

ARTICLE 2: FACULTY AUTHORITY

Section 2.1: Faculty Authority

Subject to the Trustees of Indiana University, the laws of Indiana and the United States, and other provisions of this constitution, the Faculty of Indiana University has the legislative and consultative authority specified in this article.

Comment on Section 2.1: The Constitution of the Indiana University Faculty is the governing document which states the authority of the Indiana University Faculty and how that authority may be exercised. The University, through the Trustees, formally subscribes to principles of faculty government and relies on the University and campus faculty constitutions to meet that commitment; the University includes the Constitution of the Indiana University Faculty in the Academic Handbook which it distributes to new faculty as representing the structure of University government; and our University Presidents, Vice Presidents, and Chancellors have accepted the privilege of serving as presiding officers over the faculty councils in which the Constitution vests legislative authority. In these circumstances the Constitution of the Indiana University Faculty is authoritative until amended by its own terms or repudiated by the Trustees. The Constitution recognizes that the faculty's authority is subject to the powers of the Trustees and to state and federal law, but the Trustees defer to faculty authority in accordance with principles of academic freedom and faculty governance, generally recognized in the higher education community, to which the Trustees have subscribed.

Section 2.2: Legislative Authority 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.

Excerpted from the Indiana University Faculty Constitution

Comment on Section 2.2: Section 2.2 states the legislative authority of the faculty as a whole, which is allocated to University, campus, and school faculties in Section 2.4. Section 2.2 begins with the general principle that the faculty has authority over academic matters and then specifies a non-exhaustive list of included authorities. In some matters, such as admission of students, the faculty has authority to act in specific cases but sometimes delegates that authority to administrators. In some matters, the administration has authority to act in specific cases subject to standards and procedures enacted by the faculty. In legislating "standards and procedures" the faculty designs frameworks for collaboration with the administration so each can fulfill its appropriate role.

Section 2.3: Consultation of the Faculty

The Trustees and administration should consult the faculty concerning:

- A. Planning and decisions regarding physical resources.
- B. Budgets.
- C. Faculty compensation and benefits.
- D. Establishment of administrative offices affecting the academic mission and appointment and review of administrators filling those offices.
- E. Any other aspect of University operations having an impact on the academic mission.

Consultation of the faculty shall be through representatives authorized by faculty governance institutions. Consultation should occur sufficiently in advance of action to permit faculty deliberation.

Comment on Section 2.3: Consultation of the faculty involves consultation of representatives of the faculty authorized to exercise faculty authority. See Section 2.5, below. The consultative authority, as well as legislative authority, of the faculty is allocated to University, campus, and school faculties in Section 2.4.

Section. 2.4: Allocation of Faculty Authority

The legislative and consultative authorities delineated in Sections 2.2 and 2.3 of this article are allocated to the University faculty as a whole (University faculty), to campus faculties, and to school faculties as provided in this section. In matters in which campuses and schools have concurrent interests, conflicts of interest should be accommodated by negotiation. Any standards and procedures for determining the authority of academic units and the relationship between them enacted by the University Faculty Council pursuant to Section 2.2.D of this Constitution shall apply.

A. Authority of School Faculties

School faculties (and campus faculties with regard to academic programs not within the authority of a school faculty) have legislative and consultative authority pertaining to the school regarding:

1. The school's academic mission.
2. The school's structure of faculty governance, consistent with University faculty standards.
3. Creation, reorganization, merger, and elimination of academic programs and units within the school.
4. Authority of academic units within the school and the relation between them.
5. Conferring of degrees.
6. Curriculum.
7. Academic calendar, with only such deviation from University and campus calendars made necessary by special curricular or accreditation requirements.
8. Admission and retention of students in the school.
9. Standards for student academic performance.
10. Student conduct and discipline, consistent with University and campus faculty standards.
11. Appointment, promotion and tenure, compensation, conduct and discipline, and grievances of school faculty, consistent with University and campus faculty standards.
12. School facilities and budgets.
13. Appointment and review of school academic officers (except the dean of the school) and administrative officers affecting the school's academic mission, consistent with campus and University standards.
14. Other matters affecting the academic mission of the school, subject to the legislative authority of the University and campus faculties.

B. Authority of Campus Faculties

Campus faculties have legislative and consultative authority pertaining to the campus regarding:

1. The campus' academic mission.
2. The campus' structure of faculty governance, consistent with University faculty standards.
3. Policy and allocation of authority for academic matters affecting more than one school on the campus.
4. Academic calendar, with only such deviation from the University calendar made necessary by local circumstances.
5. Creation, reorganization, merger, and elimination of programs and units affecting more than one school on the campus.
6. Appointment, promotion and tenure, compensation, conduct and discipline, and grievances of campus faculty, consistent with University faculty standards.
7. Appointment and review of campus academic officers and administrative officers affecting the academic mission, consistent with University standards.
8. Campus facilities and budgets.
9. Student conduct and discipline, consistent with University standards.
10. Intercollegiate and intramural athletics.
11. Other matters affecting the academic mission of the campus, subject to the legislative authority of the University and school faculties.

Campus faculties have the authorities listed in Section 2.4.A over academic programs not within the authority of a school faculty.

C. Authority of the University Faculty

1. The University faculty has legislative and consultative authority in all areas of faculty authority not allocated to schools and campuses and in matters requiring consistent regulation on all campuses.
2. Only the University faculty has authority to recommend conferring honorary degrees.
3. In matters in which University, school, and campus faculties have concurrent authority, the University faculty has authority to determine how the faculty's authority shall be exercised.
4. Actions by the University Faculty Council which limit the legislative authority of campus faculties shall require an affirmative vote of two-thirds of members present.

Comment on Section 2.4: This section articulates how faculty authority is allocated among University, campus, and school faculties. Whether the allocated authority is legislative or consultative and where legislative authority is limited to enacting "standards and procedures" is governed by Sections 2.2 and 2.3. The structure of academic units is distinctive on each campus. To cope with this, the constitution specifies (in Section 2.4.B) that in regard to academic programs that are not part of a school, campus faculties have the authority of a school faculty and authorizes faculties (in Section 2.5.C) to delegate authority to departments and divisions. The concept of "school" should be understood with appropriate flexibility. For example, the University Libraries should be treated as a school in appropriate ways.

Section 2.2.D articulates the faculty's authority regarding issues of University structure. Under Section 2.4.C, the University Faculty Council, with leadership of the Agenda Committee, will allocate authority and coordinate action in matters in which more than one faculty have an interest. Since membership of the UFC and the Agenda Committee includes faculty government leaders of all campuses, all interests should be well represented in this process. The faculty constitution cannot undertake to resolve all issues where there are conflicting interests among academic units, such as those between system schools and campuses, but it does provide a framework within which those conflicts of authority can be negotiated. In general, authority should be allocated to the faculty that must work with the consequences of its exercise.

Section 2.5: Exercise of Faculty Authority

- A. The University faculty shall exercise its authority through the University Faculty Council. Resolutions adopted pursuant to Section 3.6 of this Constitution shall be advisory. Otherwise, a faculty may exercise its authority as a whole faculty or through institutions of representative faculty governance established pursuant to the faculty's constitution or bylaws.
- B. Faculties may delegate their authority to faculties of departments, divisions, or other academic units. The faculty of any unit to which faculty authority is delegated shall have the right of self-governance over the unit's major functions and responsibilities, consistent with University, campus, and school faculty standards.
- C. The Trustees and administration should inform the faculty of policies and circumstances adequately to permit the faculty to exercise its authority in a responsible and effective manner. The faculty shall inform the administration and Trustees regarding proposed faculty legislation.

Comment on Section 2.5: The University community as a whole has an interest in the maintenance of faculty governance and academic freedom throughout the University system.

Collaboration between the Trustees, administration, and faculty in University governance requires timely provision of information and exchange of views to enable each to participate in the creation of goals and plans for their implementation. The administration has the responsibility to inform the faculty of matters relevant to the exercise of faculty authority. At the same time, the faculty recognizes its obligation to inform the administration in a timely manner regarding the exercise of faculty authority.