

SENATE COMMITTEE ON COMMITTEES AND RULES

Revision to the Constitution, Article II, Section 1 (Membership)

(Legislative)

Implementation: Upon Approval by the President

Background

At the December 2006 meeting of the University Faculty Senate, the Senate Committee on Committees and Rules proposed eliminating the parenthetical phrase that excludes those holding noncontinuing research appointments from the Senate electorate. After much discussion about the nature of these appointments the proposal was defeated.

The history of the phrase is murky. The section on membership had several changes in the early to mid 1970s. In 1972, the section was simple and broad, including all persons who held full time appointments in specified ranks. The next year the section was much more detailed and complicated. It added the word “academic” to “appointments.” The section also specifically included members of the Graduate Faculty who were full-time academic employees. In 1975, the category of research appointments was added for the first time and it was coupled with the parenthetical phrase “excluding non-continuing research appointments.” We can find no explanation for the limitation in the Senate records.

While discussing this change to the definition of the Senate electorate, we were forced to face a more substantive issue—who should count as a faculty member for purposes of the Senate. We are recommending additional changes to this section of the Constitution in order to clarify this important issue.

Rationale

We are recommending that the parenthetical phrase be eliminated, and that the Senate electorate be defined to include persons holding full-time research appointments, whether fixed-term or continuing, with the exception of those who hold the rank of research assistant. We are also recommending other changes to clarify the meaning of “University Faculty” as used by the University Faculty Senate.

Regarding the parenthetical phrase “excluding non-continuing research appointments,” it is clear to us that the limitation, taken literally, makes no sense. Whether a faculty member’s appointment is continuing or fixed-term should have no bearing on that person’s status as a member of the faculty. Teaching faculty with fixed-term appointments are specifically included in the electorate. (Full-time instructors, senior instructors, lecturers, or senior lecturers are included.) Therefore we recommend that the phrase be eliminated.

There is a second issue, however. We want to be sure that the changes we are recommending are in keeping with the spirit of the Constitution of the University Faculty Senate. The changes in the Constitution in the 1970s suggest that the intent of the Senate in revising the definition of “University Faculty” was to distinguish Penn State employees who functioned as faculty from those who functioned in other capacities, such as staff or administration (some of whom have academic ranks). Therefore we asked the units with significant numbers of research appointments to explain how the units actually used the ranks. We were most interested in whether the persons in those ranks functioned as and were regarded as faculty by the units to which they belonged. The units reported that there was a significant difference between those holding the rank of research assistant and those holding other research ranks. While those in most research ranks function as and are regarded as members of the faculty, those with the rank of research assistants were reported to have technician-like duties and were not independent researchers. Units reported that many in these ranks have bachelor’s degrees, and some have masters. In short, they were reported to be more like teaching assistants than instructors who have their own classes.

Therefore, we are recommending that the section on membership be revised to include those in research ranks—including those with noncontinuing appointments—except for those in the research assistant rank. We believe this change is within the spirit of the University Faculty Senate: faculty includes all full-time faculty, whether they are primarily teachers or researchers, but does not include staff, or teaching or research assistants.

Finally, the Constitution distinguishes between faculty and administrative members of the University Faculty Senate. Article II section 5 identifies some specific administrative members of the Senate, and section 6 empowers the President to appoint a certain number of additional members to the Senate with the following limitation: “the total number of appointed and ex officio members (not including any members of the Faculty Advisory Committee) shall not exceed a number equal to 10 percent of the elected faculty senators.” However, in a university as complex as Penn State, the distinction between faculty and administration is not a sharp line. Is a department head an administrator or a faculty member? The same question could be asked about a number of other positions. The answer, of course, is that people in these positions have both roles. So the question we must ask is how to classify them with regard to the Senate electorate. Fortunately, the Senate has already faced this issue when deciding who is eligible to serve as an elected faculty member of the Faculty Advisory Committee to the President. For consistency we recommend that the Senate follow the same guidelines in defining “University Faculty” in Article I of the Senate Constitution. Thus, in defining the electorate of the University Faculty Senate we recommend that the following be excluded: the President’s staff, the immediate staff of the Executive Vice President and Provost, including Vice Provosts and Associate and Assistant Vice Provosts; other Vice Presidents, including Associate and Assistant Vice Presidents, Academic Deans and Chancellors, as well as those holding affiliate academic appointments.

Recommendation

Change Article II Section 1 of the Senate Constitution as indicated below:

Current:

For the purpose of defining the electorate of the Senate, the term University Faculty shall mean all persons who hold full-time academic appointments, and who fall into one of the following categories: those holding professorial, research (excluding noncontinuing research appointees), all librarian titles, full-time instructors, senior instructors, lecturers, or senior lecturers. The faculty of the Pennsylvania College of Technology are not included.

Proposed Revision:

For the purpose of defining the electorate of the Senate, the term “University Faculty” shall mean all persons who hold full-time academic appointments, and who hold one of the following ranks: Lecturer, Instructor, Senior Lecturer, Senior Instructor, Research Assistant, Senior Research Assistant, Senior Scientist, Research Associate, Senior Research Associate, Professor of Practice, Assistant Librarian, Associate Librarian, Librarian, Assistant Professor, Associate Professor, or Professor with the following exclusions:

- (a) The President's immediate staff;
- (b) The immediate staff of the Executive Vice President and Provost, including Vice Provosts and Associate and Assistant Vice Provosts;
- (c) Other Vice Presidents, including Associate and Assistant Vice Presidents, Academic Deans and Chancellors;
- (d) Those holding affiliate academic appointments.
- (e) Faculty members of the Pennsylvania College of Technology are not included in the electorate of the University Faculty Senate.

SENATE COMMITTEE ON COMMITTEES AND RULES

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