

CONSTITUTION OF THE ACADEMIC SENATE

INDIANA UNIVERSITY SOUTH BEND

(Last Updated: April 2023)

Table of Contents

Preamble	4
ARTICLE I. MEMBERSHIP	5
Section 1. Voting Membership	5
Section 2. Emeritus Faculty	5
ARTICLE II. OFFICERS	6
Section 1. President	6
Section 2. Vice President	6
Section 3. Secretary	6
Section 4. Parliamentarian	6
ARTICLE III. ELECTION AND TENURE OF OFFICERS	7
Section 1. Election Procedure	7
Section 2. Eligibility to Hold Office	7
Section 3. Tenure of Office	7
ARTICLE IV. MEETINGS	8
Section 1. Format	8
Section 2. Frequency	8
Section 3. Notices	8
Section 4. Quorum	8
ARTICLE V. LEGISLATIVE AUTHORITY OF THE ACADEMIC SENATE	9
Section 1. Source of Powers	9
Section 2. Legislative Authority (revised 5/2019)	9
Section 3. Consultation of the Academic Senate (revised 5/2019)	9
ARTICLE VI. EXECUTIVE COMMITTEE	11
Section 1. President	11
Section 2. Members (revised 1998; 2018; 10/2020)	11
Section 3. Eligibility	11
Section 4. Duties	11

Section 5.....	12
Section 6.....	12
Section 7.....	12
Section 8.....	13
Section 9.....	13
ARTICLE VII. STANDING COMMITTEES.....	14
Section 1. Structure	14
Section 2. Eligibility	14
Section 3. Duties	14
Section 4. Records.....	15
Section 5. Powers.....	15
Section 6. Voting by Proxy	16
Section 7. Committees and Their Areas of Authority	16
A. Academic Affairs Committee (revised 10/2002; 2018, 2023)	16
B. The Curriculum Committee of the Academic Senate (2/1999).....	16
C. Facilities Management Committee (5/1998; revised 2008; 2018, 2023)	17
D. Faculty Welfare and Personnel Committee (4/2023)	18
E. The Non-Tenure Track Faculty Policy Committee (3/2000; revised 2018, 2023).....	18
F. Admissions, Advising, and Student Affairs Committee (2023)	19
G. The Library Affairs Committee (revised 2018, 2023)	19
H. The Teaching Committee (revised 2018, 2023)	20
I. The Budget Committee (1998; revised 2011, 2023)	20
J. The Research and Development Committee	22
K. Information Technologies Committee (revised 2018)	22
L. Campus Directions Committee (6/1996; revised 2008; 2018, 2023)	23
M. Assessment Committee (2003; revised 2018).....	24
N. General Education Committee (3/2008, revised 2023)	24
O. The Student Publications Committee (5/1998, 2018).....	25
P. Policy Committee (5/2019).....	26
Q. Community Engagement Committee (3/2020)	26
ARTICLE VIII. ATHLETICS COMMITTEE.....	28
Section 1. Membership	28
Section 2. Duties (11/2022)	28

ARTICLE IX. SENATE PROMOTION, TENURE, AND REAPPOINTMENT COMMITTEE.....	29
Section 1. Selection	29
Section 2. Eligibility and Disqualification	29
Section 3. Principles for Participation in the Tenure and Promotion Process at all Levels.....	29
Section 4. Officers	30
Section 5. Powers and Responsibilities.....	30
Section 6. Procedures	30
ARTICLE X. DISMISSAL	31
ARTICLE XI. FACULTY BOARD OF REVIEW (1/2023)	32
Section 1. Policy Statement	32
Reason for this policy.....	33
Section 2. Procedures	33
1. General Procedures	33
2. Procedures for a Complaint	35
3. Procedures for Appeals.....	37
ARTICLE XIII. AMENDMENTS	39
Section 1. Proposal.....	39
Section 2. Ratification	39
ACADEMIC SENATE BY-LAWS.....	40

CONSTITUTION OF THE ACADEMIC SENATE INDIANA UNIVERSITY SOUTH BEND

Preamble

We, the faculty of Indiana University South Bend, in order to provide a governmental structure for our membership and a forum for the exchange of ideas, to promote excellence in scholastic and professional attainment, and to maximize the participation, the influence, and the effectiveness of the faculty in the operation and growth of Indiana University South Bend, do hereby constitute ourselves as the Academic Senate, Indiana University South Bend, and adopt this Constitution as our instrument of government.

Subject to the limitation imposed by the laws of the State of Indiana and the Board of Trustees of Indiana University, and the Indiana University Faculty Constitution, this Constitution establishes the powers and the duties herein provided for and confers them upon the Academic Senate, Indiana University South Bend. The Constitution is to be construed and implemented in the spirit of affirmative action principles and of civil rights legislation.

ARTICLE I. MEMBERSHIP

Section 1. Voting Membership

Full-time staff members holding the following academic positions shall be granted the right to vote in the Academic Senate: (updated 3/2020)

Professor	Associate Professor	Assistant Professor
Librarian	Associate Librarian	Assistant Librarian
Teaching Professor	Senior Lecturer	Lecturer
Clinical Professor	Clinical Associate Professor	Clinical Assistant Professor
	Clinical Senior Lecturer	Clinical Lecturer

Associate (5/98) faculty who are scheduled to teach at least one credit course in the fall of the current academic year or who taught at least one credit course in the preceding academic year, may select representatives from their number to serve as voting members of the Academic Senate. The number of representatives shall not exceed fifteen. The procedure for selecting these representatives is contained in the By-Laws.

Section 2. Emeritus Faculty

Attendance and speaking rights at Senate meetings are extended to emeritus senate members (6/1996).

ARTICLE II. OFFICERS

Section 1. President

The duly elected President of the Academic Senate shall preside over all Senate meetings, shall serve as President of the Executive Committee, shall implement the decisions of the Senate and shall report from time to time on matters of importance to the Senate. The President shall be elected from among the tenured members of the faculty.

Section 2. Vice President

The duly elected Vice President of the Academic Senate shall carry out all duties of the President in the absence of the President and shall handle Senate funds. The Vice President becomes the President on the death, resignation, or permanent incapacity of the President (5/1998). The duly elected Vice President shall come from the tenured members of the faculty (5/1998).

Section 3. Secretary

The duly elected Secretary of the Academic Senate shall record and retain minutes of all Senate meetings, shall distribute copies of all minutes to all members, shall prepare in consultation with the Executive Committee the agenda for Senate meetings, shall handle all correspondence for the Senate, and shall send written notice of all Senate meetings to all members. The Secretary shall regularly provide the library archivist with a copy of the minutes and other Senate documents to be preserved digitally and published, and shall send each member of the Board of Trustees a copy of all resolutions passed by the Senate. The Secretary shall, upon leaving office, turn over all records of Academic Senate business to the successor.

Section 4. Parliamentarian

The Parliamentarian of the Academic Senate, who shall be appointed by the President, will advise the President on parliamentary procedure.

ARTICLE III. ELECTION AND TENURE OF OFFICERS

Section 1. Election Procedure

The Academic Senate shall elect a nominating committee of three members at the November meeting to prepare a nomination slate for each position to be filled for the next year. This slate shall be presented at the February (10/1993) meeting of the Senate. In addition to these nominations, any member may be nominated from the floor at the February (10/1993) meeting of the Senate.

Election of officers shall be conducted by mail (10/1993) or electronic (5/2016) ballot circulated to voting members of the Senate after the February (10/1993) meeting of the Senate. Tabulated results of the election shall be certified by the Secretary and announced no later than the March (10/1993) meeting of the Senate. In the event that no nominees shall receive a majority of votes on the first ballot, the nominees receiving the greatest number of votes and the second greatest number of votes shall be contestants in a second ballot. In the case of a tie on the second ballot, the President shall cast the deciding vote. The nominee receiving a majority of the votes cast shall be declared the winner.

Section 2. Eligibility to Hold Office

All voting members except the Chancellor, the various levels of Vice Chancellors, and the various levels of Deans of Indiana University South Bend shall be eligible to hold office or serve on committees in the Academic Senate, except as noted in the charges of particular committees. (11/2019)

Section 3. Tenure of Office

The President shall serve for two years. All other officers shall serve for one year, beginning on July 1 (10/1993) following the election.

ARTICLE IV. MEETINGS

Section 1. Format

All meetings shall be presided over by the President of the Academic Senate. The Vice President shall preside in the absence of the President. In the absence of both, a President pro tempore shall be elected by a majority vote of those members present and voting.

The agenda shall be prepared by the Executive Committee (see Article VI). Meetings shall be conducted according to the latest edition of The Standard Code of Parliamentary Procedure, except insofar as this Constitution and the by-laws may make express provisions to the contrary.

Section 2. Frequency

Regular meetings are held in September, October, November, January, February, March, and April, except that the Executive Committee may cancel any regularly scheduled meeting for lack of business.

Special meetings shall be called by the President upon written petition of at least ten members or upon a majority vote of the Executive Committee. The agenda for a special meeting shall be confined explicitly to matters contained in the petition. No meeting of the Academic Senate shall be called during official University vacation periods.

Section 3. Notices

Written or electronic (5/1998) announcement of all regular meetings shall be made by the Secretary or President (5/1998) to all members at least one week in advance of such meetings.

Written or electronic (5/1998) announcement of all special meetings shall be made by the Secretary or President (5/1998) to all members at least three (3) school days -- excluding Saturdays and Sundays -- in advance of such meetings.

Section 4. Quorum

A quorum shall consist of fifty voting members (2/2003).

ARTICLE V. LEGISLATIVE AUTHORITY OF THE ACADEMIC SENATE

Section 1. Source of Powers

Subject to the limitations imposed by the laws of the State of Indiana, the Board of Trustees of Indiana University, and by the Indiana University Faculty Constitution, this constitution confirms and establishes in the faculty of Indiana University South Bend the power and duties herein specified. Said powers and duties shall be exercised exclusively by the Academic Senate of Indiana University South Bend.

Section 2. Legislative Authority (revised 5/2019)

The faculty has legislative authority to establish policy and determine procedures for its implementation governing the teaching, research, and service aspects of the University's academic mission. Areas within the faculty's legislative authority include:

- A. Academic mission.
- B. Structure and standards for faculty governance.
- C. Standards and procedures for creation, reorganization, merger, and elimination of academic programs and units.
- D. Standards and procedures for determining the authority of academic units and the relationship between them.
- E. Curriculum.
- F. Class scheduling and academic calendar.
- G. Admission and retention of students.
- H. Student academic performance.
- I. Standards and procedures for student conduct and discipline.
- J. Athletics.
- K. Creation and definition of academic ranks.
- L. Standards and procedures for faculty appointments, promotion and tenure, compensation, conduct and discipline, and grievances.
- M. Standards and procedures for appointment and review of academic officers.
- N. Conferring degrees.
- O. Other authorities delegated to the faculty by the Trustees.

Legislative authority means the power to establish policies and to determine procedures for their implementation subject to the Board of Trustees, the University Faculty Council, the laws of the State, and other provisions of this Constitution and the Constitution of the Indiana University Faculty (ACA-04).

Section 3. Consultation of the Academic Senate (revised 5/2019)

Consultation of the faculty shall be through representatives authorized by faculty governance institutions. This consultation may take a variety of forms, chief among which should be consultation with elected faculty representatives, in particular the Executive Committee of the Academic Senate and/or various standing and/or elected committees of the Academic Senate.

Consultation should occur sufficiently in advance of action to permit faculty deliberation. IU South Bend administrative officials shall keep the Academic Senate completely informed in an appropriate manner concerning all policies and decisions having an impact on the academic mission.

IU South Bend administrative officials shall consult with the Academic Senate concerning:

1. Planning and decisions regarding existing and prospective physical resources.
2. University budgets and allocation of the University's resources among competing demands (i.e., budgeting).
3. Faculty compensation and benefits.
4. Establishment of administrative offices affecting the academic mission, and appointment and review of administrators filling those offices.
Including appointment to (1) administrative positions at the campus or college/school/library level which involve responsibility for credit or noncredit academic programs, and (2) other campus-wide senior administrative positions with significant impact on academic programs (e.g., Athletic Director, Business Manager).
5. Any other aspect of University operations having an impact on the academic mission.

ARTICLE VI. EXECUTIVE COMMITTEE

Section 1. President

The Executive Committee shall be chaired by the President of the Academic Senate.

Section 2. Members (revised 1998; 2018; 10/2020)

The membership of the Committee shall consist of the elected officers of the Senate, the immediate past president, the two elected University Faculty Council Representatives and four members of the Senate, nominated and elected to two-year staggered terms in the same manner as officers of the Senate, except that the election shall be by plurality vote. The Parliamentarian shall serve as a non-voting member.

The election of the two IU South Bend elected representatives to the IU University Faculty Council shall follow the provisions as described for the election of Senate officers, except that plurality vote will prevail. One of the representatives shall be tenure track. One of the representatives should be non-tenure track. The representatives shall serve two-year staggered terms, or otherwise as may be determined by the Senate's Executive Committee. The IU South Bend UFC representatives shall report periodically to the Academic Senate on matters of interest and/or importance (10/2020).

Section 3. Eligibility

All voting members except the Chancellor, the various levels of Vice Chancellors, and the various levels of Deans of Indiana University South Bend shall be eligible to hold office or serve on committees in the Academic Senate, except as noted in the charges of particular committees. (11/2019)

Section 4. Duties

The duties of the Executive Committee shall be:

To make appointments to the various standing committees of the Academic Senate. These appointments shall be made in consultation with the Senate member concerned. Such appointments shall be presented for ratification at the April (10/1993) meeting of the Academic Senate.

To make appointments to various ad hoc committees including all faculty appointments to search and screen committees for administrative positions requiring Senate consultation (see Article V, Section 3). In the case of administrative appointments carrying faculty rank, at least two-thirds of the Search and Screen Committee members shall be members of the full-time faculty of Indiana University South Bend.

To determine the agenda for regular Academic Senate Meetings. The agenda shall be compiled as follows:

- A. Any person wishing to bring a matter before the Academic Senate for a vote shall submit the proposed motion or resolution to the President of the Executive Committee at least two weeks before the next regularly scheduled meeting of the Academic Senate.
- B. The Executive Committee shall meet at least ten days before the next regularly scheduled meeting of the Academic Senate and shall decide by majority vote which items to place on the agenda of the next Senate meeting and which items to refer to the appropriate Senate committee for further study and recommendation; except that any matter may be placed on the agenda of the Senate if the President of the Senate deems it to be of such urgency that the Executive Committee should be bypassed; or, upon filing of a written petition, signed by ten members, with the President of the Senate at least ten days before the next regularly scheduled meeting of the Senate.
- C. The Chairperson of the Executive Committee shall put such items of information (non-voting matters) on the agenda as he or she deems appropriate.
- D. If there is not sufficient business to come before the Senate, the Executive Committee may cancel the next regularly scheduled meeting of the Senate.

To facilitate the implementation and effect of legislation passed by the Senate, the Executive Committee may edit the final draft of any such new legislation, which revisions shall be promptly submitted to the Senate membership for review, and shall refer such legislation to the appropriate administrative officials. The Executive Committee shall review and report upon the subsequent action of administrators in implementing the legislation.

To maintain a file of changes to the Academic Handbook, and to work with the office of the Executive Vice Chancellor for Academic Affairs to maintain an updated version of the Academic Handbook (6/1996).

Section 5.

The Executive Committee may invite nonmembers to participate in the discussion of matters of particular interest.

Section 6.

The Chairperson of the Executive Committee shall report to the next meeting of the Senate matters considered and actions taken by the Executive Committee.

Section 7.

A Secretary shall be chosen from the membership of the Executive Committee and such person shall keep minutes of the Committee. Copies of these minutes shall be posted on the Senate website or other public format.

Section 8.

If the full Academic Senate cannot be convened in time, in cases of dire emergency the Executive Committee may act provisionally for the faculty. Any action of the Executive Committee may be appealed to the Senate.

Section 9.

In the event of a vacancy in any position on the Executive Committee except the President, a replacement to fill the unexpired term shall be nominated by the Executive Committee. As the first order of business at the next Academic Senate meeting, further nominations will be accepted from the floor and an election shall take place immediately on the close of the nominations. A position becomes vacant on the death or resignation of an elected member or on a member's incapacity to serve (5/1998).

ARTICLE VII. STANDING COMMITTEES

Section 1. Structure

Standing committees shall be appointed by the Executive Committee, with ratification by the Senate. Standing committees shall consist of three to nine members (3/1993), at the discretion of the Executive Committee except when the constitution states otherwise (4/1996). The term of office shall commence on July 1. At the request of a standing committee and the recommendation of the Executive Committee, the Academic Senate may modify the term of office. In the event of a vacancy, the Executive Committee shall appoint a replacement. The chairperson of each standing committee shall be elected from and by the voting membership of that committee.

Section 2. Eligibility

All voting members except the Chancellor, the various levels of Vice Chancellors, and the various levels of Deans of Indiana University South Bend shall be eligible to hold office or serve on committees in the Academic Senate, except as noted in the charges of particular committees. (11/2019)

Associate (5/1998) faculty and students at Indiana University South Bend may apply to any of the standing committees for admission to their proceedings; the committee shall determine the nature of their participation.

A standing committee shall not extend voting rights to more than two non-members of the Senate except when the constitution states otherwise (4/1996).

Section 3. Duties

Standing committees shall make studies, formulate recommendations, prepare resolutions and carry out such other duties as may be assigned by the Academic Senate. Standing committees shall concern themselves with matters at their own initiative, at the request of the Academic Senate, its President, its Executive Committee, or at the request of the Chancellor of Indiana University South Bend. Any Senate member or administrative officer may, through the chairperson or other committee members, present matters for committee consideration. All actions of committees shall be recorded in minutes. Committees shall exercise discretion in reporting matters of a confidential nature and are entitled to hold closed meetings when appropriate. Meetings of standing committees shall be called by the chairpersons of the respective committees. The committee chairperson shall call meetings at the request of the President of the Academic Senate, or a majority of the members of the committee. A copy of all minutes shall be given to the President of the Academic Senate and to the archivist. All committee actions are subject to review by the Academic Senate.

Under circumstances when the element of time precludes the normal course of action concerning committee recommendations, the committee chairperson or President of the Academic Senate may seek the immediate recommendations of a committee on matters within

the area of competence of that committee. The suggested areas of competence, listed below, should in no way inhibit the initiative of any committee.

Section 4. Records

Chairpersons of all standing committees are responsible for:

1. Keeping a file of all committee minutes and correspondence for the school year and delivering these documents to the archivist before July 1 of that school year.
2. Compiling a year-end report which would include a description of the work of the committee and an assessment of how the committee carried out its work. This report must be filed with the librarian as soon as possible after the end of the school year, but no later than August 1st. Copies of this report are to be distributed to the faculty.
3. The archivist shall be responsible for keeping copies of all past minutes and reports and related documents in the archives and related documents of the Academic Senate and its standing committees.

Section 5. Powers

The Senate maintains the right to overrule any action taken by a committee. Minutes of all committees will be distributed to all members of the committee, members of the Executive Committee, and any other member of the Academic Senate who requests them.

As agents of the Academic Senate, committees may make decisions and formulate policies which are binding on the Senate unless formally overruled. When a committee arrives at a decision or formulates a policy which it believes should be binding, it is to send a written copy of said decision or policy to the Secretary and President (5/1998) of the Academic Senate. The Secretary of the Academic Senate will include all such decisions or policies in a special section of the minutes of the next Academic Senate meeting. To obtain Academic Senate review of any such decision or policy it is necessary to submit a petition signed by ten or more members of the Academic Senate to the President or Secretary of the Academic Senate. The matter will then be placed on the agenda of the next meeting of the Academic Senate. Such review may also be instituted by decision of the Executive Committee. No committee action shall become policy until: 1) it is published in the Academic Senate minutes; and, 2) the next opportunity for review by the Academic Senate passes without alteration of the action (accomplished by majority vote of the Senate).

Administrative officers may create special or ad hoc committees to obtain advice, but under no circumstances will such advice be considered to be the advice of the IU South Bend faculty. Only committees of the Academic Senate are authorized to be considered official voices of the faculty and to carry delegated legislative authority of the faculty as provided for in this Constitution and the Constitution of the University Faculty Council.

Section 6. Voting by Proxy

The members of the various standing committees have the right to appoint an alternate if they are unable to attend a meeting of their committee. The committee members may vote by proxy if they have delegated their voting rights in writing to their alternate.

Section 7. Committees and Their Areas of Authority

A. Academic Affairs Committee (revised 10/2002; 2018, 2023)

Charge:

The Academic Affairs committee sets or recommends to the Senate policy and practice regarding cheating, plagiarism, grade appeals, registration, class scheduling, and academic calendar adjustments. The committee may hear cases regarding probation and grade appeals.

Membership and Terms:

The Committee shall be comprised of five to seven full-time faculty members. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the memberships lapsing each year. The Registrar or the Registrar's representative shall serve as an ex officio member of this committee.

B. The Curriculum Committee of the Academic Senate (2/1999)

Charge:

We, as faculty, daily implement the curriculum. We also have primary responsibility for its development and oversight. Since curricular decisions are most often—and appropriately so—made at the academic unit level, the Curriculum Committee's primary responsibility is to provide a campus perspective for changes.

The Committee therefore serves in the following capacities:

1. To maintain the institutional history of the curriculum committee by maintaining archives of past curriculum decisions for record purposes and for consultation for future decisions;
2. To consider and vote upon all new courses, programs, degrees, certificates, and minors offered at IU South Bend and upon all changes within current ones involving course numbering, titles, credit hours, grading options, and descriptions;
3. To enhance communication among the different academic units in terms of proposed changes that will affect both current and future programs, especially as they increasingly use resources that cross academic unit boundaries;
4. To oversee the curriculum development process.

Membership and Terms:

The Curriculum Committee of the Academic Senate shall be comprised of one student member with an annual appointment and eight to twelve full-time faculty members. The membership should be representative of the faculty from the various colleges, schools, and the library. These faculty will serve three-year overlapping terms with approximately one-third of the memberships lapsing each year. In addition, a representative from the Registrar's Office and a representative from Academic Affairs shall serve the committee as ex officio, non-voting members (2/1999).

C. Facilities Management Committee (5/1998; revised 2008; 2018, 2023)

Charge:

The Facilities Management Committee shall be concerned with matters pertaining to the utilization, modification, expansion, and maintenance of campus facilities. The Committee regularly reviews the campus master plan and its implementation. The Committee shall bring faculty and staff concerns regarding campus facilities to the attention of the Senate and campus administration.

Membership and Terms:

- The Committee shall be comprised of five to seven full-time faculty. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the memberships lapsing each year. (4/2023)
- The committee will include up to two members appointed by the Staff Council, with one-year renewable terms. The committee will include one student member to be nominated by SGA. (4/2023)
- The Director of Facilities Management will serve as an ex officio member.
- The Vice Chancellor for Administration and Finance will serve as an ex officio member. (3/2020)
- A committee chair will be elected annually by the committee from the faculty members.

D. Faculty Welfare and Personnel Committee (4/2023)

Charge:

The Faculty Welfare and Personnel Committee shall:

1. Make recommendations concerning the Lundquist Award, recruitment, sabbatical leaves, faculty expansion or contraction and part-time credit faculty.
2. Make recommendations concerning the establishment of administrative offices affecting the academic mission, and appointment and review of administrators filling those offices.
3. Set standards and procedures for appointment and review of academic officers.
4. Make recommendations on creation and definition of academic ranks to the academic senate.
5. Have authority over matters pertaining to salaries, fringe benefits, research, academic freedom, and working conditions.
6. Be concerned with all academic personnel and procedure matters not specifically delegated to other committees.

Membership and Terms:

The Committee shall be comprised of five to seven full-time faculty members with a majority of them being tenured. The chair shall be a tenured faculty member. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the memberships lapsing each year. No Senate member with less than three years of fulltime experience with Indiana University may serve on the committee.

E. The Non-Tenure Track Faculty Policy Committee (3/2000; revised 2018, 2023)

Charge:

The Committee's main functions will be:

1. to monitor the execution of campus policies relating to NTTF;
2. to recommend ways to improve and regularize the employment of NTTF in all units on campus;
3. to provide an annual report to the IU South Bend Academic Senate.

Membership and Terms:

- The Committee shall be comprised of five to seven faculty members including both tenure-track and non-tenure track faculty in equal or nearly equal numbers. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the memberships lapsing each year.
- The chair of the committee shall be a member of the IU South Bend Academic Senate.
- Non-tenure track faculty who are not members of the Senate but who were officially appointed to the committee shall have full voting rights.

F. Admissions, Advising, and Student Affairs Committee (2023)

Charge:

The Committee shall monitor all aspects of admission, advising and student affairs, including retention, academic probation, dismissal and readmission at IU South Bend. Additional responsibilities shall include:

1. Setting standards, policies and procedures governing admission to IU South Bend.
2. Making policy and procedural recommendations to the academic units governing advising, academic probation, dismissal and readmission to IU South Bend.
3. Making policy and procedural recommendations to the Academic Senate governing advising, academic probation, dismissal and readmission to IU South Bend.
4. Recommending and reviewing policies related to student life, including student rights and responsibilities, safety, student housing and student fees.
5. Consulting on student life as it relates to university student organizations, including officers' and senators' eligibility, elections, annual budgets, and expenditures of the Student Government Association (SGA).
6. Advising and making recommendations to the leadership regarding student support services, including the Student Counseling Center, Career Services, Titan Success Center, and, in conjunction with the Athletics Committee, the Student Activities Center (SAC).
7. Faculty Committee members may serve as members of the Procedural Update Committee, the Campus Review Board (to hear student appeals), or other committees as deemed appropriate by the Senate Executive Committee for representation from this committee.

Membership and Terms:

1. Five to seven faculty members shall serve two-year overlapping terms with approximately one-half of the memberships lapsing each year. The faculty appointments shall be made by the Academic Senate Executive Committee. Each IU South Bend School and College should have a faculty representative.
2. Three administrative members shall serve one-year renewable appointments made by the Academic Senate Executive Committee. The appointments will be drawn from recommendations made by the Executive Vice Chancellor for Academic Affairs and the Vice Chancellor for Student Engagement.
3. Two student members shall serve a one-year renewable appointment made by the IU South Bend Student Government Association.
4. The chairperson shall be a faculty member elected by the committee members at the first meeting of each academic year.

G. The Library Affairs Committee (revised 2018, 2023)

Charge:

The Committee on Library Affairs shall advise and make recommendations on all matters pertaining to the Library and the needs of library stakeholders (e.g., advocacy and budget

matters, faculty/student engagement, facilities, review/renovation of materials, access and preservation). The Committee keeps the Academic Senate informed of current library issues and concerns.

Membership and Terms:

- The Committee shall be comprised of five to seven full-time faculty members. The membership should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the memberships lapsing each year.
- The Dean of the Library shall be an ex-officio non-voting member of this committee.

H. The Teaching Committee (revised 2018, 2023)

Charge:

The Teaching Committee shall develop standards of teaching excellence, and promote the use of evidence of teaching performance for constructive self-criticism by teachers, for the reward of good teaching by the University, and as criteria for promotion, tenure, and reappointment.

Membership and Terms:

- The Committee shall be comprised of five to seven full-time faculty members. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the memberships lapsing each year.
- The UCET director shall serve as an ex officio member of the committee.
- Committee members are not eligible for faculty teaching awards for which the committee makes recommendations during the period of their service on the committee.

I. The Budget Committee (1998; revised 2011, 2023)

Charge:

1. To represent faculty interests in budget matters at IU South Bend.
2. To consult with the faculty members of this campus about budgetary procedures and practices.
3. Ensure budgetary procedures are followed in regard to faculty and staff input and propose modifications as needed.
4. Receive regular budgetary information from the CBAC and provide input to the CBAC on behalf of the faculty and staff.

5. Advance the goal and priority of the campus to partner with businesses that best align with IU South Bend values statements.
6. Serve as an educational resource to the campus community regarding the campus' consumption and production of everyday goods and services and sustainable and ethically responsible business practices.
7. Serve as a venue for faculty and staff concerns and suggestions about the relationship of current vendors to IU South Bend's campus value statements. Seek input from all concerned parties to evaluate concerns and suggest resolution strategies.
8. Meet with the Vice Chancellor for Administration and Finance and representatives from the Office of Administration and Finance to represent the faculty in the budget process and provide faculty input on priorities for future expenditure.
9. The Committee shall be consulted and assist in the formulation of the policies, priorities, and guidelines by which University resources are requested and allocated.

Membership and Terms:

1. Nine faculty members, with voting privileges, with three-year staggered appointment; the chair will be elected from among this group by the Committee for a one-year term. The faculty appointments are made by the Executive Committee, as representative of the various colleges/schools. (3/2011)
2. Up to two members, with one-year renewable appointment made by the president of the Staff Council and approved by the Senate's Executive Committee (4/2023)
3. One member, with a one-year renewable appointment made by the president of the Student Government Association, and approved by the Senate's Executive Committee (3/2011)
4. The committee may extend voting privileges to up to three non-faculty members of the committee (3/2011)
5. The Vice Chancellor for Administrative and Fiscal Affairs shall serve as a non-voting consultant to the Committee (3/2011)

J. The Research and Development Committee

Charge:

The Research and Development Committee regularly reviews applications and makes award recommendations to the Executive Vice Chancellor for Academic Affairs for established internal grants and fellowships such as Faculty Research Grants, Curriculum Development Grants, and Seed Grants (5/2016). The Committee also provides occasional advice on other internal grant programs and assists when necessary in screening applications for external awards. At the request of the Executive Committee or the Executive Vice Chancellor for Academic Affairs, or on its own initiative, the committee reviews and makes recommendations on University or Campus policies affecting research, patent and royalty arrangements and conflict of interest matters (3/1993).

Membership and Terms:

Membership of the Research and Development Committee are to be appointed by the Executive Committee for staggered two-year terms (1/2002). All major academic units on campus (CLAS, B&E, EDUC, CHS, ARTS) must be represented on this committee each year (5/2016).

K. Information Technologies Committee (revised 2018)

Charge:

The Committee has the authority and responsibility for advising on policy creation and procedures concerning technology (broadly construed) as it applies to academic and instructional matters. The Committee also has the responsibility for advising the Chief Information Officer on matters of administrative policy and procedure. The Committee further advises the Chief Information Officer on guidelines governing distribution of information technology services and resources.

Membership and Terms:

- The Committee shall be comprised of eight full-time faculty members. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the memberships lapsing each year.
- Seven administrative members with voting privileges, with one-year renewable appointments by the Senate Executive Committee, drawn from recommendations of the administrator in charge of the respective units of: Academic Affairs, Office of Administration and Finance, Student Engagement & Success, Communications and Marketing, Center for Online Education, Schurz Library, IU South Bend University Information Technology Services. One student member, with one-year renewable appointment, made by the IU South Bend Student Government Association. The Chief Information Officer is a non-voting consulting member.

- A Chairperson shall be elected annually from among the eight faculty members appointed by the Executive Committee.

Committee Procedures:

Among other procedures to be determined and established as needed and as appropriate by the Committee, the following procedures should be followed:

1. The Committee will schedule and hold regular monthly meetings, and others as necessary, and record minutes, to be published and retained according to established Senate rules.
2. The IU South Bend University Information Technology Services will suggest agenda items to the Chair, as appropriate issues arise.
3. The Chief Information Officer will report on activities of the Office, and on other relevant matters, to the monthly Committee meeting.

L. Campus Directions Committee (6/1996; revised 2008; 2018, 2023)

Charge:

The Campus Directions Committee is responsible for:

1. Directing the periodic development of the campus strategic plan in collaboration with University Administration;
2. Regularly reviewing and, if needed, revising the campus mission statement;
3. Regularly assessing the progress, results, and performance indicators of each goal and, where appropriate, make recommendations and adjustments;
4. Reporting annually to the Academic Senate.

Membership and Terms:

The Committee is comprised of faculty; representatives of administrative units and the Student Government Association; and non-voting consultants.

Nine faculty members, with voting privileges, with three-year staggered appointment; the chair will be elected from among this group by the Committee for a one-year term. The faculty appointments are made by the Executive Committee, drawn from recommendations made by the administrators of the various departments and colleges, schools, and the library.

Eight members, with voting privileges, with one-year renewable appointments by the director of the administrative units, and approved by the Senate's Executive Committee and Senate members, of the respective units of:

1. Staff Council (up to two members)
2. AFSME Council
3. Academic Affairs
4. Administration and Finance
5. University Advancement
6. Student Engagement and Success

7. University Information Technology Services (UITs)

One student member, with voting privileges, with a one-year renewable appointment made by the Student Government Association

Non-voting Consultants:

1. Chancellor or designate
2. Senior University Faculty Council representative or designate junior representative
3. Vice President of the Academic Senate or designate from the Senate Executive Committee
4. Director of Institutional Research
5. One IU South Bend Alumni Board member

M. Assessment Committee (2003; revised 2018)

Charge:

The Committee, in collaboration with the Assessment Coordinator and the Office of Institutional Research, oversees and coordinates assessment activities by collecting and reviewing annual assessment data across campus from all academic and co-curricular areas and by awarding assessment grants.

Membership and Terms:

1. Nine faculty members with voting privileges serve staggered three-year appointments.
2. Five of the nine faculty members will be appointed by the Executive Committee of the Academic Senate; four of the nine faculty members will be appointed by the Office of Academic Affairs.
3. A chairperson of the Committee will be appointed by the committee from among the nine faculty members.
4. The Assessment Coordinator and a representative from the Office of Institutional Research will serve in an ex officio capacity on the committee.
5. A representative from the co-curricular areas, such as but not limited to counseling, student life, academic centers for excellence, disability support services, and athletics, will be appointed by the Executive Committee of the Academic Senate and will serve in an ex-officio capacity on the committee. The appointment will be drawn from recommendations made by the Vice Chancellor of Student Engagement and Success or the Chancellor.

N. General Education Committee (3/2008, revised 2023)

Charge:

The General Education Committee shall have authority over the IU South Bend campus general education curriculum.

The General Education Committee shall:

1. Approve all courses proposed to satisfy the General Education Curriculum and forward General Education proposals for new courses to the Curriculum Committee.
2. Review the list of approved courses and the general education program annually, and make recommendations regarding needed course development and program changes.
3. Conduct annual assessment of the general education program, and report regularly to the Academic Senate Assessment Committee.
4. Review and revise course characteristics documents on the basis of annual program assessment findings.

Membership and Terms:

Ten voting members shall be appointed from the full-time faculty, in consultation with the Director of General Education, from the following units: CLAS (3), Arts (2), Business (1), Education (1), Health Sciences (1), Social Work (1), and Library (1). Members shall serve three-year staggered terms. A chair shall be elected annually from among the appointed faculty members. A student shall be appointed by the Student Government Association as a voting member for a one-year renewable term. The Directors of General Education and the First Year Experience program shall be ex officio voting members of this Committee. (4/2023)

O. The Student Publications Committee (5/1998, 2018)

Charge:

The Student Publications Committee is charged with the general supervision of student publications, their staff, and fiscal operation. It also acts as liaison between student publications, the campus, and general community. The Committee is the authority on editorial policies and general issues of content, but has no right of pre-publication censorship. Responsibilities of the Committee shall include:

1. Defining the responsibilities, duties, and expectations of chief editors and faculty advisors of all student publications.
2. Having supervisory authority over fiscal operations of all student publications.
3. Soliciting applications, interviewing, and selecting editors for each student publication.
4. Identifying and appointing a faculty advisor for each student publication.
5. Dismissing student publication editors for unsound business and/or editorial practices, illegal activities, or other actions that the committee deems as inappropriate.
6. Reviewing and approving personnel and editorial policies developed by the editor, staff, and/or faculty advisor of each student publication.
7. Serving as an appeal body on personnel matters or issues of content that cannot be resolved by the editors, publications staff, and/or faculty advisors of a publication.

Membership and Terms:

1. Four faculty members shall be appointed by the Academic Senate Executive Committee to serve two-year overlapping terms with approximately one-half of the memberships lapsing each year. The membership, as much as possible, should be representative of the faculty from the various colleges, schools, and the library.
2. The Faculty Advisor of each of the student publications shall serve as advisor and as a voting ex officio member for a term of two years, renewable with approval of the committee.
3. The editor-in-chief of each student publication and the Director of Student Life will also serve as ex-officio voting members.
4. One student member shall serve a one-year renewable voting appointment made by the IU South Bend Student Government Association. It is the responsibility of the SGA to appoint this individual.
5. One committee member shall fill the role of paymaster, to approve editor hours and pay, for a term of two years, renewable with the approval of the committee.

P. Policy Committee (5/2019)

Charge:

The Policy Committee shall review and recommend structures and standards for faculty governance and ensure the accuracy and currency of the Constitution and the policies and practices that make up the Faculty Handbook. The committee shall monitor changes to Indiana University academic policies and practices, and the Constitution of the Indiana University Faculty. The committee shall closely work with the Senate President and the University Faculty Council Representative. The committee shall act as the consulting body to other Senate committees and the faculty regarding the Constitution and the Faculty Handbook.

Membership and Terms:

The Committee shall be comprised of three to five full-time faculty members and an ex officio representative appointed by the Executive Vice Chancellor for Academic Affairs. These faculty members will serve three-year staggered terms. No Senate member with less than three years of fulltime experience with Indiana University may serve on the Policy Committee.

Q. Community Engagement Committee (3/2020)

Charge:

The Community Engagement Committee shall concern itself with the institutionalization of community engagement on our campus. The committee shall have the following responsibilities:

- Make recommendations to the Campus Directions Committee on the community engagement aspects of the campus' strategic plan.

- Make campus-wide policy recommendations to incentivize and support community engagement.
- Consult with other Academic Senate committees on community engagement matters.
- Make recommendations to, and advise, the Director of Community Engagement on all matters pertaining to community engagement.
- Make recommendations to, and advise, the Executive Vice Chancellor of Academic Affairs on community engagement matters.

Membership and Terms:

The committee shall be comprised of six to eight full-time faculty. The membership should be representative of the faculty from the various colleges, schools, and the library. These faculty members will serve two-year overlapping terms with approximately one-half of the membership lapsing each year. One member, with a one-year renewable term, will be appointed by the president of the Student Government Association and approved by the Senate's Executive Committee. A representative from a non-academic unit, such as but not limited to Counseling, Disability Support Services, or Student Life shall be appointed by the Senate Executive Committee and shall serve as ex-officio with voting privileges for a one-year renewable term. The Director of Community Engagement shall serve as an ex-officio, non-voting member. A chair shall be elected annually from among the faculty members.

ARTICLE VIII. ATHLETICS COMMITTEE

Section 1. Membership

The Athletics Committee shall consist of six (6) members of the Academic Senate, elected by the Senate in the same manner as officers of the Senate (see Article VI, Section 2) and one (1) student member elected by the Student Association. In accordance with Title IX, membership must include persons from more than one gender. (11/2022)

Members of the Athletics Committee elected by the Academic Senate will be elected to staggered two-year terms. Members of the Athletics Committee will elect its Chairperson at the first meeting of each academic year. The Athletics Director shall serve on this committee in an ex-officio capacity.

In the event of a vacancy, the Executive Committee shall appoint a replacement who will serve only the remainder of the Academic year. If a two-year term were involved, the vacancy for the second year would be filled through normal nomination and election process (2/1997).

Section 2. Duties (11/2022)

The Athletics Committee shall:

1. Serve in an advisory role concerning the annual athletic budget, both intramural and intercollegiate, and supportive activities.
2. Establish guidelines concerning schedules for intercollegiate athletics and monitor compliance.
3. Establish eligibility requirements for participation in intercollegiate athletics and monitor compliance.
4. Approve participation in new intercollegiate athletic activities with the consent of the Senate.
5. Approve participation in post-season activities.
6. Propose, for the approval of the Senate, membership in athletic conferences.
7. In cooperation with the Scholarship Office, determine policies concerning allocation of athletic grants when available, in accordance with conference policies.
8. Make personnel recommendations in the athletic area to the Vice Chancellor for Student Affairs and Enrollment Management.

ARTICLE IX. SENATE PROMOTION, TENURE, AND REAPPOINTMENT COMMITTEE

(Revised October 2018)

Section 1. Selection

Election of members to the Promotion, Tenure and Reappointment Committee shall be held in the spring in conjunction with the election of Academic Senate officers. Terms of office for voting members (2/2010) shall be two years, four members to be elected in even-numbered years and three in odd-numbered years. Terms of office for non-voting members shall be one year (2/2010).

Those selected will be the members receiving the most votes, with the following conditions:

The Committee shall consist of seven tenured, voting faculty members, at least three of whom must be Full Professors, and two tenure-probationary, non-voting faculty members (2/2010). No Senate member with a 50% or greater administrative workload assignment (11/1998) may serve on the committee.

In years with five positions to be filled on the Promotion, Tenure and Reappointment Committee, the lowest winning vote will be considered a one-year term (2/1998).

Section 2. Eligibility and Disqualification

Faculty members who are candidates for promotion may be elected to a two-year term but are disqualified from serving in the year of their candidacy. In the event of a vacancy, the Executive Committee shall appoint a replacement until a special election can be held at the next meeting of the Academic Senate to select a replacement (4/1979, 4/2018). Said replacement shall serve until the next election for the Promotion, Tenure and Reappointment Committee. Should a member be disqualified in the first year of the term the member may then serve the second year of the term.

No person shall serve on more than one campus Promotion, Tenure, and Reappointment Committee at the same time.

Section 3. Principles for Participation in the Tenure and Promotion Process at all Levels

Faculty members and administrators do not vote on promotion or tenure in review committees without fully participating in committee deliberations. There should be no proxy on promotion and tenure cases at any level. Faculty members and administrators who participate in the promotion and tenure process have full access to all materials in the candidates' dossier and to assessments at all previous levels of review. Except for reconsideration of prior decisions, each

faculty member and administrator who participates in the promotion and tenure process votes only once in any particular case (2/2010).

Section 4. Officers

The Committee will elect its own chairperson and any other officers it desires from its own membership. The chair and any other officers must be voting members of the committee.

Section 5. Powers and Responsibilities

- A. All cases of promotion and tenure at IU South Bend without exception shall be under the jurisdiction of the Promotion, Tenure, and Reappointment Committee.
- B. The Committee shall have access to all information pertinent to each promotion, tenure, and reappointment case (12/1977).
- C. No faculty member shall be denied reappointment without a recommendation of this committee.
- D. Before formal dismissal proceedings are begun (see Article X for a definition of dismissal) the Committee shall consider the case and shall determine whether in its view formal dismissal proceedings should be instituted.
- E. The Committee must promptly notify all candidates of the recommendations it has made. In the case of negative recommendations, reasons must be given in writing if the candidate so requests. These communications shall remain confidential, except when a candidate desires to disclose them.
- F. Only rarely and for compelling reasons shall the Chancellor not support the recommendation of the Committee. In such cases, the Chancellor shall provide the Committee with a detailed written report.

Section 6. Procedures

- A. Faculty members and administrative officers will refrain from publicizing any information they may have about their colleagues' candidacy for promotion, tenure, and/or contract renewal beyond that which is necessary for the securing of information required for making these recommendations. Individuals may reveal their own candidacies to anyone at their own discretion.
- B. The Executive Vice Chancellor for Academic Affairs shall provide the chairperson with necessary clerical assistance and filing space for the work of the Committee.
- C. In case of a negative recommendation, a candidate shall have the right to one appearance before the Promotion, Tenure and Reappointment Committee.

ARTICLE X. DISMISSAL

Dismissal shall mean the involuntary termination of a tenured faculty member's appointment prior to retirement or resignation, or the termination of the appointment of a non-tenured faculty member prior to the expiration of the term of appointment. Dismissal is thus to be distinguished from the non-reappointment of a probationary faculty member.

Dismissal shall occur only for reason of:

- A. incompetence,
- B. serious personal or professional misconduct, or
- C. extraordinary financial exigencies of the University.

For policy and procedures regarding (a) and (b), see Article XI: Faculty Misconduct Policy. For policy and procedures regarding (c), see Contingency Planning Policy and Procedures, in Part II (The Academic Appointee and the Student on the Indiana University South Bend Campus) of the *Academic Handbook* (3/ 2000).

ARTICLE XI. FACULTY BOARD OF REVIEW (1/2023)

Section 1. Policy Statement

1. The Faculty Board of Review is independent. No university official may interfere with, seek to influence, or advise it to halt its proceedings except as provided in this policy.
2. Faculty Boards of Review are available to all academic appointees as follows:
 - a. All appointees may bring complaints that university officials have infringed on their academic freedom.
 - b. Any full-time academic appointee may bring a complaint that university officials have taken adverse action against them on matters within the scope of their defined academic responsibilities, including matters related dismissal, disciplinary sanction, the tenure or promotion process, compensation, assignment of duties, and working conditions.
 - c. Visiting, part-time, temporary and adjunct academic appointees may bring a complaint that university officials have taken adverse action against them during their term of appointment concerning matters within the scope of their academic responsibilities. The decision not to appoint or reappoint an individual is not grievable unless the decision violates the terms of their appointment or a separate university or unit policy.
3. A complaint shall be brought on the home campus of the grievant.
4. An individual remains eligible to initiate or continue a Board of Review proceeding after voluntary or involuntary separation from the university, provided it is otherwise within the time frame for doing so and the terms of any separation agreement.
5. A Board is not a court of law that renders a judgment. It makes recommendations to university officials concerning the resolution of grievances by academic appointees, but is not an advocate for the grievant or the respondent. It acts impartially in light of existing university policies, traditional academic principles, and fairness.
6. A member of the Board shall serve as Board Coordinator. The Board Coordinator has responsibility to receive and distribute complaints and responses, arrange times and locations of hearings, record proceedings, establish group email lists for the Board, maintain files and records, distribute reports and perform other administrative tasks. The Board Coordinator shall be responsible for notifying the administrative superior of a university official who does not cooperate in the process or comply with this policy's time limits. The Office of Academic Affairs shall provide administrative staff support for the Board of Review.
7. For complaints concerning the denial of tenure, promotion, or reappointment, the Board does not control the decision-making process and shall only review appeals after the Chancellor

has made a decision. It is understood that decisions subsequent to the Chancellor's also may be subject to a grievance. The Board is limited to a review of:

- a. Whether appropriate policies and procedures were followed;
- b. Whether adequate consideration was given to the qualifications of the academic appointee;
- c. Whether information was improperly considered or excluded that substantially affected the decision; and
- d. Whether essential fairness was accommodated throughout the decision-making process.

To the extent that these issues may involve judgments about the academic value of the grievant's contribution to the discipline, the Board may not consider the merits of the underlying decision.

Reason for this policy

This policy is written to fulfill the requirements of ACA-17 Faculty Board of Review Uniformed Standards

Section 2. Procedures

1. General Procedures

- A. A Faculty Board of Review conducts two kinds of proceedings. It reviews complaints brought by academic appointees concerning adverse actions by university officials, and it hears appeals by academic appointees concerning sanctions imposed under university or campus misconduct policies.
- B. The Faculty Board of Review shall consist of five individuals and three alternates who shall be tenure-eligible or non-tenure-track academic appointees on long-term appointments, and who shall be elected by the Academic Senate. No Senate member with less than three years of full-time experience with Indiana University may serve on the Board. The members shall hold office for staggered terms of two years. Members and alternates shall complete the review of any case which they have begun to consider. At least two years shall elapse between terms of office of regular members of the committee. In the event of a vacancy on the board, a replacement to fill the unexpired term shall be nominated by the Executive Committee. As the first order of business at the next Academic Senate meeting, further nominations will be accepted from the floor and an election shall take place immediately on the close of the nominations. The Board

shall assume its duties on July 1 following the election. A position becomes vacant on the death or resignation of an elected member or on a member's incapacity to serve.

C. A majority of the Board and its chair shall be tenured.

D. An academic appointee with a fifty percent or more administrative appointment is not eligible to serve on a Faculty Board of Review.

E. All Board proceedings other than deliberations shall be recorded, preserved, and available to members of the Board, all parties and university officials, consistent with university policies on access to academic appointee records. (see ACA-27 Access to and Maintenance of Academic Employee Records).

F. A Board's findings and recommendations are to be communicated without undue publicity and the Board should strive to maintain confidentiality. Reports normally should not be shared with individuals other than the parties and senior university officials.

G. A party may have an advisor, who may be an attorney or any other person.

H. Members of a Faculty Board of Review shall recuse themselves from considering a complaint at any stage of the process if they are members of the complainant's academic unit, if they have advised or assisted the complainant or respondent, or if there is any other association with the complainant or respondent which will make (or create the appearance of making) them unable to serve impartially. If a member recuses themselves, the Academic Senate Executive Committee will choose a replacement from the alternates. Prior to the formal hearing the grievant may object to the Committee membership on the grounds of Conflict of Interest. If such an objection is raised the Board will decide on its merits.

I. Proceedings should be conducted with the participation of the full membership of a Board of Review unless the parties' consent to adding an alternate member or proceeding with fewer than the full membership.

J. Should the faculty member wish to withdraw the appeal, this may be done at any time prior to the beginning of the formal hearing of the case. Once the formal hearing has begun, the grievance may be withdrawn only by the mutual consent of the parties and the Faculty Board of Review.

K. Consultation

1. A Board of Review may consult with individuals outside the Board on procedural, background and policy matters that do not directly concern the

merits of a complaint, including former Board members, faculty governance officers, university counsel, and the university research integrity officer.

2. A Board may consult and seek specialized training and information from the university Title IX officer on issues involving sexual misconduct.

3. In all cases, the Board retains the responsibility to make its own independent decisions about the best way to proceed that is fair to all parties.

2. Procedures for a Complaint

A. Before filing a complaint, the academic appointee must attempt to resolve the matter informally with the official, the official's superiors, and/or the campus chief academic affairs officer.

B. If the grievance is not resolved informally, an academic appointee may initiate the review process by the Board of Review by submitting a written complaint to the Board Coordinator. In most cases, complaints should be filed within 60 days after the grievant learns of the adverse administrative action. Complaints submitted after 60 days should include an explanation of the reason for the delay, and a Board may review the complaint in the interests of fairness. No complaint may be submitted more than one year after the grievant learned of the adverse administrative action.

The complaint must specify:

- the action(s) to be reviewed
- the reasons for requesting the review
- the university official(s) grieved against
- and a proposed remedy

C. Upon receiving a complaint, the Board Coordinator shall deliver, within 5 business days, a copy to the university official(s) grieved against and request a written response. The response shall be submitted within 10 business days from the date of the request.

D. When a response is received, the Board Coordinator shall provide a copy to the grievant and submit the complaint and response to the full Board. The Board may request additional information from any party concerned.

E. The whole Board shall hold a preliminary review to determine if the complaint should be dismissed, needs to be revised, or must be referred to a different entity under a university misconduct policy (see UA-03 and ACA-30). A complaint may not be dismissed without giving the grievant an opportunity to address the reason for dismissal and to correct any deficiency in the complaint. The preliminary review shall be

conducted within 10 business days. If the complaint is dismissed or needs to be revised, the grievant must address the dismissal or correct any deficiency within 5 business days.

After completion of the preliminary review process, the grievant may request written statements and documents from university officials bearing on the complaint, and university officials must either supply those documents to allow for case preparation or explain in writing to the Board why they are unable to do so. The university officials must respond within 10 business day. All requests and responses shall be made through the Board Coordinator. The Board Coordinator may now schedule proceedings which shall happen within 20 business days. When scheduling the Board Coordinator will ensure that all parties are able to be present in person or virtually.

F. A hearing before a Board of Review

1. Responsibility for presenting their cases rests with the grievant and respondent. They may testify, present documents and written witness statements, call witnesses, and question witnesses. The Board also may call its own witnesses but has no obligation to do so.
2. Advisors may attend and consult with the parties but may not participate in the hearing.
3. The rules of evidence do not apply, and the parties may not object to the other side's evidence. However, the Board has discretion to curtail questioning or argument that is irrelevant or repetitious, or which harasses or embarrasses a witness.
4. Unsolicited or anonymous information may not be considered by the Board.
5. Hearings should be closed except for parties, witnesses, advisors, and the Board Coordinator, unless all parties agree that it should be open.
6. Any participate in the hearing may request accommodations from Disabilities Services

G. At the conclusion of the hearing, within 10 business days the Board shall prepare a Report with written findings and recommendations and submit it to the Board Coordinator. The Report shall be distributed to the parties, Chancellor, and Executive Vice Chancellor of Academic Affair and include a summary of the grievance and response, a review of the evidence, and copies of any documents the Board found dispositive.

H. If the final decision from the Chancellor or Executive Vice Chancellor for Academic Affairs does not follow the recommendations of the Board, the Chancellor or Executive Vice Chancellor for Academic Affairs shall inform the Board, the Executive Committee of the Academic Senate, and/or any other faculty bodies designated in a campus policy, of the reasons in writing. The decision of the Chancellor or Executive Vice

Chancellor for Academic Affairs shall be made within 10 business day after the distribution of the Board report.

I. The grievant has a right to make a final appeal to the president of the university, who may delegate the task of reviewing such appeals

3. Procedures for Appeals

A. A Faculty Board of Review convened to review sanctions imposed under a university or campus misconduct policy should adhere to the time limits for filing appeals and issuing recommendations specified in the relevant misconduct policies. If a time limit is not specified, the Board should adhere to the time limits for reviews of complaints set out in this policy. It may extend any deadline in the interests of fairness.

B. Because discrimination or misconduct situations may involve sensitive information, proceedings shall be closed unless all parties agree to hold an open hearing.

C. The Board may not conduct new fact-finding. Its jurisdiction is limited to a review of whether the university's decision to hold an individual responsible for misconduct and impose a sanction was appropriate based on the record before it. The Board in all cases shall be supplied with the reports, decisions, and recommendations previously prepared by university officials, and have access to all relevant materials gathered by university investigators.

D. Each party to the Appeal, as defined by the underlying misconduct policy, may present a statement to the Board, orally or in writing, personally or by an advisor. The Board may pose questions to any individual who makes a statement, but the parties may not.

E. Because issues of discrimination, harassment, sexual misconduct or research misconduct may involve sensitive matters, specialized knowledge, or legal requirements, the university shall make available to the Board members appropriate training and information

F. Unless a misconduct policy specifies otherwise, the Board may issue recommendations that

1. affirm the university's actions,
2. recommend an alternative finding or sanction, or
3. recommend that a new investigation be conducted because of a significant error in the original investigation.

G. The Board's recommendations shall be addressed to the appropriate university appellate official specified in the underlying misconduct policy. If no official is specified, its recommendations shall be sent to the campus Chancellor or Executive Vice Chancellor of Academic Affairs.

H. The grievant has a right to make a final appeal to the president of the university, who may delegate the task of reviewing such appeals.

ARTICLE XIII. AMENDMENTS

Section 1. Proposal

A motion to amend this Constitution shall be presented to the Executive Committee. Subject to the action of the Executive Committee debate on the proposed amendment shall be the first order of new business at the next regular meeting of the Senate or at any special meeting of the Senate occurring at least one week after the presentation of the proposed amendment to the Senate by the Executive Committee.

Section 2. Ratification

The vote on a proposed amendment shall be by secret mail or electronic (5/2016) ballot of all voting members of the Academic Senate, within one week after a majority of the voting membership attending the meeting (3/1997) of the Senate has voted in regular or special meeting that discussion the proposed amendment be closed. The amendment shall be ratified when voted for by two-thirds of all valid votes which have been cast by mail or electronic (5/2016) ballot seven to ten days from the time the ballots have been distributed by the Secretary of the Senate.

ACADEMIC SENATE BY-LAWS

1. The spirit of the Academic Senate calls for its work to be carried out in open meetings and collaborative fashion, whenever possible and appropriate. Senate meetings and meetings of Senate committees are open. A meeting can be closed by a simple majority of members present (3/1999).
2. The Academic Senate, or the Executive Committee at its own discretion, may decide that any specific question shall be voted on by mail or electronic (5/2016) ballot of all members of the Senate (4/1986).
3. Selection of Associate Faculty to serve as voting members of the Academic Senate
 - a. In the first week of classes, the Academic Senate Vice President will request the email addresses of all Associate Faculty from Academic Affairs.
 - b. By the third week of classes, the Academic Senate Vice President will email these faculty members asking whether they would like to serve as voting members of the Academic Senate, with the understanding that only up to fifteen faculty can serve. The email would indicate that voting would require regular attendance at Academic Senate.
 - c. If more than fifteen faculty members volunteer, the Academic Senate Vice President will stage an election via email. The ballots will list all the Associate faculty members who have volunteered to serve. All eligible Associate faculty will vote in this election (eligibility is determined by the IU South Bend Constitution: “faculty who are scheduled to teach at least one credit course in the fall of the current academic year or who taught at least one credit course in the preceding academic year”).
 - d. At the second Academic Senate meeting of the semester, or the earliest possible Academic Senate meeting, the elected voting Associate faculty members will be announced (1/2016).
4. From time to time the Academic Senate Executive Committee is asked to appoint or nominate faculty members to a committee or task force of the University Faculty Council, the Regional Faculty Caucus or other IU-wide organization. Whenever possible, the Executive Committee shall choose a current or recent faculty member of a standing Senate committee with a related area of responsibility. If none is available, the Executive Committee shall choose a faculty member with a related body of experience and expertise. These nominations and appointments will be announced at the following regular Senate meeting (2/2019).
5. Ex officio and student members of standing, elected, or specially constituted committees of the Academic Senate typically serve in an advisory role and therefore are non-voting members of those committees, unless this Constitution provides otherwise or unless the committee itself grants voting status for the current academic year to an ex officio or student member by a vote usually to be held in the committee's first meeting of that year. As stated in Article VII, Section 2, no more than two members of a particular committee may be granted voting powers in this way except where the Constitution states otherwise (2/2019).