

**CONSTITUTION
OF THE
FACULTY SENATE
OF
NORTHWEST ARKANSAS COMMUNITY COLLEGE**

As Amended Spring, 2017

PREAMBLE

Because of their role in the learning process, faculty has traditional and legitimate rights and responsibilities regarding the operations of institutions of higher learning. The Faculty Senate represents the faculty of Northwest Arkansas Community College (“NWACC”) and provides a collective voice in matters concerning the faculty and a means for shared governance at the college. Because of our expertise, credentials, and commitment to the learning process, and our unique position of being on the front lines of student learning in our society, the faculty at NWACC are empowered and burdened with the responsibility to actively assist in promoting, positioning and maintaining NWACC as a leader of higher education and academic excellence in Arkansas and the United States as a whole.

ARTICLE I

Functions of the Faculty Senate

Section 1.01. Stated Goals and Objectives.

- To maintain and promote academic excellence, integrity, and professionalism in curriculum, instruction, and learning assessment;
- To review and be responsible for all matters of academic concern;
- To serve as a contact point and reference source for faculty to channel their concerns, expectations, and ideals to their colleagues;
- To serve as a contact point for administrators concerning cross-division issues that affect the faculty as a whole;
- To prepare or assist in preparing proposals for a faculty vote;
- To provide leadership in acquiring faculty input and facilitate building a faculty consensus on academic and faculty welfare issues;
- To promote community, camaraderie, and esprit de corps among the faculty and the broader college community;
- To set the agenda and administer faculty business meetings;

- To organize elections for Senate representatives and officers; and
- To conduct such other business and affairs as may be brought before the Faculty Senate from time to time by its membership and the Faculty as a whole.

ARTICLE II.

Components of Faculty Governance

Section 2.01. Membership Defined. A “Member” shall be defined as any individual who is currently teaching or has been retained to teach by the Administration at NWACC at least one (1) course or class online or at any of the facilities operated by NWACC in Arkansas or any other state or country.

Section 2.02. Senate Composition. The Faculty Senate shall be composed of the following:

1. Six (6) at-large Senators shall be elected by the Members as a whole. These positions may be filled by either full-time or adjunct Members;
2. Four (4) adjunct senators shall be elected by the Members as a whole. To qualify as an “Adjunct”, the Member must be a part-time teacher employed a semester at a time and earning no benefits in addition to paid salary, such as vacation, medical, or other insurance;
3. One (1) Senator shall be elected from each of the current academic divisions at NWACC, each division’s Members to elect its representative. A Member running for election as a Division Senator may not be an Adjunct but must be a full-time employee at NWACC entitled to receive whatever benefits are then in place in addition to salary and otherwise meets the qualification set forth in Section 2.03 below. The addition of an academic division by the administrators at NWACC shall cause the appointment of that division’s representative by the President of the Senate as provided for in the event of termination or removal of a Senator. The elimination of an academic division at NWACC shall cause the termination of the Senator representing that division from the Senate on the earlier of the termination date of the representative as an employee of NWACC or the completion of the Senator’s then current term; and
4. The offices of President, Vice President, and Secretary shall be filled at the same time as the election for Senators by a vote of the Members. A Member running for election as an officer may not be an Adjunct but must be a full-time employee and otherwise meet the qualification set forth in Section 2.03 below.

Section 2.03. Qualification for Election as a Senator. To qualify for election as a Senator, a Member’s duties at NWACC for which he or she receives compensation must consist of at least 50% teaching. Administrators, Deans, members of the Board of Trustees or other representatives who may otherwise qualify as Members may not serve as Senators unless the above qualification is

met.

Section 2.04. Term of Office. Each Senator, duly elected or appointed as provided in the Bylaws, shall serve for a term of one (1) year. Senators may be elected for consecutive terms provided that no Senator may serve in the Faculty Senate for more than two (2) years consecutively in the same position (either as Adjunct or At-Large). Any Senator who is precluded from running for office due to the two (2) year term limit provided for herein, may run again after having left office for at least one (1) year. A President who is prevented from continuing service due to term limits shall be permitted to remain with the Senate as a non-voting advisor for the purpose of contributing his or her expertise to the benefit of his or her successor and the Senate in general. The term of office for Officers shall be the same as for Senators. Senators and Officers shall be elected each year in the spring semester, and their term shall commence effective at the end of graduation ceremonies held each Spring.

Section 2.05. Duties of a Senator. In addition to the duties as specified in Article V and the expectations and responsibilities that may be expressed by the Senate from time to time to its Members, Senators shall have a duty to keep the Members fully informed of all meetings, discussions, and issues that may arise from time to time. Senators represent the Members and shall make every effort to keep lines of communication open at all times with the Faculty at NWACC. Senators should make every attempt to attend regularly scheduled Faculty Business Meetings. Senators should respond promptly to requests for information or participation in polls, forums, or other venues that are designed to promote the Stated Goals and Objectives found in Section 1.01 of this Constitution.

ARTICLE III

Officers

Section 3.01. President. The President shall have such powers and perform such duties as from time to time may be assigned to him or her by the Senate, including, but not limited to, those powers and duties that may be conferred upon the President under any resolution adopted by the Senate pursuant to its Bylaws or this Constitution. The President shall make a report of the state of the business of the Senate at each meeting of the Senate if requested or if matters are required to be brought to their attention. The President shall have general and active supervision and control of the over-all business and affairs of the Senate. Unless otherwise directed by the Senate, the President shall be the officer authorized to execute documents, take actions, or speak on behalf of the Senate. The President may sign, execute, and deliver in the name of the Senate all instruments requiring execution by the Senate, except in cases where the signing, execution, or delivery thereof shall be expressly delegated by the Senate or by a duly authorized Committee of the Senate to some other officer or agent of the Senate or where any of them shall be required by law to be signed, executed or delivered by a person other than the President. The President shall represent the Senate in all meetings wherein a representative of the Faculty Senate is required or requested. The President shall have the power to designate any other officer to perform any task or position as may be required

from time to time provided that any permanent appointment of such an officer or Senator for a particular task or assignment must receive prior approval from a majority vote of the Faculty Senate.

Section 3.02. Vice President. The Vice President shall have such powers and perform such duties as from time to time may be assigned to him or her by the Senate and/or the President and shall in particular perform all functions of the President in his or her absence or as otherwise required by the Bylaws or this Constitution.

Section 3.03. Secretary and Assistant Secretaries. (a) The Secretary shall record all the proceedings of the meetings of the Senate in one or more minute books kept for that purpose; see that all notices shall be duly given in accordance with the provisions of these Bylaws or as required by the NWACC Faculty Senate Constitution; upon request, exhibit or cause to be exhibited at all reasonable times to the Senate, at the place where they shall be kept, such records of the Senate; and in general, perform all duties incident to the office of Secretary and such duties as from time to time may be assigned to him or her by the Senate or President.

(b) At the request of the Secretary, or in his or her absence or inability to act, the Assistant Secretary, or, if there be more than one, any of the Assistant Secretaries, shall perform the duties of the Secretary, and, when so acting, shall have the powers of, and shall be subject to, all the restrictions upon the Secretary. Each of the Assistant Secretaries shall perform such duties as from time to time may be assigned to him or her by the Senate, the President, or the Secretary.

Section 3.04. Attendance at Third Party Meetings. In the interest of full transparency, objectivity, and representation, the President, or the Vice President in the absence of the President, shall make every attempt to invite, request, and/or appoint at least one other Senator to accompany the President or Vice President to any appearance or meeting at which a representative of the Faculty Senate is requested or required to attend. Any such Senator shall in no way act as a representative of the Senate but shall simply be in support of the appearance by the President or Vice President, and shall have the duty to report back to the full Senate with respect to the content and results of any such meeting or appearance in conjunction with the duties required of the appearing officer.

Section 3.05. Duties of Officers. In addition to the duties as specified in this Article III, officers shall have a duty to keep the Senate, and when appropriate or applicable the Membership, fully informed of all meetings, discussions, and representations made on behalf of the Senate. In addition, officers shall have the duty of receiving the full and clear consensus of the Senate, and where appropriate the Membership, through vote or otherwise, on any issue before declaring same to third parties or Stakeholders. In addition, officers shall attend in person or by proxy every Faculty Business Meeting properly noticed.

ARTICLE IV

Bylaws

Section 4.01. Establishment. The Senate shall meet and adopt Bylaws which shall act as the operating agreement and guidelines for conducting business in the Senate. Bylaws may be adopted by the Members but must be ratified by the Senate with at least a majority vote at a regularly scheduled meeting.

Section 4.02. Elections. Elections for Senators as provided for herein shall be held annually within sixty (60) days of the commencement of the spring semester of any given year. The Bylaws shall establish a procedure for the holding of such elections which may be conducted electronically or otherwise as the Senators shall see fit. The one (1) year terms of Senators as defined herein shall commence effective at the end of graduation ceremonies held each Spring as defined in Section 2.04 above. An election committee may be authorized by the Bylaws to conduct and certify the election; but in the absence of such a committee, the Secretary, duly elected and serving, shall conduct and certify the winners of any such election.

Section 4.03. Meetings of the Senate. The Bylaws shall provide for regular meetings of the Senate to be held no less than once each month after election with the exception of the summer term during which meetings may be scheduled by majority vote of the Senate or at the direction of its President as need requires. Notice, quorum, and voting requirements shall be as set forth in the Bylaws. A monthly meeting may only be cancelled through a majority vote of the Senate.

Section 4.04. Meetings of the Faculty. In addition to meetings of the Senate, the President shall call a meeting of the Faculty as a whole at least four (4) times a year, two (2) during the Fall semester and two (2) during the Spring semester. Any such meeting shall be held pursuant to notice properly given to all Faculty.

ARTICLE V

Committees

Section 5.01. General Authorization. The Senate may establish such ad-hoc committees as it sees fit from time to time and may further provide rules, regulation, and direction as required to such committees to allow same to perform the purposes for which they have been established. In addition, certain “standing” committees have been established in cooperation with the Administration at NWACC, which are also affected by this Article V.

Section 5.02. Ad Hoc Committee Membership. The President shall appoint Senators to serve on ad-hoc committees after first soliciting volunteers from the Senate Rolls. The President

shall make every effort to distribute committee assignments on a fair basis and to as many of the Senators as is reasonably possible under all circumstances, keeping in mind the importance of appointing the most knowledgeable people to the positions best suited for their attributes.

Section 5.03. Standing Committee Membership. Standing committees that report to the faculty senate will be created in cooperation with the college cabinet. The faculty senate shall collaborate with the college cabinet regarding the ex-officio, membership composition, charge, chair and/or deviation from the standard rotation scheme. The cabinet and senate working together have the authority to dissolve the committees or adjust their role, scope, and composition. All standing committees are to be staffed at the direction of the Chairperson for each committee. Staffing may be any Member or other qualified individual at the full discretion of the Chairperson of that committee according to the composition guidelines. Standing Committees may only be established, altered and/or disbanded through a majority vote of the Senate and with the affirmation or request of the college cabinet.

Section 5.04. Reporting. Each Chairperson of each committee shall be required to report to the President or any other designated Senate representative when requested regarding the activities of the Committee. In addition, each committee Chairperson shall be required to report to the full Senate whenever the agenda for a meeting calls for same.

ARTICLE VI

Amendments

Section 6.01. Submission. Proposed amendments to this Constitution shall be submitted in writing to the Senate through a committee or officer as may be designated from time to time. Any Member may propose an amendment to this Constitution. Each amendment must be signed by the Member proposing same. Any amendment proposed and signed by six (6) or more Members shall proceed directly to debate and a vote by the full Senate. Any proposed amendment that contains less than the signatures of six (6) Members must first be reviewed by an ad-hoc committee established for that purpose by the Senate. The committee will either approve the amendment for a vote by the full Senate or return the amendment to the proposing party with express directions for changes before submission.

Section 6.02. Voting. The Senate may allow amendments to this Constitution upon the affirmative vote of at least two-thirds (2/3) of the Senate as then constituted, at which point the amendment must then be approved by a vote of two-thirds (2/3) of the Members through special election. Any amendment that fails to gain adoption through a vote of the Senate, upon the application of six (6) Senators duly proposing same in writing, said proposed amendment shall be submitted directly to the Members for approval as provided for herein without need for Senate confirmation.

ARTICLE VII

Termination

Section 7.01. Resignations. Any Senator or any officer may resign at any time by delivering a letter of resignation physically or electronically to the President, Vice President, or Secretary of the Senate. Any such resignation shall take effect at the time specified therein, or, if the time when it shall become effective is not specified, then it shall take effect immediately upon receipt by the officer to which it has been tendered.

Section 7.02. Removal. A Senator or any officer may be removed from office prior to completion of his or her term by a majority vote of the Senate for any of the following reasons: failure to attend, without excuse or designation of proxy, three (3) consecutive properly noticed Senate meetings; refusal to serve on a committee assignment without just cause; termination of employment as a teacher at NWACC; or death, disability, or incapacity that in the belief of a Senator proposing removal renders the Senator or officer in question as incapable of further serving the represented faculty for the remainder of his or her term.

Section 7.03. Vacancies. Any vacancy caused by the death, resignation, or removal of a Senator or officer shall be filled by appointment thereto by the President or Vice President if the Presidency is vacated, or Secretary if both the Presidency and Vice Presidency are vacated, to serve for the unexpired term of the Senator or officer being replaced. Any Senator or officer so appointed must meet the qualifications as provided herein for service in that position.

ARTICLE VIII

Authorization to Issue Public Statements

Section 8.01. Resolutions. The Senate through its Senators may from time to time draft, propose, and approve through a majority vote resolutions meant to express the opinion or recommendation of the Senate with respect to actions, issues, controversies, and/or policies or procedures that affect or could affect NWACC; its faculty, students, staff, administrators, trustees and stakeholders or institutions of higher learning in general. Any such resolution is advisory only and shall be worded with sufficient specificity to properly represent the reasoning and authority for the conclusions and recommendations contained therein. The Faculty Senate shall be obligated and empowered to seek the views of the faculty as a whole before issuing any such resolution that may reflect or refer to those views in the body of the resolution.

ARTICLE IX

General Provisions

Section 9.01. Offices. The principal executive office of the Senate shall be located at such place within NWACC as the Senate from time to time so designates. The Faculty Senate shall be an unincorporated association until such time as the Senate, through majority vote, determines otherwise.

Section 9.02. Unspecified Powers. All legislative, judicial, and executive powers of the Faculty Senate that have not been enumerated in this Constitution but are permitted under the laws of the State of Arkansas and the United States shall be reserved to the Faculty Senate.

Section 9.03. Ratification and Effect. This Amended Constitution of the Faculty Senate of NWACC shall become effective as of a vote properly scheduled and held showing approval by two-thirds (2/3) of the Members voting in such election and shall fully replace the Constitution previously in effect for the Faculty Senate at NWACC.

Section 9.04. Reports to Members. The President shall have the authority to require the preparation of reports from Senate meetings, committee meetings, legislative actions, and resolutions to the Members prior to dissemination of any such reports to Stakeholders or interested parties in the public.

Section 9.05. Acknowledgement of Public Interest. The Faculty Senate is a body dedicated to the public interest and will strive whenever possible for complete transparency and disclosure for all actions undertaken on behalf of the Members or the Senate. The Faculty Senate will comply with all laws of the State of Arkansas and the United States.

CERTIFICATION

I, Carol B. Olson, the duly elected Secretary of the Faculty Senate for NWACC during the 2016-17 term do hereby declare and certify that the foregoing Constitution of the Faculty Senate of Northwest Arkansas Community College, as amended in 2017, was duly approved by at least a two-thirds (2/3) vote of the Members through special election held pursuant to its terms.

Dated: July 20, 2017


