

# Comparison Kessler Committee- Frankel Committee Proposed Constitutional Amendments

Kessler Committee	Frankel Committee
<p><b>9. Constitution of the University Senate</b>  <b>Preamble and 9.1 unchanged</b></p>	<p><b>Preamble and 9.1</b>  <b>9. Preamble</b>                      The purpose of this Constitution is to establish an orderly process whereby the various constituents serving, and served by, the University may exercise a shared responsibility in the determination of educational, scholarship, and service policy to the end that the purposes of Ball State University may be more fully realized. These constituents embrace the faculty body, the student body, professional staff, alumni and the general public; the latter including professional organizations, who certify the professional education offered, public, industry, charitable and civic organizations, and citizenry served by the University.                      The Senate is advisory to the President and the Board of Trustees. Organization for policy formation is not to be confused with administrative organization. The purpose of the latter being to designate clearly the responsibility and authority for performing certain institutional tasks that are dictated by accepted policy.</p> <p><b>9.1 Duties &amp; Responsibilities</b></p> <p style="margin-left: 20px;">9.1.1 The University Senate shall serve as the agency body with primary responsibility for the formation and review of the following policies:</p> <ul style="list-style-type: none"> <li>a. Educational Affairs</li> <li>b. University governance and administration</li> <li>c. Strategic Planning and Review</li> <li>d. Financial and Budgetary Affairs</li> <li>e. Athletics</li> <li>f. Judicial</li> <li>g. Public Safety</li> <li>h. Library Affairs</li> <li>i. Agenda of all councils</li> </ul>

	<ul style="list-style-type: none"> <li>j. Policies not the expressed domain of the councils</li> <li>k. Policies where any council[s] may seek opinion or endorsement</li> </ul>
<p><b>9.2 Membership</b></p> <p><b>9.2.1 Membership in the University Senate shall consist of the following elected and ex officio representation:</b></p> <p><b>9.2.1.1 By virtue of their offices the President of the University and the Provost and Executive Vice President for Academic Affairs;</b></p> <p><b>9.2.1.2 One academic dean selected annually by all such deans to represent them;</b></p> <p><b>9.2.1.3 Regular faculty representatives from each of seven colleges for staggered three-year terms based upon number of faculty in each college;</b></p> <p><b>9.2.1.3.1 Each five years the number of regular faculty representatives from each college shall be reviewed and appropriate adjustments made;</b></p> <p><b>9.2.1.4 One faculty representative from Honors College selected by the Honors College faculty for a three-year term;</b></p> <p><b>9.2.1.5 Two contract faculty elected for staggered three-year terms by and from the full-time contract faculty;</b></p> <p><b>9.2.1.6 Ten professional personnel representatives, elected by and from professional personnel from within the units represented on the President’s Cabinet for staggered three-year terms;</b></p> <p><b>9.2.1.6.1 The number of representatives from each unit will be determined by the number of professional personnel in the unit.</b></p> <p><b>9.2.1.6.2 Each five years the number of professional personnel from each unit will be reviewed and appropriate adjustments made;</b></p> <p><b>9.2.1.7 By virtue of their offices the President of the Student Government Association; the President of the Student Senate, the President Pro Tempore of the Student Senate, one graduate student elected by the graduate student body</b></p>	<p><b>9.2.1 - 9.2.1.2 Same</b></p> <p><b>9.2.1.3 One [1] regular [tenured, tenure-track] faculty representative from, and appointed by, each of the seven [7] colleges and for terms determined by each College for a total of seven [7] [30.4%] plus 3 regular faculty at-large appointed by Faculty Council [13.1%]</b></p> <p><b>9.2.1.4 Two [2] full-time contract [“specialized”] faculty representatives, and including those of the Honors College, as appointed by Faculty Council and for terms determined by Faculty Council for a total of two [2] [8.7%]</b></p> <p><b>9.2.1.5 Three [3] professional staff representatives as appointed by Professional Personnel Council and for terms determined by the Professional Personnel Council for a total of three [3] [13.0%]</b></p> <p><b>9.2.1.6 Three [3] undergraduate students as appointed by the Student Government Association and for terms determined by the Student Government Association for a total of three [3] [13.0%]</b></p> <p><b>9.2.1.7 One [1] graduate student elected by the graduate student body at large and for a one-year term, or, if there is an election of a graduate student association, then the appointment by that body and for a term determined by that body, and for a total of one [1] [4.3%]</b></p>

<p>at large, and two undergraduate students elected by the student body at large for one-year terms. In the cases of vacancies the President of the Student Government Association shall appoint students to best represent the diverse student population at Ball State University;</p> <p>9.2.1.8 By virtue of their offices the Chairpersons of the Faculty Council and the Professional Personnel Council, non-voting.</p> <p>9.2.2 No person except students may serve more than two consecutives full terms as an elected member of the Senate. An individual can be re-elected when the next election for the unit is held after a minimum of one year from the end of the last full term.</p> <p>9.2.3 All elections of faculty and professional personnel representatives to the University Senate will be conducted by the units which they represent under the direction of the Governance and Elections Committee. Student Representatives to the University Senate will be elected by the student body at-large and elections will be conducted by the Student Government Association. Elections for faculty and professional personnel representatives shall be held by March 15 each year for Senators to be seated in the fall. Student Government Association elections will follow regular SGA timelines and procedures.</p> <p>9.2.4 through 9.2.9 are unchanged.</p>	<p>9.2.1.8 Two alumni representatives as appointed by the Alumni Association and for terms determined by the Alumni Association for a total of two [2] [8.7%]</p> <p>9.2.1.9 Two members of the external communities to be served by the University as chosen from individual or organizational nominations advertised and received by the University Senate and for a term of three [3] years for a total of two [2] [8.7%]</p> <p>9.2.1.10 Same as Kessler 9.2.1.8</p> <p>9.2.2 Unless as expressed, the University Senate shall not impose term limits, which may be imposed by the appointive bodies</p> <p>9.2.3 Same, but add: If a graduate student association, then election as determined by that body.</p>
<p>9.3 Structure and Organization</p> <p>9.3.1 The University Senate shall have three elected officers, chosen by majority vote of the newly elected Senate to serve one year terms, who must be elected members and not ex officio members of the Senate. After the completion of Senator elections in the spring, a special session of the Senate will be convened no later than April 30 for the purpose of electing Senate officers and members of Senate Agenda Committee. Those eligible to vote during this session will be</p>	<p>9.3.1 Same</p>

**newly elected Senators and sitting Senators who have one or two years remaining in their current terms. The newly elected Senate officers will be seated on the Monday following spring commencement. All other newly appointed and elected officers, Senate members, Council members, and Committee member will be seated the first day of fall semester.**

**9.3.1. The Chairperson shall conduct all meetings of the Senate, serve as chairperson of its Agenda Committee, and represent the University governance system to the President of the University and the Board of Trustees. A parliamentarian may be named each year by the Chairperson.**

**9.3.1.2 and 9.3.1.3 are unchanged**

**9.3.2 The following standing committees of the Senate shall be maintained on a continuing basis: Senate Agenda: Governance and Elections; Athletics; Judicial; Public Safety; Library; and Financial and Budgetary Affairs.**

**9.3.3 In addition to its standing committees the Senate may form such ad hoc committees or task forces as it deems necessary for carrying out its responsibilities. No ad hoc committee or task force may continue in existence longer than twelve months unless its life is specifically extended by the Senate.**

**9.3.4 is unchanged**

**9.3.2 The following standing committees of the Senate shall be maintained on a continuing basis:**

- a. Senate Agenda [agendas of all councils and student associations];**
- b. Governance and Elections [of all councils and student associations];**
- c. Strategic Planning and Review;**
- d. Financial and Budgetary Affairs;**
- e. Athletics;**
- f. Judicial;**
- g. Public Safety; and**
- h. Library;**

**All standing committees may form sub-committees thereof, and membership shall be open to both members of their parent bodies as well as outside such membership**

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	<p>open to both members of their parent bodies as well as outside such membership. No ad hoc committee or task force may continue in existence longer than twelve months unless its life is specifically extended by the Senate.</p> <p>9.3.4 is unchanged</p> <p>9.3.5 Senate shall advise the University on its direction and as reposted in the Strategic Plan of the University, its formulation, methods of implementation, and periodic evaluation. Further the Senate may, and only at the invitation of the two or more councils, assist in resolving overlapping matters, endorsing consequential resolutions, propose amending such resolutions and remanding them to the respective councils for further review. If such councils accept the proposed amendments, then such resolutions shall automatically receive the endorsement of the Senate. The Senate may endorse or provide advice to any council seeking such assistance in resolving its own matters of jurisdiction.</p>
<p>9.4. University Senate Councils and Committees</p> <p>9.4.1. The Senate shall maintain two University Senate Councils – the Faculty Council and the Professional Personnel Council – to assist the University Senate in forming educational policies. The two University Senate Councils shall maintain the following standing committee:</p> <p>9.4.1.1 Faculty Council: Academic Freedom and Ethics, Contract Faculty, Creative Arts, Creative Teaching, Graduate Education, Academic Technology, Professional Education, Research, Special Leave, Teaching Evaluation, Undergraduate Education, University Grade Appeals, University Promotion and Tenure;</p> <p>9.4.1.2. Professional Personnel Council: Admissions and Credits, Online Distance Education, International Programs, Master Planning and Facilities, and Publications and Intellectual Properties.</p>	<p>9.4. University Senate Councils and Committees</p> <p>9.4.1. The Senate shall maintain two University Senate Councils – the Faculty Council and the Professional Personnel Council. Such councils shall have autonomous jurisdiction over their respective matters in the regulation of faculty affairs and professional personnel affairs, and accordingly report their recommendations directly to the President of the University. Each council establishes its own standing and ad hoc committees, and are free to form joint committees and consider and pass joint resolutions on matters affecting them both, as well as with the student organization bodies in 9.4.2.</p>

- 9.4.2. The establishment of new University Senate Councils and Council Standing Committees shall be recommended to the Senate by the Governance and Elections Committee.
- 9.4.3. Members of councils or standing committees/subcommittees in the Senate system, with the exception of students, may serve two complete and consecutive three-year terms, except for such alternative maximum term length as otherwise may be specified below under the University Senate Councils and Committees Structure.
- 9.4.4. through 9.4.6. are unchanged
- 9.4.7. Eliminate this section, believe is no longer needed. Change all numbers to follow.
- Using new numbering below:
- 9.4.7. through 9.4.15. are unchanged. Changes in 9.4.16 are editorial only, changing “,” to “;” where appropriate
- 9.4.16. Each council or committee shall transmit its minutes, the summary report, and also all bylaws and operating procedures adopted by the body to the office of the University Senate to be distributed to: the Office of the President; the Chairperson and Secretary of the Council; the Chairperson, Vice Chairperson, and Secretary of the University Senate; the President of the Student Government Association; and the Ball State University Archives maintained by the University Libraries.
- The minutes of the Academic Freedom and Ethics Committee and the University Promotion and Tenure Committee insofar as they concern confidential personnel recommendations shall be distributed to the President, the appropriate Vice President, and the Chairperson of the Faculty Council.
- 9.4.17. through 9.4.19 are unchanged
- 9.4.20. The word “colleges” in this document refers to the following colleges: College of Architecture and Planning; Miller College of Business; College of Communication, Information, and Media; College of Fine Arts; College of Health; College of Sciences and Humanities; and Teachers College.

- 9.4.2 The Senate shall maintain the Student Council [otherwise known as the Student Government Association] and any instituted representation of graduate students. The Student Council may open its membership and representation on the Senate to graduate students as an alternative to two student councils representing undergraduate and graduate students, respectively. These student organizations have autonomous jurisdiction over their regulation of student affairs, and according report their recommendations directly to the President of the University. Each student organization establishes its own standing and ad hoc committees, and are free to form joint committees and consider and pass joint resolutions on matters affecting them both, as well as with the Faculty Council and Professional Personnel Council.
- 9.4.3 The responsibilities and jurisdiction of the University Senate shall then focus on the advising the President and, by extension, the Board of Trustees of the direction for the University and as reposted in the Strategic Plan of the University, its formulation, methods of implementation, and periodic evaluation. The Senate also shall focus attention to the financial and budgetary affairs of the University, including the effective decentralization of the budget and efficiency measures, as well as the effectiveness of University development [sponsored project, commercialization of knowledge and creativity, and fund-raising]. Further the Senate may at the invitation of two or more councils assist in resolving overlapping matters and endorsing such resolutions.
- 9.4.4. through 9.4.6. are unchanged
- 9.4.7. Eliminate this section. Change all numbers to follow.

	<p><b>Using new numbering below:</b></p> <p><b>9.4.7. through 9.4.15. are unchanged. Changes in 9.4.16 are editorial only, changing “,” to “;” where appropriate</b></p> <p><b>9.4.16. Each council or committee shall transmit its minutes, the summary report, and also all bylaws and operating procedures adopted by the body to the office of the University Senate to be distributed to: the Office of the President; the Chairperson and Secretary of the Council; the Chairperson, Vice Chairperson, and Secretary of the University Senate; the President of the Student Government Association; and the Ball State University Archives maintained by the University Libraries. The minutes of the Academic Freedom and Ethics Committee and the University Promotion and Tenure Committee insofar as they concern confidential personnel recommendations shall be distributed to the President, the appropriate Vice President, and the Chairperson of the Faculty Council.</b></p> <p><b>9.4.17. through 9.4.19 are unchanged</b></p> <p><b>9.4.20. The word “colleges” in this document refers to the following colleges: College of Architecture and Planning; Miller College of Business; College of Communication, Information, and Media; College of Fine Arts; College of Health; College of Sciences and Humanities; and Teachers College. . The terms University Council shall be Professional Personnel Council, and Campus Council shall be Student Council and Graduate Student Council, and the latter which may be consolidated as Student Council.</b></p>
<p><b>9.5. Amendments – unchanged</b></p>	