authority to act on behalf of the General Faculty (Section 310.010.C.3.c of these Bylaws). In addition, the Council, as a representative faculty voice, shall advise the chancellor and the UMC faculty on questions of UMC policy submitted by either to the Council, and may initiate recommendations concerning changes in the UMC policy for consideration and appropriate action by the chancellor or UMC faculty.

Academic Unit Selections: All colleges and schools that are headed by a dean who reports to the provost for academic affairs shall be entitled to voting representation. For the purposes of Academic Unit Selections MU Libraries will be collectively treated as a school entitled to voting representation.

Allocation of Representatives: Faculty Representatives shall be allocated to a college or school on the basis of the total number of full-time ranked faculty members of the UMC faculty within the college or school. The determination of the number of full-time ranked faculty representatives shall be made on November 1 of each academic year, and the number so determined shall govern representation for the next academic year. A full-time ranked representative who has a joint appointment in two or more colleges or schools shall be assigned to the college or school in which the representative devotes the largest percentage of the representative’s time. If the assignment cannot be made on this basis, the Council shall make the assignment, first having consulted with the representative to the extent feasible. Representation of the various colleges and schools shall be based upon persons holding eligible ranks listed in the most recent UMC general catalog. Emeritus professors will not be included in the computations, with the exception that retired professors on continued service will be counted.

Each college or school shall be entitled to representation at a basic ratio of one representative for each fifty (50) full-time ranked faculty members or majority fraction thereof (26-49), and in particular as follows: one (1) representative for 1-75; two (2) representatives for 76-125; and so on for each additional fifty (50) full-time ranked faculty or major fraction thereof. Notwithstanding the basic ratio, no school or college is entitled to more than eight representatives.

In the event the number of full-time ranked faculty members changes to the point where the basic ratio would give less than 30 or more than 35 representatives, the Council by a finding recorded in its minutes shall adjust the ratio to produce not less than 30 and not more than 35 representatives.

Minimum Number of T/TT and NTT Representatives: The minimum number of T/TT faculty representatives on the Council shall be four, and the minimum number of NTT faculty representatives on Council shall be four. If, as the result of academic unit selections of representatives, fewer than four NTT faculty or four T/TT faculty are included in the

³⁸ <https://docs.google.com/document/d/1tvOne1xQ4CK2F8dpuC3XefiN8P2yc-hhs0EJuOAiChQ/edit#>

makeup of Faculty Council on September 15 of any year, Faculty Council shall organize and hold a special election of the respective full-time ranked NTT or T/TT faculty to achieve the minimum. Only full-time ranked NTT faculty will vote in a special election for an NTT representative; Only full-time ranked T/TT faculty will vote in a special election for a T/TT representative.

The selected representatives will be added to the Faculty Council in addition to those chosen by the academic unit selections, and their addition may increase the size of Faculty Council to more than 35 full-time faculty ranked faculty representatives. Representatives elected in special elections will serve regular three-year terms.

Limitation on Administrative Members: Members of the UMC faculty who hold administrative positions with the rank of assistant dean or higher, or equivalent positions regardless of the title, are ineligible for election or service. Only those eligible to serve on the Faculty Council as full-time ranked faculty are eligible to vote for full-time ranked representatives on the Council.³⁹

³⁹ https://www.umssystem.edu/ums/rules/collected_rules/faculty/ch300/300.010_faculty_bylaws_umc



FACULTY SENATE RESOLUTION 202301

Policy Committee Approval: January 17, 2023
Faculty Senate Consideration: February 14, 2023
Faculty Senate Approval: March 14, 2023 (Proposed)
General Faculty Approval: August 2023 (Proposed)
Board of Trustees Approval: October 2023 (Proposed)

Topic: “Amendment of Constitutional Faculty and Faculty Senate Apportionment”

Whereas, the Clemson University Board of Trustees makes provisions for faculty participation in planning, policymaking, and decision-making with regard to academic matters; and

Whereas, the University also provides for such participation in matters of general university policies including those which pertain to: academic freedom and responsibility; faculty professional ethics; the appointment, tenure, and promotion of faculty; and faculty participation in university governance; and

Whereas, the Convention of the Delegates Report 202101, accepted by the Faculty Senate Executive Committee on December 6, 2022, outlined the vast contributions of Special Faculty and recommended the Faculty Senate address representation of this class of faculty; and

Whereas, the Faculty Senate Welfare Committee Report 202223, adopted by the Faculty Senate on December 13, 2022, concluded and recommended an amendment to the Constitution of the Faculty of Clemson University to include within the membership of faculty all those faculty members who are engaged in teaching, research, and/or service; and

Whereas, the Faculty Senate Policy Committee Report 202107, adopted by the Faculty Senate on February 14, 2023, found that the constitutional definition of faculty to be limiting and in contradiction to the principles of shared governance as recommended by the AAUP and exercised by AAU aspirational peer intuitions; and

Whereas, in PCR 202107, the Policy Committee also found that the current definition of faculty unduly constrains Faculty Senate membership, effectively limiting eligibility to tenure track faculty, and inadequately defines the relationship of certain classes of faculty to shared governance at this institution; and

42 **Whereas**, in PCR 202107, the Policy Committee also found that the current fixed
43 apportionment ratio for allocation of Faculty Senate representatives is insufficient,
44 considering the growth of the faculty since the Faculty Senate’s inception and for
45 representation across departments; and

46
47 **Whereas**, the Policy Committee concluded PCR 202107 with recommendations to amend
48 the Constitution of the Faculty of Clemson University; it is therefore

49
50 **Resolved**, that the Faculty Senate proposes to the faculty the following amendments, in
51 accordance with the recommendations outlined by the Faculty Senate Policy Committee,
52 to the Constitution of the Faculty of Clemson University:

- 53
- 54 1. Art. I§1: **Strike** the sentence, “The Faculty of Clemson University consists of the
55 President; Executive Vice President for Academic Affairs and Provost; other
56 administrators with faculty rank; faculty with regular appointments as Professor,
57 Associate Professor, Assistant Professor, or Instructor; Librarians; Emeritus Faculty;
58 and such other individuals as the faculty may duly elect.” and **replace** with the
59 sentence, “The Faculty of Clemson University consists of the President; Executive
60 Vice President for Academic Affairs and Provost; other administrators with faculty
61 rank; tenured and tenure- track faculty and librarians; Emeritus Faculty; non-tenure
62 track faculty with the primary responsibility of teaching, research, and service or
63 any combination thereof; and such other individuals as the faculty may duly elect.
64 Faculty with the adjunct, visiting or temporary rank modifiers and post-doctoral
65 researchers are not eligible for automatic membership.”
 - 66 2. Art.2§2: **Strike** the sixth (6th) paragraph containing the words, “Each college, except
67 the Library, shall elect two alternates on a yearly basis; the Library shall elect one.
68 Alternates may twice succeed themselves. An alternate shall have the status of a
69 full member at any Senate meeting attended in place of a regular member.”
 - 70 3. Art.2§2: **Strike** the eighth (8th) paragraph and **replace** with the paragraph, “Each
71 college shall have as many seats as there are represented academic units and one
72 seat for every 40 eligible faculty members appointed in the college. For the
73 purposes of this calculation: the Library is considered a college; Emeritus faculty are
74 excluded from the faculty count; a represented academic unit is a self-governing
75 academic unit within a college.”
 - 76 4. Art.2§2: **Strike** the ninth (9th) paragraph containing the words, “If the total number
77 of seats allocated thus far is less than thirty-five, the remaining seats are allocated
78 to the colleges with the larger fractions until there is a total of thirty-five members. If
79 this formula produces an exact tie for a seat, each college involved shall be awarded
80 a seat.”

81
82 *These changes will be effective upon approval by the faculty of Clemson University and the*
83 *Board of Trustees.*

84

85 Proposed Amendments (inline)

86

87 ARTICLE I: THE FACULTY

88 Section I. Membership

89 ~~The Faculty of Clemson University consists of the President; Executive Vice President for~~
90 ~~Academic Affairs and Provost; other administrators with faculty rank; faculty with regular~~
91 ~~appointments as Professor, Associate Professor, Assistant Professor, or Instructor;~~
92 ~~Librarians; Emeritus Faculty; and such other individuals as the faculty may duly elect.~~ **The**
93 **Faculty of Clemson University consists of the President; Executive Vice President for**
94 **Academic Affairs and Provost; other administrators with faculty rank; tenured and tenure-**
95 **track faculty and librarians; Emeritus Faculty; non-tenure track faculty with the primary**
96 **responsibility of teaching, research, and service or any combination thereof; and such**
97 **other individuals as the faculty may duly elect. Faculty with the adjunct, visiting or**
98 **temporary rank modifiers and post-doctoral researchers are not eligible for automatic**
99 **membership.** A petition for the election to membership in the Faculty of any person who is
100 not automatically a member must be submitted to the Faculty Senate and referred by that
101 body, with its recommendation, to the faculty for action at the next regular meeting of the
102 faculty. Election to membership shall be by simple majority vote of the members present.

103

104 ARTICLE II: THE FACULTY SENATE

105 Section 2. Membership

106 (para. 6) ~~Each college, except the Library, shall elect two alternates on a yearly basis; the~~
107 ~~Library shall elect one. Alternates may twice succeed themselves. An alternate shall have~~
108 ~~the status of a full member at any Senate meeting attended in place of a regular member.~~

109

110 (para. 8) ~~As a rule, there shall be thirty-five members of the Faculty Senate. Emeritus~~
111 ~~faculty are excluded from the Faculty count for the purpose of Senate seat allocation.~~
112 ~~Senate seats shall be allocated according to the ratio of the number of members of the~~
113 ~~Faculty in a college to the total number of members of the Faculty in the university. Each~~
114 ~~college shall have as many seats as are in the nearest whole number when its ratio is~~
115 ~~multiplied by thirty-five, provided each college has at least one representative. For the~~
116 ~~purposes of this calculation, the Library is considered a college.~~ **Each college shall have as**
117 **many seats as there are represented academic units and one seat for every 40 eligible**
118 **faculty members appointed in the college. For the purposes of this calculation the Library**
119 **is considered a college; Emeritus faculty are excluded from the count of eligible faculty;**
120 **and a represented academic unit is a self-governing academic unit within a college.**

121

122 (para. 8) ~~If the total number of seats allocated thus far is less than thirty-five, the remaining~~
123 ~~seats are allocated to the colleges with the larger fractions until there is a total of thirty-five~~
124 ~~members. If this formula produces an exact tie for a seat, each college involved shall be~~
125 ~~awarded a seat.~~

126

127

128

129 **Final Proposed Language (in context)**

130

131 **ARTICLE I: THE FACULTY**

132 **Section I. Membership**

133 The Faculty of Clemson University consists of the President; Executive Vice President for
134 Academic Affairs and Provost; other administrators with faculty rank; tenured and tenure-
135 track faculty and librarians; Emeritus Faculty; non-tenure track faculty with the primary
136 responsibility of teaching, research, and service or any combination thereof; and such
137 other individuals as the faculty may duly elect. Faculty with the adjunct, visiting or
138 temporary rank modifiers and post-doctoral researchers are not eligible for automatic
139 membership. A petition for the election to membership in the Faculty of any person who is
140 not automatically a member must be submitted to the Faculty Senate and referred by that
141 body, with its recommendation, to the faculty for action at the next regular meeting of the
142 faculty. Election to membership shall be by simple majority vote of the members present.

143

144 **ARTICLE II: THE FACULTY SENATE**

145 **Section 2. Membership**

146

147 Members of the Faculty Senate shall be elected by the faculty, voting by colleges in
148 accordance with policies and procedures set forth in the bylaws of the several collegiate
149 faculties. These bylaws may also establish provisions for the recall of faculty senators from
150 the college, with the exception of those holding elected Senate office. Senate terms shall
151 be three years except as otherwise provided. For the allocation of Senate seats and all
152 other provisions of this article, the librarians shall be considered as a faculty representing a
153 college.

154

155 Any member of the Faculty may be eligible for membership on the Faculty Senate, except
156 department chairs, school directors, deans, the Executive Vice President for Academic
157 Affairs and Provost, vice Provosts, vice presidents, the president, and others with primarily
158 administrative duties.

159

160 Elections shall be held in March of each year, with terms of office to begin with the April
161 meeting of the Senate. The election of members of the Faculty Senate shall be by secret
162 ballot.

163

164 When a new college is officially established it shall be entitled to representation in the
165 Faculty Senate as soon as an election can be held. A new college shall have one member in
166 the Faculty Senate until the next allocation of seats. Whenever a new college is
167 established, the next allocation of seats shall be obtained in the February following official
168 establishment.

169

170 Vacancies created on the Faculty Senate for any cause shall be filled for the unexpired
171 terms by supplementary elections within the colleges concerned as soon as such vacancies
172 occur. Senators absent for the summer or for other temporary leaves such as sabbaticals,
173 or appointed to temporary or interim administrative positions, shall request leaves of

174 absence from the Senate and shall be replaced during their absences by substitutes
175 elected by the Collegiate Faculty.

176
177 With the exception of those Senators who have served one year or less, members of the
178 Faculty Senate may not succeed themselves.

179
180 Each college shall have as many seats as there are represented academic units and one
181 seat for every 40 eligible faculty members appointed in the college. For the purposes of
182 this calculation the Library is considered a college; Emeritus faculty are excluded from the
183 count of eligible faculty; and a represented academic unit is a self-governing academic unit
184 within a college.

185
186 The Faculty Senate President shall obtain a new allocation from the Chairperson of the
187 Faculty during February of every odd-numbered year after the most recent allocation. This
188 allocation shall be given to the dean of each college in time for the March election and shall
189 control the numbers elected to the Faculty Senate at that time. If one or more members are
190 gained, the collegiate faculty may designate new seats to have terms of less than three
191 years in order to balance the terms within the college delegation. If one member is lost in
192 the new allocation, one fewer member shall be elected to the Faculty Senate at that
193 election. If the new allocation results in the loss of one or more members whose terms have
194 not expired, the membership of the Senate shall be temporarily enlarged to accommodate
195 the new allocation. New allocations shall be based on the number of members of the
196 Faculty at the beginning of the fall semester.



Faculty Senate Resolution 202302

Topic: Revision of *Faculty Manual* related to the Review of Academic Administrators

Whereas, The Constitution of the Faculty of Clemson University makes provisions for faculty participation in planning, policymaking, and decision-making with regard to academic matters; and

Whereas, the University also provides for such participation in matters of pertaining to academic policies, procedures, and practices at the university level; and

Whereas, the *Faculty Manual* Chapter VIII, §E4 describes general policies for the review of academic administrators; and

Whereas, Policy Committee Report 202202 was accepted by the Faculty Senate on May 10, 2022 which overall supported the revision of the *Faculty Manual* to effect 16 changes; and

Whereas, the *Faculty Manual* must be amended in order to effect recommendations 1 and 4 through 16 of PCR202202; it is

Resolved, that Chapter VIII, §E4 of the Clemson University *Faculty Manual* be amended to **strike** the following text:

“4. General Policies for Review of Academic Administrators

a. Overview

- i. Every academic administrator reporting to the Provost, directly or indirectly, shall be evaluated in each year by the immediate supervisor.
- ii. The purpose of the annual performance cycle is for the immediate supervisor (dean, associate provost, for example) and the academic administrator to mutually document goals and assignments, for the academic administrator to document performance and for the immediate supervisor to document her/his assessment of the annual performance.
 - (1) Such an evaluation is independent of reviews for the purpose of continued administrative appointment.
 - (2) Annual performance evaluations are also used, along with other data, in salary determination.

iii. University policy, adopted by the Board of Trustees in January 1981, modified in May 1998 and July 2016, establishes procedures for the review of academic administrators for continued appointment. Administrative officers of the University serve at the pleasure of their respective supervisors. Therefore, appointment to an administrative position, whether as department chair, director, dean, associate Provost, or Provost does not assure continuance in office for a specific period of time. These individuals will be subject to periodic review as outlined below in lieu of Post-Tenure Review. Each academic administrator will be subject to periodic review for the purpose of continued appointment at least every five years. The sections below describe any deviations from the interval of

1 this review for each academic administrative position. Status as tenured or untenured
2 faculty is not affected by the termination of an administrative appointment.

3 iv. The evaluations for the purpose of continued appointment shall employ the appropriate
4 standard Clemson University form for the evaluation of administrators (provided in
5 **Appendix E.**). The standard Clemson University form will be distributed to all
6 members of the constituent group as well as the peers of the academic administrator
7 (those other academic administrators who report to the same supervisor). In all instances
8 of an administrator's review, a comment period of 21 calendar days during the
9 academic year shall be provided. The completed forms shall be submitted to the chair of
10 the evaluation committee.

11 v. The role of the review committee is to provide formative feedback for the improved
12 performance of the academic administrator under review; and make recommendations
13 regarding the continued appointment of the academic administrator to the supervisor. To
14 fulfill these roles, the committee will elect its chair; determine a timeline for operations
15 consistent with guidance from the supervisor of the academic administrator under review
16 and the *Faculty Manual*; ensure that the evaluation form is distributed appropriately; and
17 summarize the results of the evaluation forms.

18 vi. The chair of the evaluation committee will submit the summary, formative feedback,
19 and recommendations to the immediate supervisor. The immediate supervisor, in
20 consultation with their supervisor, will make a determination about the continued
21 appointment. The conclusion will be communicated to the academic administrator under
22 review and the constituent group by the immediate supervisor.

23 vii. Due to the varying sizes of different University constituent groups, different guidelines
24 for selecting the membership of review committees are described here.

25 (1) The immediate supervisor of the academic administrator under review will determine
26 the size and composition of the evaluation committee.

27 (2) The review committee structures shall not preclude any faculty or staff member in the
28 constituent group from providing advice directly to the immediate supervisor.

29 b. Guidelines for selecting the membership of review committees for University-level
30 academic administrators

31 i. The administrator under evaluation shall choose a member of the committee from the
32 constituent group.

33 ii. The immediate supervisor shall choose a member of the committee from the constituent
34 group.

35 iii. At least four regular faculty members shall be selected during a meeting of the Faculty
36 Senate Advisory Committee. These members may be nominated by any faculty member.

37 iv. At least one special faculty member shall be selected during a meeting of the Faculty
38 Senate Advisory Committee in consultation with members of the special faculty.

39 (1) If no special faculty representative can be elected, such as might occur if no person
40 agrees to be nominated, the committee will consist of the other members described
41 here.

42 v. The academic administrators reporting to the administrator under evaluation shall elect
43 at least one of their members as their representative.

44 (1) If no administrator representative can be elected, such as might occur in a small unit
45 or if no person agrees to be nominated, or if there are no academic administrators

- 1 reporting to the administrator under evaluation, the committee will consist of the other
2 members described here.
- 3 vi. At least one staff member shall be selected by the Staff Senate.
4 (1) These members may be nominated by any faculty or staff member.
5 (2) If no staff representative can be selected, such as if no person agrees to be nominated,
6 the committee will consist of other members described here.
- 7 c. Guidelines for selecting the membership of review committees for academic administrators
8 in academic colleges and those units within colleges
- 9 i. Other sections in this chapter contain additional details as needed.
- 10 ii. The administrator under evaluation shall choose a member of the committee from the
11 constituent group.
- 12 iii. The immediate supervisor shall choose a member of the committee from the constituent
13 group.
- 14 iv. Four regular faculty members shall be elected by vote of the regular faculty in the unit.
- 15 v. The special faculty of the academic unit (department, school, college, etc.) shall elect one
16 of their number as their representative.
17 (1) If no special faculty representative can be elected, such as might occur in a small
18 department or if no person agrees to be nominated, the committee will consist of the
19 members described here.
- 20 vi. The academic administrators reporting to the administrator under evaluation shall elect
21 at least one of their members as their representative.
22 (1) If no administrator representative can be elected, such as might occur in a small unit
23 or if no person agrees to be nominated, or if there are no academic administrators
24 reporting to the administrator under evaluation, the committee will consist of the other
25 members described here.
- 26 vii. The staff of the academic unit (department, school, college, etc.) shall elect one of their
27 number as their representative.
28 (1) If no staff representative can be elected, such as might occur in a small department or
29 if no person agrees to be nominated, the committee will consist of the members
30 described here.
- 31 d. The review process
- 32 i. The administrator subject to review will supply the reviewing committee with the
33 following materials:
34 (1) A plan for personal professional growth;
35 (2) A vision statement for the unit's future;
36 (3) A summary of activities and accomplishments including research, teaching and public
37 service since the last review.
- 38 ii. In all instances the administrator evaluation committee will provide a written report based
39 on faculty or staff opinion as solicited by the approved Clemson University form.
- 40 iii. In all instances, the evaluation materials generated in the review process shall be treated
41 with the strictest confidence with only those in the review hierarchy entitled to access.
- 42 iv. The accumulated administrator evaluation forms are sent to Records Management and
43 saved for five years.
- 44 v. These evaluations should also be made available to the next evaluation committee.”; and
45 it is
46

1 **Resolved**, that *Faculty Manual* Chapter VIII, §E1 be amended to **insert** the following text
2 between subsections 1d and 1e (moving 1e to 1f):

3 “e. **Categories of academic administrators.** The categories of an academic administrator is
4 based on the academic home of the majority of faculty and department of the majority of
5 students impacted by that academic administrator.

6 i. University-level academic administrators serve faculty and students across all
7 departments and include the Associate Provosts, Academic administrators in the Honors
8 College, Graduate School and Undergraduate Studies.

9 ii. College-level academic administrators include the collegiate Deans, associate deans and
10 assistant deans of the Academic Colleges and Libraries.

11 iii. Department-level academic administrators include all department chairs, school directors,
12 associate department chairs and associate school directors.”; and it is

13
14 **Resolved**, that *Faculty Manual* Chapter VIII, §E4 be amended to **insert** the following text:

15 “4. General Policies for Review of Academic Administrators

16 a. Overall Review Process

17 i. Every academic administrator shall be evaluated in each year by the immediate
18 supervisor.

19 ii. The purpose of the annual performance cycle is for the immediate supervisor and
20 the academic administrator to mutually document goals and assignments, for the
21 academic administrator to document performance and for the immediate
22 supervisor to document their assessment of the annual performance.

23 (1) Such an evaluation is independent of reviews for the purpose of continued
24 administrative appointment.

25 (2) Annual performance evaluations are also used, along with other data, in salary
26 determination.

27 iii. University policy, adopted by the Board of Trustees in January 1981, modified in
28 May 1998 and July 2016, establishes procedures for the review of academic
29 administrators for continued appointment.

30 iv. Administrative officers of the University serve at the pleasure of their respective
31 supervisors. Therefore, appointment to an administrative position, whether as
32 department chair, director, dean, associate Provost, or Provost does not assure
33 continuance in office for a specific period of time.

34 v. Each academic administrator will be subject to periodic review for the purpose of
35 continued appointment in lieu of Post-Tenure Review at least every five years.
36 The sections below describe any deviations from the interval of this review for
37 each academic administrative position.

38 vi. Status as tenured or untenured faculty is not affected by the termination of an
39 administrative appointment.

40
41 b. Timeline

42 i. All activities in the review of academic administrators that require the
43 engagement of regular or special faculty must be conducted between August
44 15 and May 16.

45 ii. The Provost’s Office will maintain a list of all academic administrators to

1 whom this policy applies, with their appointment dates and the academic year
2 of their next scheduled review under this policy.

- 3 iii. An academic administrator who begins service between and including May 16
4 and September 30 will be considered to be in their first year.
- 5 iv. An academic administrator who begins service between and including
6 October 1 and May 15 will be considered to begin their first year on the
7 subsequent May 16.
- 8 v. An immediate supervisor may initiate a periodic review for the purpose of
9 continued reappointment before the completion of the number of years
10 indicated. In this case, the intervals described below must be ensured.
- 11 vi. Academic administrators who report directly to the Provost must have:
12 (1) review committees formed and charged no earlier than August 15 and by
13 November 1
14 (2) Materials due to the review committee no earlier than August 15 and by
15 November 1
16 (3) Evaluative forms distributed to constituents by November 15
17 (4) Evaluative forms due to the review committee by December 15. Under no
18 circumstances shall respondents have less than 21 calendar days to return
19 their responses.
20 (5) Additional optional input mechanisms may only be deployed or conducted
21 between November 15 and December 15.
22 (6) Reports to the Provost by February 1
23 (7) Notification to the constituents by March 1.
- 24 vii. All other academic administrators (except the President and Provost) must
25 have:
26 (1) review committees formed and charged by January 31
27 (2) Materials due to the review committee by January 31
28 (3) Evaluative forms distributed to constituents by February 15
29 (4) Evaluative forms due by March 15. Under no circumstances shall
30 respondents have less than 21 calendar days to return their responses.
31 (5) Additional optional input mechanisms may only be deployed or conducted
32 between February 15 and March 15.
33 (6) Reports to the immediate supervisor by April 15
34 (7) Notification to the constituents by May 1.

35
36 c. Committee composition

- 37 i. Due to the varying sizes of different University constituent groups, different
38 guidelines for selecting the membership of review committees are described
39 here.
40 (1) The immediate supervisor of the academic administrator under review will
41 determine the size and composition of the review committee, consistent
42 with the guidelines provided in this Faculty Manual.
43 (2) The review committee structures shall not preclude any faculty or staff
44 member in the constituent group from providing advice directly to the
45 immediate supervisor.
- 46 ii. Guidelines for selecting the membership of review committees for University-

1 level academic administrators

2 (1) The administrator under evaluation shall choose a member of the
3 committee from the constituent group.

4 (2) The immediate supervisor shall choose a member of the committee from
5 the constituent group.

6 (3) At least four regular faculty members shall be selected during a meeting of
7 the Faculty Senate Advisory Committee. These members may be
8 nominated by any faculty member.

9 (4) At least one special faculty member shall be selected during a meeting of
10 the Faculty Senate Advisory Committee in consultation with members of
11 the special faculty.

12 Note: If no special faculty representative can be elected, such as might
13 occur if no person agrees to be nominated, the committee will consist of
14 the other members described here.

15 (5) The academic administrators reporting to the administrator under
16 evaluation shall elect at least one of their members as their representative.

17 Note: If no administrator representative can be elected, such as might
18 occur in a small unit or if no person agrees to be nominated, or if there are
19 no academic administrators reporting to the administrator under
20 evaluation, the committee will consist of the other members described
21 here.

22 (6) At least one staff member shall be selected by the Staff Senate.

23 Note: These members may be nominated by any faculty or staff member.

24 Note: If no staff representative can be selected, such as if no person agrees
25 to be nominated, the committee will consist of other members described
26 here.

27 iii. Guidelines for selecting the membership of review committees for academic
28 administrators in academic colleges and those units within colleges

29 (1) Other sections in this chapter contain additional details as needed.

30 (2) The administrator under evaluation shall choose a member of the
31 committee from the constituent group.

32 (3) The immediate supervisor shall choose a member of the committee from
33 the constituent group.

34 (4) Four regular faculty members shall be elected by vote of the regular
35 faculty in the unit.

36 (5) The special faculty of the academic unit shall elect one of their number as
37 their representative.

38 Note: If no special faculty representative can be elected, such as might
39 occur in a small department or if no person agrees to be nominated, the
40 committee will consist of the members described here.

41 (6) The academic administrators reporting to the administrator under
42 evaluation shall elect at least one of their members as their representative.

43 Note: If no administrator representative can be elected, such as might
44 occur in a small unit or if no person agrees to be nominated, or if there are
45 no academic administrators reporting to the administrator under

1 evaluation, the committee will consist of the other members described
2 here.

3 (7) The staff of the academic unit shall elect one of their number as their
4 representative.

5 Note: If no staff representative can be elected, such as might occur in a
6 small department or if no person agrees to be nominated, the committee
7 will consist of the members described here.
8

9 d. Committee charge and scope

10 i. The role of the review committee is to provide formative feedback for the
11 improved performance of the academic administrator under review and make
12 recommendations regarding the continued appointment of the academic
13 administrator to the supervisor.

14 ii. To fulfill these roles, the committee will

15 (1) elect its chair

16 (2) determine a timeline for operations consistent with guidance from the
17 supervisor of the academic administrator under review and the *Faculty*
18 *Manual*

19 (3) prepare a written report that consists of (1) a summary of the input
20 received from the form; (2) the committee's interpretation of that input
21 relative to the materials submitted by the academic administrator; and (3)
22 recommendations to the immediate supervisor relative to the continued
23 appointment of the academic administrator and (4) recommendations to
24 improve the administration of the unit.

25 (4) Ensure that all evaluation materials generated in the review process shall
26 be treated with the strictest confidence with only those in the review
27 hierarchy entitled to access.

28 iii. The chair of the review committee will

29 (1) ensure that the evaluation form is distributed appropriately

30 (2) ensure that any additional evaluative instruments or methods are only used
31 with the approval of the immediate supervisor

32 (3) submit the written report to the immediate supervisor.
33

34 di. Evaluation instruments

35 i. The evaluations for the purpose of continued appointment shall employ the
36 appropriate standard Clemson University form for the evaluation of
37 administrators (provided in **Appendix E.**).

38 ii. The only evaluative questions that can be used in any survey are those
39 provided on the approved review form. Demographic questions can be added
40 or amended based on the will of the review committee, with the approval of
41 the immediate supervisor.

42 iii. The standard Clemson University survey, with demographic questions as
43 approved by the immediate supervisor if differing from those in the form in
44 the appendix, will be distributed to all members of the constituent group as
45 well as the peers of the academic administrator (those other academic
46 administrators who report to the same supervisor).

- 1 iv. The completed forms shall be submitted to the chair of the review committee.
2 v. The review committee may request additional input mechanisms, including
3 but not limited to additional surveys, focus groups, interviews with peers and
4 constituents and students, etc. The nature of these additional input
5 mechanisms must be approved by the immediate supervisor of the academic
6 administrator under review.
7
8 f. Materials provided to the committee
9 i. The administrator subject to review will supply the reviewing committee with
10 the following materials:
11 (1) A plan for personal professional growth;
12 (2) A vision statement for the unit's future;
13 (3) A summary of activities and accomplishments including research,
14 teaching and public service since the last review.
15
16 g. Responsibilities of the Immediate Supervisor
17 i. The immediate supervisor shall ensure that the accumulated administrator
18 evaluation forms from the standard Clemson University survey and the written
19 report are sent to Records Management to be retained for five years.
20 ii. The immediate supervisor shall ensure that the accumulated administrator
21 evaluation forms and the written report are made available to the next review
22 committee.
23 iii. The immediate supervisor, in consultation with their supervisor, will make a
24 determination about the continued appointment.
25 iv. The determination about the continued appointment will be communicated to
26 the academic administrator under review and the constituent group by the
27 immediate supervisor.”
28

29 *This resolution will become effective upon approval by the Clemson University Executive Vice*
30 *President for Academic Affairs and Provost and its inclusion in the Faculty Manual to be*
31 *published August 1, 2023.*

Report of the Committee on Freedom of Expression

The Committee on Freedom of Expression at the University of Chicago was appointed in July 2014 by President Robert J. Zimmer and Provost Eric D. Isaacs “in light of recent events nationwide that have tested institutional commitments to free and open discourse.” The Committee’s charge was to draft a statement “articulating the University’s overarching commitment to free, robust, and uninhibited debate and deliberation among all members of the University’s community.”

The Committee has carefully reviewed the University’s history, examined events at other institutions, and consulted a broad range of individuals both inside and outside the University. This statement reflects the long-standing and distinctive values of the University of Chicago and affirms the importance of maintaining and, indeed, celebrating those values for the future.

From its very founding, the University of Chicago has dedicated itself to the preservation and celebration of the freedom of expression as an essential element of the University’s culture. In 1902, in his address marking the University’s decennial, President William Rainey Harper declared that “the principle of complete freedom of speech on all subjects has from the beginning been regarded as fundamental in the University of Chicago” and that “this principle can neither now nor at any future time be called in question.”

Thirty years later, a student organization invited William Z. Foster, the Communist Party’s candidate for President, to lecture on campus. This triggered a storm of protest from critics both on and off campus. To those who condemned the University for allowing the event, President Robert M. Hutchins responded that “our students . . . should have freedom to discuss any problem that presents itself.” He insisted that the “cure” for ideas we oppose “lies through open discussion rather than through inhibition.” On a later occasion, Hutchins added that “free inquiry is indispensable to the good life, that universities exist for the sake of such inquiry, [and] that without it they cease to be universities.”

In 1968, at another time of great turmoil in universities, President Edward H. Levi, in his inaugural address, celebrated “those virtues which from the beginning and until now have characterized our institution.” Central to the values of the University of Chicago, Levi explained, is a profound commitment to “freedom of inquiry.” This freedom, he proclaimed, “is our inheritance.”

More recently, President Hanna Holborn Gray observed that “education should not be intended to make people comfortable, it is meant to make them think. Universities should be expected to provide the conditions within which hard thought, and therefore strong disagreement, independent judgment, and the questioning of stubborn assumptions, can flourish in an environment of the greatest freedom.”

The words of Harper, Hutchins, Levi, and Gray capture both the spirit and the promise of the University of Chicago. Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of the University, the University of Chicago fully respects and supports the freedom of all members of the University community “to discuss any problem that presents itself.”

Of course, the ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. The University may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the University. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the University. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the University’s commitment to a completely free and open discussion of ideas.

In a word, the University’s fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the University community, not for the University as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University’s educational mission.

As a corollary to the University’s commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest

speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.

As Robert M. Hutchins observed, without a vibrant commitment to free and open inquiry, a university ceases to be a university. The University of Chicago's long-standing commitment to this principle lies at the very core of our University's greatness. That is our inheritance, and it is our promise to the future.

Geoffrey R. Stone, Edward H. Levi Distinguished Service Professor of Law,
Chair

Marianne Bertrand, Chris P. Dialynas Distinguished Service Professor of
Economics, Booth School of Business

Angela Olinto, Homer J. Livingston Professor, Department of Astronomy and
Astrophysics, Enrico Fermi Institute, and the College

Mark Siegler, Lindy Bergman Distinguished Service Professor of Medicine and
Surgery

David A. Strauss, Gerald Ratner Distinguished Service Professor of Law

Kenneth W. Warren, Fairfax M. Cone Distinguished Service Professor,
Department of English and the College

Amanda Woodward, William S. Gray Professor, Department of Psychology
and the College