

Appendix 1

WILLISTON STATE COLLEGE CONSTITUTION

I. THE GOVERNANCE OF WILLISTON STATE COLLEGE

The colleges and universities governed by the State Board of Higher Education are collectively known and referred to as the North Dakota University System, of which the University of North Dakota-Williston is a branch of the University of North Dakota. (*North Dakota State Board of Higher Education Policy Manual*, Section 301.1, effective 9-19-97). State Board of Higher Education legislative action to change the name of the institution from UND-Williston to Williston State College took place during the 56th legislative session in the spring of 1999. The policy (House Bill 1483), which went into effect July 1, 1999, seeks to maintain access to higher education and to insure the quality of higher education. The Board is committed to ensuring that the institutions and the Board itself are accountable to the citizens of North Dakota. (*North Dakota State Board of Higher Education Policy Manual*, Section 100.2, effective 9-19-97).

With the institutional name change taking effect July 1, 1999, Williston State College's executive dean assumed the role as president of the institution. Branch campus ties with the University of North Dakota ended at that time.

The constitutional provisions for the Faculty Senate and Faculty Council were recommended by the Faculty Council the fall of 2010 and were approved by the president. The constitution of the Staff Senate was approved by the president the fall of 2001.

II. THE LEGISLATURE OF WILLISTON STATE COLLEGE

The WSC legislature shall consist of the Faculty Council, Staff Council, Faculty Senate and Staff Senate.

FACULTY COUNCIL

The Faculty Council consists of all faculty members not holding a full-time administrative position, the Director for Library Services, and other personnel as the Faculty Council may designate. Each member has one vote. The Faculty Council shall also include one non-voting Staff Senate representative appointed by the Staff Senate chair and one non-voting student representative selected by the student senate for a one-year term.

The Faculty Senate chair shall be the presiding officer of the Faculty Council. The presiding officer shall select a secretary who shall record and distribute the minutes to Faculty Council members.

Faculty Council meetings shall be held at least twice annually, shall be called by the presiding officer, and shall require a quorum of a number of members equal to fifty-one percent of the full-time faculty to conduct business. Meetings shall follow Robert's Rules of Order. Six Council members may request the presiding officer to call a special meeting of the Faculty Council. A council member may bring up any Faculty Senate action for consideration by the Faculty Council. A written ballot may be requested by a Faculty Council member on any issue before the Faculty Council.

All final WSC policies are vested in the Faculty Council. The approval of institutional policies shall include, but not be limited to, the following:

1. The requirements of admission
2. The requirements for degrees and certificates
3. The approval of curricula, authorization of new courses of study and changes in courses of study
4. The policies/procedures for scholarships, attendance, methods of recording class standings and credits, examination and recitation schedules, vacations, the catalog, and the calendar
5. The general policies of the library
6. The election of faculty members to the Faculty Senate
7. The faculty hiring policies
8. Changes to the faculty handbook dealing with the above seven items

FACULTY SENATE

The Faculty Senate shall consist of two voting faculty members from each of the instructional departments. Faculty Senate shall also include one non-voting Staff Senate representative appointed by the Staff Senate chair and one non-voting student representative selected by the student senate for a one-year term.

Each department shall elect, in staggering terms, their representatives.

Faculty members shall be elected in April to serve three year terms. A minimum of two members shall be elected each year. If a member is unable to complete his/her term, a new faculty member shall be elected in the same procedure to fill and complete the unexpired term.

Faculty nominees shall be subject to these limitations: No one shall be eligible for election to the Senate who has not been a member of the Faculty Council for one full academic year. Faculty Senate members shall not serve consecutive terms.

Faculty Senators shall elect annually from their faculty membership a presiding officer who also shall act as the faculty representative. The presiding officer shall appoint a secretary to record and distribute the minutes to the Faculty Council members. A vice-presiding officer shall also be appointed to help the presiding officer, when needed, to carry out the duties of the presiding officer.

The Faculty Senate shall meet monthly from August through May. A quorum of ~~four~~ *six* voting members shall be needed to conduct business. Robert's Rules of Order shall be followed. Special meetings may be called by any member. Faculty Council members may attend Faculty Senate meetings and may participate when invited by the presiding officer.

The Faculty Senate may exercise all the powers of the Faculty Council subject to the limitations the Faculty Council may impose. Additional responsibilities are to assure a current Williston State College Faculty Handbook, to act as a committee as a whole, and to ensure implementation of Faculty Council and Faculty Senate legislation.

STAFF COUNCIL

The Staff Council consists of all full-time Williston State College staff members as well as permanent, part-time staff, and other personnel as the Staff Council may designate. Each member has one vote.

One non-voting Faculty Senate representative appointed by the Faculty Senate Chair shall also be a member of the Staff Council.

The Staff Senate Chair shall be the presiding officer of the Staff Council. The Staff Senate Recorder shall record and distribute the minutes to Staff Senate members who in turn will distribute them to Council members in their staff divisions. The Staff Senate Chair shall represent the Staff Council in official communications with the college president and vice presidents.

The Staff Council shall serve as an advising body to the Staff Senate in areas outside of academe. Academic executive power shall remain with the Faculty Council. Staff Council meetings shall be held on an as needed basis. The presiding officer may call the meeting or a minimum of three Council members may request the presiding officer to call a meeting of the Staff Council. A Council member may bring up any action for consideration by the Staff Senate. All final legislative powers and functions are vested in the Staff Senate.

STAFF SENATE

The Staff Senate shall consist of two representatives from each of the four staff divisions. (The division names can be found in WSC Policies). Representatives must hold permanent employment and be elected in accordance with the Bylaws of the Staff Senate. A non-voting Faculty Senate representative shall be appointed by the Faculty Senate Chair to serve as a member of the Staff Senate.

Elected officers of the Staff Senate shall be the Chair and Recorder. The Staff Senate Chair shall represent the Staff Senate in official communications with the president and vice presidents.

The Staff Senate shall be the representative body of staff to foster a spirit of unity and cooperation as a participant along with Faculty Senate and Student Senate in the College Governance. The Staff Senate shall serve as an active communication link for meaningful information exchanged between staff and administration relative to issues of mutual concern. Open meetings shall be provided to express, propose, represent, investigate, and debate issues. As an official and responsible voice in College Governance, the Staff Senate shall recommend action on issues which receive majority approval by the senators. The Staff Senate shall advise the president with regard to working conditions and employment practices, including recognition, compensation, and other pertinent issues. The Staff Senate shall also promote awareness of opportunities and encourage staff involvement in the activities and operation of the college. The Staff Senate shall be advisory to the president.

III. THE PRESIDENT OF WILLISTON STATE COLLEGE

The president is responsible to the chancellor for all matters concerning Williston State College. The chancellor delegates to the president full authority and responsibility to administer Williston State College subject to state laws and the policies of the North Dakota State Board of Higher Education.

The president is an ex-officio member of committees and has the authority to present legislative proposals to the Faculty Senate, Staff Senate, Faculty Council and/or Staff Council.

The president shall see that the rules and regulations of the North Dakota State Board of Higher Education and the Williston State College legislature are enforced. The president is the official medium of communication between the chancellor, the North Dakota State Board of Higher

Education, and the Williston State College legislature, the faculty, the staff, the administrative officers, the student organizations, and the students.

The president shall ensure effective and broad-based participation in the decision-making process. The president shall consult with the WSC Staff Council and secure approval from Faculty Council before making policy recommendations to the chancellor.

IV. THE ADMINISTRATIVE OFFICERS OF WILLISTON STATE COLLEGE

The administrative officers are appointed by the president. Before making such appointments, the president is expected to confer through established channels with the faculty and other groups as appropriate. The areas of administrative responsibility of each officer are delineated and delegated by the president. The administrative officers and their responsibilities are listed in the Williston State College Faculty Handbook.

V. THE FACULTY OF WILLISTON STATE COLLEGE

The faculty shall consist of those individuals providing instruction. The makeup and definition of the faculty and its titles and ranks shall be established by action within current North Dakota State Board of Higher Education guidelines. The faculty may, through its legislature, formulate its attitude upon any matter affecting Williston State College and may make recommendations to the president.

The departmental faculties consist of those faculty members providing instruction in the various departments. Each department chairperson may call a meeting of the departmental faculty whenever it is deemed advisable and must call such a meeting when requested to do so by any department member. Each departmental faculty determines its own internal policies and organization of its own work and makes recommendations regarding its curriculum and budgetary matters; but such faculty may not nullify legislation that touches in any way the general policies.

Procedures relating to employment and the terms of employment for faculty shall follow the North Dakota State Board of Higher Education policy. All faculty members shall be appointed upon recommendation by the president following appropriate consultation. All appointments shall be made solely with respect to the special fitness of the individual for the work demanded in the position. All North Dakota State Board of Higher Education policies of affirmative action and employment shall be followed.

Williston State College is a forum for ideas, and it cannot fulfill its purpose of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method. Tenure, academic freedom, and faculty rights are the foundation of college practice with respect to faculty retention and dismissal and are basic to the Williston State College mission, published in the Williston State College Handbook.

Tenure for a faculty member is recognition of continuous appointment to the faculty at the rank of instructor and above. Williston State College shall develop through its faculty and administration procedures by which faculty members are evaluated and recommended for tenure. These procedures shall follow North Dakota State Board of Higher Education policy.

Faculty members and administrative officers may be granted a leave of absence for the purpose of professional renewal and development. The leave normally shall not exceed one academic year and shall or shall not have financial assistance from Williston State College in accordance with regulations

and policies formulated by Williston State College and approved by the North Dakota State Board of Higher Education. The leave may be granted by the president for other purposes as appropriate to the interest of Williston State College.

Members of the faculty and administrative officers are urged to become members and to attend meetings of national, regional, and state professional associations. Williston State College shall develop policies appropriate to available resources to provide assistance to faculty and administrative officers for participation in professional meetings and travel for the benefit of Williston State College.

VI. THE SPIRIT OF COOPERATION

All persons connected with Williston State College shall cooperate with the college president and the chancellor in carrying out the purposes and the policies of Williston State College and the North Dakota State Board of Higher Education.

Administrators and chairpersons of departments may reasonably expect the loyal support of faculty members and employees who work with them in carrying out the policies approved by the president and the legislature. The administration is expected to have an open mind to suggestions made by faculty members and other persons working under its direction.

VII. IMPASSE RESOLUTION

The college president has authority to approve or veto all legislative acts as per SBHE Policy 305.1 [Presidents' Authority and Responsibility].

When the president opposes any action taken by the Faculty Senate, the matter shall be brought before the Faculty Council for discussion. If the Faculty Council upholds Faculty Senate action, the president has the right to veto the Faculty Council's decision. The Faculty Council may request from the president reconsideration by a two-thirds vote. The president shall respond to a Faculty Council request for reconsideration no sooner than 14 calendar days and no longer than 28 calendar days. The president's second decision shall be final.

When the president opposes any action taken by the Staff Senate, the matter shall be brought before the Staff Council for discussion. If the Staff Council upholds Staff Senate action, the president has the right to veto the Staff Council's decision. The Staff Council may request from the president reconsideration by a two-thirds vote. The president shall respond to Staff Council's request for reconsideration on sooner than 14 calendar days and no longer than 28 calendar days. The president's second decision shall be final.

VIII. AMENDING THE CONSTITUTION

Amendments to the constitution may be introduced at any regular meeting of the Faculty Council but shall not be acted on until the next Faculty Council meeting. Amendments shall require a two-thirds majority vote by those voting, providing a quorum is present. The college president has the authority to veto an amendment approved by the Faculty Council.

IX. APPROVAL OF THE CONSTITUTION

This constitution shall require the approval of two-thirds majority of the full-time faculty and the administrative officers. Upon ratification, the constitution shall be submitted to the chancellor and the North Dakota State Board of Higher Education for approval.

Amended and approved by the Legislative Council of Williston State College on January 30, 1989

Amended and approved by Senate on March 20, 1996

Amended and approved by Faculty Council on April 28, 2003

Approved by Dr. Joe McCann on May 24, 2003

Approved by State Board of Higher Education on June 26, 2003

Amended and approved by Faculty Council on October 26, 2010