

HARDING UNIVERSITY FACULTY CONSTITUTION AND BYLAWS

Preamble

We, the faculty of Harding University, for the purpose of promoting full-faculty participation and shared responsibility with the University Board and administrators in conducting university affairs, do ordain the following faculty constitution.

We acknowledge and encourage a united spirit of mutual love and accountability. To this end, a division of labor, responsibility, and governance is beneficial to all parties concerned. The Faculty Leadership Council (FLC), representing the instructional faculty, bears the responsibility for speaking and acting on behalf of the instructional faculty in matters that affect the specific concerns of the instructional faculty as well as the general welfare of the University as a whole. In collaboration with the University, the Faculty Leadership Council and committees described in this constitution exist to serve the instructional faculty by preserving academic freedom within a Christian framework, promoting creative and responsible expression in an atmosphere of scholarly excellence, and serving as advocates to promote the personal, professional, spiritual, and economic well-being of every person.

While recognizing the authority of the Board of Trustees, the University President, Provost, and Academic Deans, the judgments of instructional faculty should ordinarily prevail in curriculum subject matter, methods of instruction and research, and those aspects of student life that relate to the educational process.

Article I – Membership, Authority, and Responsibilities

Section I. Membership in the faculty is defined by the university bylaws. The current bylaws state: “The faculty shall consist of the President, the Vice Presidents, the Deans, and the officers of instruction of the University, classified as follows: professors, associate professors, assistant professors, and instructors. Only persons of the rank of instructor and upwards shall be entitled to vote at meetings of the faculty.” Other employees with faculty status whose duties do not fit into these categories may attend the meetings and take part in the deliberation, but shall not vote.

In this document, the administration refers to the Officers of Administration identified by the university.

In defining who is considered a member of the faculty, the university bylaws include titles with a wide range of responsibilities. For the purposes of this constitution, a subset of the faculty whose primary role is teaching is identified as the “instructional faculty.” An instructional faculty member is: 1) a full-time employee of the university, 2) one having the academic rank of Instructor or above, and 3) one whose primary duty is instructional, meaning at least six faculty load hours per semester or the equivalent, which includes classroom teaching, laboratory supervision, clinical or field supervision, library instruction, and/or research. Assistant and Associate Academic Deans who meet the aforementioned criteria are included in the instructional faculty. Although they may meet the aforementioned criteria, Academic Deans are not included in the instructional faculty.

Section II. Subject to the oversight of the Board of Trustees of Harding University, the laws of Arkansas and the United States, the standards of our accrediting bodies, and corresponding to Christian principles, the Faculty of Harding University maintain a duty to assume responsibility for and actively contribute in the following ways:

Section 2.1 - To the extent there is no conflict with the responsibilities assigned to the University President under the current Articles of Agreement and Incorporation and the University Bylaws, the Harding University Faculty accept responsibility:

1. To foster communication between faculty, staff and the student body.
2. To determine requirements for admission and graduation.
3. To recommend students for the conferring of degrees and certifications.
4. To determine and revise curricula.
5. To approve new departments and programs.
6. To establish and uphold scholastic standards.
7. To establish policies and procedures for student conduct and discipline
 - a. in the classroom,
 - b. during co-curricular activities,
 - c. during athletic events, and
 - d. during intramurals and intercollegiate activities.
8. To identify individuals to receive such awards as fellowships, scholarships, prizes, and honorary degrees.
9. To identify and make recommendations and resolutions pertaining to faculty welfare issues.
10. To set policies and procedures for:
 - a. faculty appointments, promotion and permanent contracts,
 - b. faculty conduct, discipline and grievances, and
 - c. teacher evaluation and scholarly productions standards.
11. To determine structure and standards for academic governance.

Section 2.2 - Harding University Faculty will exercise influence, primarily through Faculty Committees, related to:

1. The academic mission of Harding University,
2. Strategic planning and decisions regarding physical resources including facilities,
3. Budgets,
4. Faculty compensation and benefits,
5. Policies and procedures related to co-curricular activities, athletics, intramurals and intercollegiate activities, and
6. Appointment and review of individuals filling administrative offices.

Article II - Faculty Leadership Council

Section I. The purposes of the Faculty Leadership Council (FLC) are:

1. To represent the instructional faculty in matters pertaining to their duties and welfare.
2. To foster and facilitate communication between the instructional faculty and administration.
3. To represent and communicate instructional faculty perspectives in the development, modification, and implementation of university policies.

4. To assist in the enactment of the faculty constitution.
5. To evaluate and determine the need for changes in the faculty constitution.

Section II. The duties of the Faculty Leadership Council (FLC) shall include:

1. Representing the instructional faculty in meetings of the administration when instructional representation is requested by the administration, or when requested by the Faculty Leadership Council (FLC) and accepted by the administration.
2. Serving as a liaison between the instructional faculty and administration, facilitating clear and consistent communication between those entities and among the faculty.
3. Facilitating communication and coordination among faculty committees (which otherwise function independently), receiving resolutions from them, and determining how best to proceed in response to their recommendations and resolutions.
 - 3.1. *The FLC is authorized to initiate and dissolve academic faculty committees as deemed necessary with the approval of the majority of the instructional faculty.*
 - 3.2. *The FLC will coordinate the election of members of the university-level academic faculty committees.*
 - 3.2.1. *In populating academic faculty committees, the FLC will ensure that individual faculty members are not assigned a disproportionate committee workload.*
 - 3.2.2. *The process whereby academic faculty committees are populated shall be ratified by the instructional faculty and listed in the Faculty Constitution and Bylaws.*
 - 3.3. The FLC will ensure that the instructional faculty are informed about the work and progress of all relevant faculty committees.
 - 3.4. The FLC shall oversee a regular review of all committees to ensure they are functioning according to the bylaws.
4. Working with the University President and Provost to establish the agenda for faculty meetings.
5. Convening faculty forums. A faculty forum is defined as a meeting of only the instructional faculty presided over by the FLC.
6. Soliciting input from the instructional faculty regarding policies or policy changes which have been proposed by the administration.
7. Recommending to the administration policies or policy changes supported by the voting majority of the instructional faculty.
8. Guiding the instructional faculty in carrying out shared governance as outlined in the faculty constitution and bylaws.

Section III. The roles of the Faculty Leadership Council:

The FLC members shall include a FLC President, Vice-President/President Elect, Immediate Past President, Secretary and Treasurer. In addition to the five council members who hold these offices, the faculty shall elect two at-large members to bring the total number of members of the FLC to seven. All seven council members shall be elected from past and/or current members of any University-level Faculty Committees. They shall be chosen by the instructional faculty at the end of each academic year

to coincide with other Faculty Committee elections. No college shall be represented by more than two FLC members except the College of Arts and Sciences, which may have no more than three. No department within the College of Arts and Sciences may have more than one representative on the FLC at a time.

Each FLC member is elected to a two- or three-year term as specified below. All members must be elected by a majority vote of participating instructional faculty. In addition to having served on a University-level committee, the members of the FLC must meet the following criteria: hold a rank of Assistant Professor or higher and have been an instructional faculty member at Harding University for at least five consecutive years.

Each year, one instructional faculty member will be elected to the position of Vice-President/President Elect. The Vice-President/President Elect will serve in that role for one year before assuming the role of President in the second year. That individual will then serve as Immediate Past President in the third year after election. The Secretary of the FLC will be elected in odd-numbered years and will serve a two-year term. The Treasurer will be elected in even-numbered years and will also serve a two-year term. The two members who are not office holders shall be elected, one in odd-numbered years, and the other in even-numbered years, each for a two-year term. FLC members are not eligible for immediate re-election once their term expires, but may be re-elected to the FLC after a hiatus of at least one academic year. No instructional faculty member may serve more than three terms in any position on the FLC.

1. The President of the Faculty Leadership Council shall preside at meetings of the Faculty Leadership Council and faculty forums. The FLC President shall also represent the instructional faculty in meetings of the administration when instructional representation is requested by the administration, or when requested by the Faculty Leadership Council (FLC) and accepted by the administration. The FLC President will serve as a liaison to the Provost.
2. The Vice-President/President Elect shall preside at meetings of the Faculty Leadership Council and faculty forums in the absence of the FLC President and shall represent the instructional faculty at meetings of the administration where instructional faculty representation is required when the FLC President is unable to attend.
3. The Immediate Past President shall advise the FLC President and other FLC members to help maintain continuity from one academic year to the next.
4. The duties of the Secretary shall be to keep the minutes of each meeting of the faculty and FLC, to distribute them prior to the next meeting, and to furnish all members of the faculty with a copy of the approved University faculty meeting minutes following their approval. FLC meeting and Faculty Forum minutes will be kept confidential. The Secretary will maintain a list of instructional faculty. The Secretary will also ensure that all faculty votes in a faculty forum meet the minimum standard of 50% plus one of a quorum of voting members.
5. The duties of the Treasurer shall be to disburse faculty dues in keeping with the guidelines in Article VI, Section I and II of this document. The treasurer shall receive and expend, on proper authorization, funds accrued to this organization. Authorization must be given by the faculty, but in case of emergency may be authorized by the University President or Provost.

Members of the FLC are subject to removal if a petition for removal that includes the names of 25% of the members of the instructional faculty is submitted to any member of the FLC. Removal of an FLC member requires a vote of the instructional faculty with a quorum present and a two-thirds majority vote of the quorum in favor of removal. In such cases, the FLC member shall be removed immediately, and that individual is no longer eligible to be an FLC member.

Article III - Faculty Meetings and Faculty Forums

Section I. Regular faculty meetings shall be held monthly from September through November and January through April. Generally, faculty meetings will be open to members of the administration and staff to foster an environment of university-wide openness and collaboration. The following duties are exercised by the President of the University but may be exercised, if so directed by the University President, by the Faculty Leadership Council or others: schedule the time and location of faculty meetings, set the agenda for faculty meetings and preside over faculty meetings.

Section II. The University President will appoint a parliamentarian annually. The parliamentarian shall see that the meetings are conducted in accordance with the accepted parliamentary rules set forth by Roberts' Rules of Order.

Section III. Additional special meetings of the instructional faculty may be called at the discretion of the FLC. Such meetings will be called faculty forums. Faculty forums will provide a platform for discussion and decisions regarding all matters pertaining to instructional faculty brought forward from Faculty Committees described in Article IV. The FLC will schedule the time and location of faculty forums, set the agenda and distribute it to instructional faculty, and preside over the meeting.

Section IV. In all meetings involving members of the faculty, whether they are faculty meetings that involve the entire faculty or faculty forums that involve only the instructional faculty, the procedures utilized for voting should be selected only after giving due consideration to the numerous social pressures that may impact voting decisions. To ensure efficiency, fairness, and confidentiality, the FLC may recommend a method of voting to the University President for any faculty voting and may recommend that votes be held outside of public meetings.

Article IV - Faculty Committees

Section I. Among the faculty academic committees, three are described in this constitution as the Faculty Welfare Committee (FWC), the Graduate and Professional Academic Affairs Committee (GPAAC), and the Undergraduate Academic Affairs Committee (UGAAC). All Faculty Committees, including the three described here, will communicate regularly with the FLC to keep the FLC apprised of their committee work. Regular communication will allow the FLC to convey the progress and concerns of faculty committees to both the administration and the instructional faculty.

1. The Faculty Welfare Committee shall be elected by the faculty with one representative from each College except the College of Arts and Sciences, which will elect 4 representatives. Each representative from the College of Arts and Sciences must be chosen from a different Department within that College. Each member of the FWC must be an instructional faculty member holding at least the rank of Assistant Professor, and each must have served as an

instructional faculty member at Harding University for at least five consecutive years at the time of appointment. Each year, half of the FWC members will be elected by the end of the academic year. Faculty representatives elected by the Colleges will each serve two-year terms. The Faculty Welfare Committee shall appoint its own chairperson annually. The chair of the committee will serve one meeting past the election of the new FWC members. At that meeting, a new chair will be elected by the FWC, and the previous chair's duties will end. All members of the faculty are permitted to submit issues and ideas to the FWC for consideration. FWC meeting minutes will be kept confidential.

2. The Graduate and Professional Academic Affairs Committee (GPAAC) shall comprise one instructional faculty member from each college which offers at least one graduate/professional degree or program. The college representative will be elected by the instructional faculty in that college. In addition, one current graduate/professional student from each college that offers at least one graduate/professional degree program will be selected by the instructional faculty to serve on the committee. Members of the GPAAC must have been instructional faculty members at Harding University for at least five consecutive years and hold the rank of Assistant Professor or higher. The Registrar will serve as a non-voting member of the GPAAC. Additionally, the Academic Deans of each college with a graduate/professional program will serve on the GPAAC. The Provost or the Provost's designee will chair the GPAAC and will be a non-voting member of the committee.
3. The Undergraduate Academic Affairs Committee (UGAAC) shall comprise one instructional faculty member for each college with undergraduate degrees or programs, to be elected by that college, except the College of Arts and Sciences, which will elect 4 representatives. Each representative from the College of Arts and Sciences must be chosen from a different Department within that college. In addition, two current undergraduate students nominated by the Student Association will serve on the committee. Faculty members of the UGAAC must have been an instructional faculty member at Harding University for at least five consecutive years and hold a rank of Assistant Professor or higher. The Registrar will serve as a non-voting member of the UGAAC. Additionally, the Academic Deans of each college with undergraduate programs will serve on the UGAAC. The Provost or the Provost's designee will chair the UGAAC and will be a non-voting member of the committee.

Section II. FLC members may not serve concurrently on any of the aforementioned committees (FWC, GPAAC, and UGAAC). When an instructional faculty member who is also a current member of one of these three committees (FWC, GPAAC, and UGAAC) is elected to serve as an FLC member, that person shall resign from the committee position, and a special election shall be held to fill the vacancy.

Section III. In addition to the three Standing Committees named in Section I, the FLC may organize additional faculty-led committees as deemed necessary. All Faculty Committees will communicate regularly with the FLC to keep the FLC apprised of their committee work. Regular communication will allow the FLC to convey the progress and concerns of faculty committees to both the administration and the instructional faculty.

Section I. The Faculty Welfare Committee will address issues related to non-curricular concerns of the faculty and make recommendations to the Faculty Leadership Council on all issues pertaining to the general welfare of the faculty.

Section II. The Graduate and Professional Academic Affairs Committee shall process academic proposals submitted by the various colleges regarding graduate/professional programs and graduate/professional academic policies and procedures.

Section III. The Undergraduate Academic Affairs Committee shall process academic proposals submitted by the various colleges regarding undergraduate programs and undergraduate academic policies and procedures.

Article VI - Dues

Section I. Faculty dues are collected annually, and the amount will be determined by the faculty.

Section II. The faculty may make any assessment of dues which it deems necessary at any regular or called meeting. Any increases in the dues amount will be decided by a majority vote of the faculty.

Article VII - Business Procedures

Section I. A quorum for the transaction of business shall be 50% plus one of the voting members of the faculty. The University President shall ensure that the quorum was met.

Section II. Regular business may be decided by a majority vote of those members participating, provided a quorum is present. (As noted previously, a two-thirds majority is required for removal of an FLC member.)

Section III. Any consideration that affects the faculty as a whole must be read at one meeting and voted on at the next meeting and/or sent via electronic means to the entire voting faculty at least two weeks prior to the meeting in which the vote is to be taken.

Article VIII - Amendments

Section I. Amendments to this constitution and its bylaws may be initiated by any member of the faculty at a regular meeting. The amendment will become effective when a quorum participates in the vote and the amendment is passed by a three-fourths majority vote of those voting.

Article IX - Ratification

Section I. This constitution shall be in effect when a quorum participates in the vote and is passed by a three-fourths majority of those voting.

Faculty Constitution approved by faculty vote September 17, 2019

Revisions approved by faculty vote February 26, 2024

Faculty Constitution Bylaws

ELECTION PROCESS

1. Election Procedures

- a. The FLC will make sure that general election procedures are consistent with the guidelines as they are described in the Faculty Constitution.
- b. Other guidelines are described in these bylaws.
- c. Elections for the Faculty Leadership Council (FLC), Faculty Welfare Committee (FWC), Graduate/Professional Academic Affairs Committee (GPAAC), Undergraduate Academic Affairs Committee (UGAA), and other university committees which have elected members, will ordinarily be held in April, with official service beginning in the fall. (For meetings between the time of the election and the beginning of the fall semester, new members could function as non-voting members).
- d. Elections will be held electronically unless otherwise determined by the FLC.
- e. The FLC will announce upcoming elections at faculty meetings and/or electronically.
- f. The FLC will be elected first.
- g. The FWC, the GPAAC, the UGAA, and other university committees which have elected members will be elected simultaneously following the election of the FLC.
- h. These bylaws define the College Group as a collection created by combining faculty groups not part of an established college, including Library faculty, and any established colleges with fewer than fifteen faculty members. Regarding the population of committees, colleges with fewer than fifteen faculty members will be grouped with other such colleges, the Library faculty, and the rest of the College Group.
- i. In this document, a majority is defined as greater than fifty percent of the applicable votes.

2. FLC Elections

- a. The FLC will consult the Faculty Constitution to determine which positions will be elected each Spring Semester.
- b. The FLC positions to be elected will be announced by the FLC electronically and/or at a March faculty meeting.
- c. A week before elections, the Office of the Provost will send a list of faculty members who are eligible for nomination.
- d. The Provost's Office will determine if any Colleges have already reached their limit of representation on the FLC for the upcoming year.

- e. If a College has already reached its limit of representation, the Provost's Office, in conjunction with the FLC, will announce that no individuals from the fully represented College can be nominated for FLC positions.
- f. If a nominee represents more than one college, he/she will be considered a member of the college responsible for his/her instructional evaluation.
- g. Positions will be elected in the following order: President-Elect, Secretary or Treasurer (alternating years), at large member.
- h. The election for each position will adhere to the following procedure:
 - i. Following the announcement, a nomination process for each position, starting with President-Elect, will be made available to the instructional faculty from 8 AM day one to 12 noon day two.
 - ii. Prior to nominating, faculty must verify with their nominee(s) that they are willing to serve.
 - iii. The Provost's Office will confirm that nominees are willing to serve and post the list of confirmed nominees.
 - iv. Following the nomination period, voting will take place electronically from the time the ballot is posted to 5 pm the following day.
 - v. If a runoff is necessary, the position must be filled before accepting nominations for the next position. See bylaws section 6 – Runoff Elections for FLC Positions.
 - vi. If a College reaches its limit of representation after electing any of the three positions, starting with President Elect, the Provost's Office, in conjunction with the FLC, will announce that no individuals from the fully represented College can be nominated for the remaining FLC positions.
- i. Each council position nominee must receive a majority of the votes to be elected.
- j. If there is not a majority, a runoff election will be held. Runoff elections should follow the procedure outlined in the constitution and as defined in these bylaws.
- k. Should discrepancies exist, a special election will be held to solve the discrepancies.
- l. The special election will follow the same election procedure listed above.

3. Faculty Welfare Committee Elections

- a. Each College will follow the Faculty Constitution and Bylaws for the general guidelines of the FWC elections each Spring Semester. Results from each College will be reported to the Provost's Office.
- b. The Provost's Office, in conjunction with the FLC, will announce to the Faculty, electronically and/or at the April faculty meeting, which positions on the FWC are to be elected.
- c. Nominations for each College may be made by any instructional faculty member of that College.
- d. Faculty should verify with their nominee that they are willing to serve.

- e. The college administrator will confirm that nominees are willing to serve.
- f. Each committee nominee must receive a majority of the votes to be elected.
- g. If there is not a majority, a run-off will be held. Runoff elections should follow the procedure outlined in the constitution and as defined in these bylaws.
- h. The Provost's Office will ensure requirements are met regarding College and department representation.
- i. Should discrepancies exist, a special election will be held to solve the discrepancies.
- j. The special election will follow the same election procedure listed above, with each College nominating and electing its own members to the FWC.
- k. A majority of the faculty in that college must approve additional processes or procedures for college elections.

4. **Graduate and Professional Academic Affairs Committee Elections**

- a. Each College or College Group will follow the Faculty Constitution and Bylaws for the general guidelines of the GPAAC elections each Spring Semester. Results from each College will be reported to the Provost's Office.
- b. The Provost's Office, in conjunction with the FLC, will announce to the Faculty, electronically and/or at the April faculty meeting, which positions on the GPAAC are to be elected.
- c. Each College with a graduate/professional program may have at least one representative on the GPAAC.
- d. Each College will nominate and elect their own representatives to the GPAAC.
- e. Nominations for each College may be made by any instructional faculty member of that College.
- f. Faculty teaching a minimum of six graduate hours in an academic year are eligible to nominate members and eligible to be nominated.
- g. Faculty should verify with their nominee(s) that they are willing to serve.
- h. The college administrator will confirm that nominees are willing to serve.
- i. Each committee nominee must receive a majority of the votes to be elected.
- j. If there is not a majority, a run-off will be held. Runoff elections should follow the procedure outlined in the constitution and as defined in these bylaws.
- k. The Provost's Office will ensure requirements are met regarding College and department representation.
- l. Should discrepancies exist, a special election will be held to solve the discrepancies.
- m. The special election will follow the same election procedure listed above.
- n. Elected members will serve for two academic years.
- o. Elections for half, or approximately half, of the GPAAC will take place each Spring Semester.
- p. A majority of the faculty in that college must approve additional processes or procedures for college elections.

5. Undergraduate Academic Affairs Committee Elections

- a. Each College or College Group will follow the Faculty Constitution and Bylaws for the general guidelines of the UAAC elections each Spring Semester. Results from each College will be reported to the Provost's Office.
- b. The FLC will announce to the Faculty, electronically and/or at the April faculty meeting, which positions on the UGAAC are to be elected.
- c. Following the announcement, a nomination ballot will be made available to the instructional faculty for a nomination period of three business days.
- d. The nomination ballot will include the purpose of the committee, information regarding who is rotating off the committee, the position of each current member, and the College/department of each current member.
- e. Each eligible College will nominate and elect their own representatives to the UGAAC.
- f. Nominations for each College may be made by any instructional faculty member of that College.
 - g. Faculty should verify with their nominee(s) that they are willing to serve.
 - h. The college administrator will confirm that nominees are willing to serve.
 - i. Each committee nominee must receive a majority of the votes to be elected.
 - j. If there is not a majority, a run-off will be held. Runoff elections should follow the procedure outlined in the constitution and as defined in these bylaws.
- k. The Provost's Office will ensure requirements are met regarding College and department representation.
- l. Should discrepancies exist, a special election will be held to solve the discrepancies.
- m. The special election will follow the same election procedure listed above.
- n. Elected members will serve for two academic years.
- o. Elections for half, or approximately half, of the UGAAC will take place each Spring Semester.
- p. A majority of the faculty in that college must approve additional processes or procedures for college elections.

6. Runoff Elections for FLC Positions

- a. In the case of an FLC election where no candidate receives a majority of the votes cast for their position, a runoff election will be held.
- b. Election results will be analyzed by the Provost's Office to make certain that they match the requirements set forth in the constitution regarding College and department representation on the FLC.
- c. Election results will be analyzed by the Provost's Office to make certain that the winners receive a majority of the votes cast for their position.
- d. For FLC elections, when no candidate receives a majority of votes, a runoff election will occur. If there are eight or more candidates, the runoff election will be limited to the top four. If there are seven or fewer candidates, runoffs will be limited to the top two.

- e. If no candidate receives a majority of the votes cast in the runoff election, a second runoff election would be held between the top two candidates of the first runoff election.
- f. When there is a tie between two candidates anywhere in the process, the candidate that represents the college with least representation on the FLC will be appointed. Should both colleges be equally represented, the Provost Office will determine randomly with the current FLC President as witness.
- g. FLC elections will be concluded when all positions are constitutionally filled.
- h. Final results of the elections will be announced after each has been filled.

7. Runoff Elections for Non-FLC positions

- a. If no candidate for a position in a constitutionally formed committee receives a majority of the votes cast for their position, a runoff will be held.
- b. If there are eight or more candidates, the runoff election will be limited to the top four. If there are seven or fewer candidates, runoffs will be limited to the top two.
- c. If no candidate receives a majority in the first runoff, a second runoff will be held.
- d. The second runoff will include the top two candidates from the first runoff.
- e. The election concludes when the nominees receive a majority of the eligible votes for their position and matches all other criteria outlined in the constitution and these bylaws.

8. Special Elections

- a. In the event that a member of a constitutionally formed committee cannot finish his or her term, a special election will be held that follows election protocol.
- b. In cases of other discrepancies, the FLC might also call for a special election.
- c. The FLC will announce the timeline for the special election to the faculty.

QUORUM

1. For any committee, a quorum for the purpose of voting will be a majority of the faculty members on the committee.
2. Where applicable, student members who are present will be allowed to vote.
3. A quorum for voting regarding recommendations by the Faculty Forum will be a majority of the instructional faculty.