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**THE ACADEMIC CHARTER  
OF  
DRAKE UNIVERSITY**

**Revised June 2002**

**With additional revision August 2004, June 2006, April 2009, April 2011, and October 2011**

## **ACADEMIC CHARTER**

### **PREAMBLE**

The Academic Charter of Drake University provides the framework for academic governance within the University. It affirms the centrality of the search for knowledge, and assures that the freedom to teach, to learn, and to conduct inquiry will always be distinguishing features of Drake.

The University's Board of Trustees and administrative officers recognize that freedom of expression and constructive criticism are vital to the preservation of the academic environment of Drake University. Faculty, students, and administrators enjoying such freedoms bear the responsibility to support and enhance a free academic community.

Clearly defined and established channels of communication within the University are essential, and all members of the institution share an obligation to use these channels to ensure a governing structure based on principles rather than upon people. At the same time, it is critical to bear in mind that the structure exists to facilitate communication, not impede it. Our interaction at all levels must be characterized by responsiveness, mutual respect, openness, and trust.

The Academic Charter provides a means to address and respond to the legitimate concerns of students, faculty, administrators, and governing board members. It protects and perpetuates the values and traditions of Drake as a vital independent university of the highest order. It affirms and strengthens the bond of trust among University members in the conduct of academic governance and in the development and implementation of policy.

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David Maxwell  
President, Drake University  
June 2002

# **ACADEMIC CHARTER**

## **PREFACE**

Historically, the governing board, the administration, and the faculty of Drake University have cooperatively developed and reached consensus on the policies and procedures required to carry out the mission of the University. Most of the policies and procedures governing the University were included in the Bylaws of Drake University (1970) as amended, the Rules and Regulations of the Bylaws as amended, or the Faculty Manual (1971) as amended.

The revision of the Bylaws of Drake University by the Board of Trustees in October, 1987, the elimination of the Rules and Regulations of the Bylaws from the 1987 Bylaws, and the obsolete nature of the 1971 Faculty Manual, provided an opportunity to reexamine and reconstitute many of the policies and procedures of the University. The Academic Charter is a product of that opportunity.

The Academic Charter is a collection of policies and procedures concerned with academic freedom, tenure, and the role of the faculty in the governance of Drake University. The Academic Charter will be in effect upon approval of the Faculty Senate, the President of the University, and the Board of Trustees.

## ACADEMIC CHARTER

### I. Faculty

A. Faculty of Instruction. The Faculty of Instruction shall include full-time University personnel engaged in teaching and research having the rank of Instructor, Assistant Professor, Associate Professor or Professor and not primarily engaged in administration.

B. General Faculty. The General Faculty shall include the Faculty of Instruction, Administrative Officers and the Administrative Staff of the University. The President of the University is the Chair of the General Faculty. In the absence of the President, the Provost shall be the presiding officer of the General Faculty.

1. General Faculty Meetings. General Faculty Meetings may be called by the President of the University. The President shall also call a special meeting upon the written petition of 30 members of the General Faculty, specifying the agenda to be considered. For all meetings of the General Faculty a quorum shall be one-third of the membership.

2. The agenda of the General Faculty Meetings may include matters specified by the President of the University, a report on the financial affairs and fiscal condition of the University at the end of the academic year last concluded, the budget for the current academic year and financial plans projected for the following academic year, and matters referred to the General Faculty by the Faculty Senate or by the Board of Trustees.

3. Meetings of the General Faculty shall be conducted according to Robert's Rules of Order, Newly Revised, or such rules as may be established by the General Faculty. Matters not included in the agenda shall be considered with the provision that the Chair may order such matters postponed until the next meeting of the General Faculty. If the Chair of the General Faculty shall order a new matter postponed, the Chair shall call a special meeting of the General Faculty to consider the matter within thirty days, unless the period is extended by a two-thirds vote.

4. An individual designated by the President of the University keeps and retains minutes of the General Faculty meeting. Copies of the minutes shall be sent to the members of the General Faculty and the Board of Trustees.

5. The General Faculty may refer matters concerning academic policy to the Faculty Senate, and such matters shall be placed on the Senate agenda for its next meeting.

### II. Academic Rank, Appointment and Title

A. Ranks. The regular faculty ranks at Drake University are: Instructor, Assistant Professor, Associate Professor, and Professor.

B. Full-Time Appointments: Full-time appointment to the rank of instructor or higher will be (1) appointment with continuous tenure; (2) probationary (tenure-track) appointment; during the probationary period the appointment notification will contain a statement of the year in which the faculty member will be eligible for tenure; (3) consecutive term appointment; appointed with no restriction on the number of terms that may be served; faculty on consecutive term appointment are not eligible for tenure, (4)

defined term appointment; appointed for no more than three years and will carry the title of “visiting,” or (5) reappointment of retired faculty on special conditions.

### C. Other Appointments and Titles

1. Professors Emeriti. The title “Emeritus” will be accorded automatically to faculty members who retire after ten or more years of service to the University. The Faculty Senate may recommend the conferral of “Emeritus” upon any retired member of the faculty.

2. University Fellows. Nationally prominent scholars who contemplate a continuing relationship with Drake may be honored with the title “University Fellow.” This relationship will normally be consultative and without compensation, although it is possible that a Fellow might also be asked to teach part-time for compensation. The candidate for this position must bring distinction to the department and to the college of appointment; must have demonstrated specialized competence which would enrich both students and faculty in the department of appointment; and should be available for intermittent residence on the campus, sharing research, teaching, and consultative competence.

a. The appointment shall be renewed annually, subject to continuation by mutual agreement. This title will be granted upon the request of a college faculty, conveyed by the Dean, approved by the Provost, and subsequently by the President and the Board of Trustees. The number of Fellows in each college will be flexible according to the desires of the approving bodies. There shall be no stipend incidental to the appointment.

b. University Fellows will be entitled to faculty discounts on tickets for concerts, plays, athletic contests, and other special events.

3. Distinguished Lecturers. Outstanding individuals in the community who agree to teach may be considered for appointment as “Distinguished Lecturer”. This title will be granted upon the request of a college faculty and approved by the Dean, the Provost, and subsequently by the President and the Board of Trustees. Distinguished Lecturers will not be eligible for tenure. Distinguished Lecturers and University Fellows shall be governed by the same principles with the following exceptions:

a. Distinguished Lecturers will normally be assigned a specific task for a specific period of time.

b. Distinguished Lecturers may receive compensation for the completion of a specific assignment.

4. Adjunct Professors. Individuals who teach part-time may be considered for appointment to the appropriate rank of “Adjunct Instructor,” “Adjunct Assistant,” “Adjunct Associate,” or “Adjunct Professor.” This title will be granted upon the request of a department, school or college faculty and approved by the Dean.

a. Adjunct Professors will normally be assigned a specific task for a specific period of time.

b. Adjunct Professors will not be eligible for tenure.

c. Adjunct Professors may receive compensation for the completion of a specific assignment.

5. Except for administrative officers in positions normally carrying academic rank, full-time employees who teach part-time will be appointed *University* Lecturers and be ineligible for promotion or tenure. Part-time is here defined as being involved less than half-time in teaching and/or scholarly investigation.

6. Full-time employees who have been in the past appointed to an academic rank may be eligible for promotion in accord with normal procedures of their Department and College.

D. No persons shall be appointed to a college or departmental faculty without the express recommendations of the faculty governing body or bodies having jurisdiction over appointment, retention and tenure.

E. The terms and conditions of every appointment to the faculty will be stated in writing to the faculty member.

### **III. Academic Freedom**

A. Faculty members are free to conduct their classes in their own manner, commensurate with the highest standards of the teaching profession. Every effort should, of course, be made to keep uppermost the learning goals of the course and the general objectives Mission of the University as articulated in its mission documents. Faculty members are free to engage in research and publication of their own choosing, subject to fulfillment of their University commitments.

B. Faculty members writing or speaking as citizens are free to express themselves without censorship by the University. As educational representatives of the University, however, they have the positive duty of being accurate, exercising appropriate restraint, showing respect for the opinions of others, and making every effort to clarify that they are not speaking for the University.

C. Nothing contained in the Bylaws or the Academic Charter shall relieve a member of the teaching faculty of primary responsibility for the academic quality of educational offerings of the colleges of Drake University nor diminish faculty authority in that connection.

D. No faculty member will be suspended from performance of duties except for grave cause. See Section VII Dismissal of Tenured Faculty Members.

### **IV. Academic Tenure**

A. Academic freedom is essential to establish and maintain the University as a center of learning. Tenure providing a reasonable degree of social and economic security is essential to protect academic freedom. Continuing the established tradition of Drake University affirmed by the Bylaws adopted May 24, 1952, and again by the Bylaws adopted May 23, 1970, the 1982 (with a footnote added in 1990) Recommended Institutional Regulations of Academic Freedom and Tenure of the American Association of University Professors are adopted as the minimum standards of Drake University. Other tenure and faculty personnel regulations that have been recommended as standards by the American Association of University Professors and which were adopted by these Bylaws in 1970 remain in effect. Any change in these standards which may be approved by the American Association of University Professors after 1990 shall become effective only upon adoption

by the Board of Trustees of Drake University. Subject to these standards, changes in policies and procedures relating to faculty personnel may be provided in the Academic Charter or Faculty Manual. See appendices A, B, C, D, E, and F.

B. The appointment and reappointment of and the granting of continuing tenure to members of the Faculty of Instruction in their discipline shall be based on the candidate's merit and the educational needs and resources of the University. The faculty of each college shall establish procedures for faculty participation in faculty appointment, reappointment, and the granting of continuing tenure. Pursuant to such procedures, the Dean of each college shall make faculty personnel recommendations to the Provost, who shall in turn make recommendations to the President of the University for action and submission to the Board of Trustees.

## **V. Conditions of Academic Tenure**

A. The term "Academic Tenure" means employment by the University to the time of retirement except for cause as outlined below.

B. Persons holding faculty rank without a college appointment and not having tenure may be absorbed, if financially feasible, into the Faculty of Instruction upon termination of their administrative or staff appointment, when such opportunity is requested, in a role consistent with competence and the curricular needs of the University. After such appointment, tenure may be acquired in the ordinary course.

C. An administrative officer or administrative staff member having tenure as a member of the faculty may return to the Faculty of Instruction at the termination of the individual's administrative appointment. When tenured faculty/administrators return to the teaching faculty, their compensation should generally be commensurate with the salaries of their faculty peers (but should not be related to their salaries as administrators).

D. Limitations for Academic Tenure. The total period of full-time service prior to the acquisition of continuous tenure will not exceed seven years, including all previous full-time service with the rank of instructor or higher in other institutions of higher learning (except that the probationary period may extend to as much as four years, even if the total full-time service in the profession thereby exceeds seven years; the term of such extension will be stated in writing at the time of initial appointment). Normally, at least four years of service at Drake will be required prior to granting tenure, except with special approval of the Board of Trustees.

E. Time spent on leave of absence will count as probationary period service unless the individual, the department, the Dean, the Provost, and the President of the University agree to the contrary at the time leave is granted.

F. If the condition of employment is changed from "visiting" or "consecutive term" to one of a probationary appointment, up to four years of the time served in a "visiting" or "consecutive term" capacity shall be considered as part of the probationary period.

### **G. Tenure Clock Extensions**

#### **1. Eligibility for Tenure Clock Extensions**

a. A non-tenured member of the faculty in a tenure track position shall be eligible, upon request, for a one-year extension of the tenure probationary period due to the

occurrence of a life event (as defined below) that can reasonably be expected to markedly delay progress toward tenure. Any such request must be made within a year of the beginning of the life event. Such an extension of the tenure probationary period shall be available whether or not the faculty member applies for or receives a leave of absence due to such a life event.

b. A faculty member ordinarily will not be eligible for more than one, one-year extension. In exceptional and unusual circumstances, a second, one-year extension for a second life event or for the same life event may be considered at the discretion of the Dean of the faculty member's college, but will only be granted with the approval of the Provost.

c. A faculty member who receives such an extension has the right to choose later to waive the tenure extension and come up for tenure at the normal six-year point, not including the tenure clock stoppage.

d. A tenure-track faculty member who has been granted such an extension shall be reviewed for tenure under the same academic standards as candidates for tenure who have not received such extensions.

## 2. Defining Terms

a. Life events automatically qualifying a faculty member for an extension are:

- 1). the birth of a child into the faculty member's household,
- 2). the adoption or fostering of a child under the age of five into the faculty member's household, and
- 3) active duty military service or obligations expected to extend for a substantial portion of a semester

b. A faculty member also will qualify for an extension upon a finding by the Dean of the faculty member's college that a life event not specified in B(1) can reasonably be expected to markedly delay progress toward tenure. Such other life events include, but are not limited to:

- 1) the adoption or fostering of a child, requiring special care, who is over the age of five.
- 2) the faculty member who has suffered a serious health condition that is expected to persist for a substantial portion of a semester,
- 3) the faculty member who is required to act as the primary caregiver for a substantial portion of a semester for a parent, child, spouse, or domestic partner suffering serious health conditions,
- 4) the faculty member has suffered catastrophic residential property loss.

## 3. Application Process

Application for such extensions shall be made to the Dean of the college in which the faculty member is appointed. To supply supporting information, the faculty member may refer the Dean to the Office of Human Resources to access information already on file in that office or the faculty member may choose to supply such information directly to the Dean. The Dean may request additional information for life events as outlined in Section B(2) above and a statement of the anticipated effect on progress toward tenure. Decisions about whether a life event, as outlined in Section B (2) above, qualifies a faculty member for an extension shall be made by the Provost, upon recommendation of the Dean.

## **VI. Recommendation for Academic Tenure**

A. The faculty of each college shall form a faculty committee on tenure from among its tenured faculty to serve as advisors to the dean on these matters.

B. Recommendations shall be based on the candidate's merit and the educational needs and resources of the University. Teaching effectiveness, research and scholarly activities, publications and other creative works, recognized leadership in the field, service and contribution to the University, and service to the community are the criteria for determining the candidate's merit for academic tenure.

C. Based on recommendations from the appropriate committee and his/her own evaluations, the dean of each academic unit shall arrive at a decision to recommend or to deny tenure. If the dean determines that the candidate does merit tenure, s/he shall forward the recommendation and support materials to the Provost who shall in turn make a recommendation to the President of the University. The President shall then submit recommendations to the Board of Trustees for action. If the dean determines that the candidate does not merit tenure the dean shall inform the candidate of that decision.

D. A faculty member receiving a negative tenure recommendation from the recommending committee within his/her academic unit shall have recourse to appeal procedures as defined in the academic unit's tenure guidelines.

A faculty member may appeal a dean's negative tenure decision to the provost. That appeal must be submitted within two (2) weeks of notification of the decision by the dean. The provost's review will focus on issues such as violation of stated procedures, inadequate consideration, and violation of fundamental fairness. The provost will not reevaluate the quality of the faculty member's work. In case of tenure denial at the university level the faculty member may pursue university appeals procedure as described in Section VIII.

E. A candidate for the office of President, Provost, or Dean of a School or College who has earned and been granted tenure as a faculty member in an academic department of an accredited college or university, may be granted tenure subject to the following conditions:

1. The department and college involved have reviewed the candidate's academic credentials and have recommended acceptance of the candidate as a tenured member of the department.
2. Section V (C) of the Academic Charter shall apply in determining salary upon return to regular faculty status. Salary so determined shall be paid from general university funds and shall not be included in the budget of nor charged against the academic department.
3. The faculty position held by the returning administrator shall be a regular position in the appropriate department but shall not be counted as a factor in determining the size of the department for purposes relating to the release or tenuring of other members of the department.

## VII. Dismissal of Tenured Faculty Members

A. Tenured members of the faculty shall be dismissed only for one or more of the following causes:

1. Incompetence;
2. Moral turpitude;
3. Persistent inattention to duties;
4. Intransigent refusal to conform to University processes or policy where such behavior places the University at risk;
5. A declaration of a *bona fide* financial exigency of the University.
6. Discontinuance of a college, school, program or department of instruction.

B. In cases of dismissal of tenured faculty members for cause, as stated above, Drake University adheres to the AAUP procedural standards for dismissal, as described in Appendix C, pages 22 through 26.

C. Dismissal of Tenured Faculty Under Conditions of a Bona Fide Financial Exigency

1. *Bona fide* financial exigency is defined as a critical financial condition of the University as a whole, such that a failure to dismiss tenured faculty members would threaten the welfare of the University.
2. Under the conditions of a *bona fide* financial exigency, preserving the life of the University and protecting the welfare of the students and the remaining faculty shall be the fundamental policy objective in decisions concerning dismissal or retention of faculty. Consistent with this broad policy, decisions concerning the dismissal of tenured faculty will be governed by the following principles:
  - a. Except as essential to maintain programs, nontenured faculty will be released prior to the dismissal of any tenured faculty.
  - b. Except as essential to maintain programs at the highest quality level consistent with the current faculty available at Drake University, tenured faculty will be released in inverse order of seniority defined as length of service to the University.
3. The faculty member concerned will be given written notice no less than one year in advance or salary in lieu thereof.
4. Both prior to initiating dismissal proceedings and thereafter the University will make every reasonable effort to place the faculty member in another suitable position.
5. The released faculty member's place will not be filled by a replacement within a period of three years unless the released faculty member has been offered reappointment and a reasonable time within which to decline it.
6. Educational benefits held by a dismissed faculty member under the Faculty Manual shall continue for the living dependents of a dismissed faculty member unless comparable benefits are acquired as incidents of a subsequent position. Educational benefits shall be acquired in accordance of the Faculty Manual.

7. For purposes of retraining, a dismissed faculty member may pursue without charge a degree program or other approved program of study at Drake University for which he/she enrolls within one year following dismissal.

D. Discontinuance of a College, School, Program, or Department of Instruction. Where termination of an appointment with continuous tenure is based upon discontinuance of a college, school, program, or department of instruction the following standards and procedures will apply:

1. The decision to discontinue a college, school, program, or department of instruction will be based solely upon educational considerations as determined by the faculty, administration, and governing board of the University. "Educational considerations" do not include cyclical or temporary variations in enrollment. They must reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by the discontinuance. A college of the University may be terminated by the concurrent agreement of the Faculty Senate, the President of the University, and the Board of Trustees. Degree programs may be terminated by the concurrent agreement of the faculty concerned, the President of the University, and the Board of Trustees; or, by the concurrent agreement of the Faculty Senate, the President of the University, and the Board of Trustees.

2. Before the administration issues notice to a tenured faculty member of its intention to terminate an appointment because of discontinuance of a college, school, program, or department of instruction, the University will make every effort to place the faculty member concerned in another suitable position. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training will be offered. If no position is available within the institution, with or without retraining, the faculty member's appointment then may be terminated with written notice of termination given not less than one year in advance or salary in lieu thereof.

3. Dismissal of a faculty member who has tenure on the grounds of discontinuance of a college, school, program, or department of instruction shall be initiated by a formal statement in writing to the faculty member by the President of the University. This letter shall contain a statement of the factual data showing the need for discontinuance and the necessary relationship between the discontinuance and the dismissal of the faculty member. In all other respects procedure will be the same as in any other dismissal case.

4. The faculty member concerned will be given written notice no less than one year in advance or salary in lieu thereof.

5. Both prior to initiating dismissal proceedings and thereafter the University will make every reasonable effort to place the faculty member in another suitable position.

6. The released faculty member's place will not be filled by a replacement within a period of three years unless the released faculty member has been offered reappointment and a reasonable time within which to decline it.

7. Educational benefits held by a dismissed faculty member under the Faculty Manual shall continue for the living dependents of a dismissed faculty member unless comparable benefits are acquired as incidents of a subsequent position. Educational benefits shall be acquired in accordance of the Faculty Manual.

8. For purposes of retraining, a dismissed faculty member may pursue without charge a degree program or other approved program of study at Drake University for which he/she enrolls within one year following dismissal.

#### **VIII. Standing Committee on Academic Freedom and Tenure**

A. There shall be a Standing Committee of the Faculty Senate on Academic Freedom and Tenure elected by the Executive Committee of the Faculty Senate. The Committee *shall* have seven regular members and seven alternates. Members of the Committee and alternates shall be members of the Faculty of Instruction with tenure. The principle of broad representation shall be honored. The Chair shall be elected by the Committee. Alternates shall be called to serve on the Committee in the order of preference provided by the electing authority. Committee members and alternates, except those elected for short terms to fill vacancies and first elected, shall serve three-year terms. The terms of office shall be staggered on a basis of three-two-two with annual election.

B. The Committee shall function as a standing committee of the Senate in matters pertaining to procedures or policies relating to academic freedom or to tenure, provided the Committee shall make no recommendations or reports to the Senate concerning a matter being heard by the Committee.

C. The Committee shall be the adjudicatory body for cases and controversies relating to academic freedom or to tenure which are not resolved through informal procedures or through regular administrative channels. In cases involving tenured faculty, and in all cases involving allegations of academic freedom violations or dismissal of a faculty member whose term appointment has not expired, subject to review by the Board of Trustees, decisions of the Committee shall be final. In cases involving probationary faculty where allegations of inadequate consideration (as described in the Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments as stated in the AAUP Policy Documents & Reports, 1984) or violations of fundamental fairness are raised, the Committee shall report its finding to the President, and if the committee finds substantial procedural error or serious questions of fairness, recommend the appropriate remedial action. If the President rejects the Committee's recommendation, he/she shall state the reasons for doing so and his/her subsequent judgment and action in the case, in writing, to the hearing committee and to the faculty member. The President shall also report to the Faculty Senate that he/she has received and rejected a recommendation from the Committee. The Faculty member shall have the right to appeal the President's decision to the Board of Trustees. The Committee shall not participate in preliminary proceedings or in the development or presentation of any case, and members of the committee should exercise caution to avoid sitting in any case in which they have an immediate interest.

D. The Committee may appoint a lawyer to act as its counsel, the cost being borne by the University.

E. Dismissal of Tenured Faculty. See Appendices A, B, C, D, E, F.

#### **IX. Promotion in Rank**

A. The faculty of each college shall form a faculty committee on promotion to serve as advisors to the dean on these matters.

B. Recommendations shall be based on the candidate's merit. Teaching effectiveness, research and scholarly activities, publications and other creative works, recognized leadership in the field, service and contribution to the University, and service to the community are the criteria for determining the candidate's merit for promotion.

C. Based on recommendations from the appropriate committee and his/her own evaluations, the dean of each academic unit shall make recommendations for promotion to the Provost who shall in turn make recommendations to the President of the University. The President shall then submit recommendations to the Board of Trustees for action.

D. A candidate for the office of President, Provost, or Dean of a School or College who has earned and been granted academic rank as a faculty member in an academic department of an accredited college or university, may be granted academic rank subject to the following conditions:

1. The department and college involved have reviewed the candidate's academic credentials and have recommended acceptance of the candidate as a ranked member of the department.
2. Section V (C) of the Academic Charter shall apply in determining salary upon return to regular faculty status. Salary so determined shall be paid from general university funds and shall not be included in the budget of nor charged against the academic department.
3. The faculty position held by the returning administrator shall be a regular position in the appropriate department but shall not be counted as a factor in determining the size of the department for purposes relating to the release or tenuring of other members of the department.

## **X. Governance**

The general outlines for the governance structure of Drake University were established by the University's Articles of Incorporation, and the basic structure has undergone periodic changes, the latest of which are incorporated in the University Bylaws. The Officers of the University, the Board of Trustees, are as prescribed by the Bylaws.

## **XI. The President of the University**

A. The President of the University shall be the Chief Executive Officer of the University and the official adviser to and executive agent of the Board of Trustees. The President shall, as educational and administrative head of the University, bring such matters to the attention of the Board of Trustees as are appropriate to keep the Board of Trustees fully informed in meeting its policy-making responsibilities. Furthermore, the President shall have power, on behalf of the Trustees, to perform all acts and execute all documents to make effective the actions of the Board of Trustees or its Executive Committee.

B. The President shall appoint Vice Presidents, Deans and administrative officers responsible for the operation of the University and the conduct of academic programs, student life programs, business and financial affairs, and institutional advancement programs.

C. The President may establish experimental programs, centers, and institutes with the approval of the Board of Trustees. Curricular revision shall be within the discretion of the College or School faculty concerned, with the approval of the President.

D. Selection of a President of the University. The procedure for filling the office of President of the University shall be as follows:

1. Nomination: A Nominating Committee of the Board of Trustees shall be selected by the Board of Trustees according to the rules of the Board.

2. To assist the Board of Trustees there shall be the University Campus Committee which shall be constituted as follows:

a. Three members of the Senior Advisory Council who shall be selected by the Administrative Council, one of whom shall be a vice president of the University and one of whom shall be an Academic Dean.

b. Four members of the Faculty of Instruction who shall be elected by the Faculty of Instruction, one of whom shall be chair of this committee.

c. Two members from the student body who are full-time students of Drake University and who will be elected in a manner determined by the Student Senate.

d. One alumnus or alumna of the University.

3. The University Campus Committee shall seek nominations, compile information concerning all nominees, and consult with and function as an advisory group to the Nominating Committee of the Board of Trustees. The University Campus Committee shall constantly solicit the advice and counsel of the University community and report periodically to that community on the progress without violating confidences of candidates.

4. The University Campus Committee shall submit to the Nominating Committee the names of eminently qualified candidates with accompanying information in full.

5. In consultation with the University Campus Committee, the Nominating Committee shall take appropriate action to invite selected, qualified candidates to the campus for interviews with appropriate segments of the University which shall include meetings with members of the Board of Trustees, administrators, faculty, students, and alumni.

6. The Nominating Committee, after consultation with the University Campus Committee, shall recommend a candidate to the Board of Trustees.

E. Election shall be by the Board of Trustees.

F. Both committees shall be discharged on the election and acceptance of a President of the University.

## **XII. Selection of Vice Presidents and Provost of the University**

A. The Provost & Vice Presidents of the University shall be appointed by the President with the advice and consent of the Board of Trustees upon the recommendation of a screening committee appointed by the President.

B. To the extent that the role of the Provost & Vice President to be selected is of special concern to alumni, students, trustees or faculty, representatives drawn from those groups should be included in the constituency of the screening committee.

## **XIII. Provost**

A. The Provost serves as chief academic officer of the University. The Provost provides leadership to the Deans and Faculty for the quality and vitality of instruction, research, and scholarship in all undergraduate and graduate programs. The Provost also assists the President in coordinating the ongoing administrative operations of the University, and serves as the chief executive officer in the absence of the President.

B. The Provost provides institutional leadership for these actions: academic policymaking and implementation; academic personnel selection and evaluation including the awarding of promotion, tenure, and special professorships; and academic planning and budgeting. The Provost's office oversees the operations of Colleges and Schools, Cowles Library, all Academic Centers, all University-wide academic programs, all academic services and offices under the direction of the Vice Provost, the Dean of Students, the Office of Information Technology, international programs, Office of Sponsored Programs, Institutional Research and other academic student and faculty support programs. The Provost maintains effective communication with the Faculty Senate and the Student Senate. The Provost participates in the presentation of academic needs and priorities to the governing board and external publics and constituents.

C. In the case of a search for and selection of the Provost, the President of the University will appoint a broadly based advisory search and screening committee, following consultation with the Faculty Senate Executive Committee and Council of Deans.

## **XIV. Organization of the Academic Staff**

A. Colleges, Schools, Divisions, Departments. Drake University is composed of colleges and schools that consist of various departments and/or divisions. While serving as an integral part of the total University, each of these colleges and schools has its own programs and administration, and each has its own dean and faculty.

B. Organization of Colleges and Schools.

1. The several colleges and schools shall have the principal responsibility for execution of the instructional, research and other academic programs of the University.

2. The Dean of each college or school shall be the chief academic and administrative officer thereof. The Dean's appointment and evaluation shall be made with faculty and other participation as provided in Section XV of the Academic Charter. The Dean shall be responsible to the President through the Office of the Provost.

3. The Dean of each college or school shall, with the advice and consent of the college or school faculty, establish a governing body which shall be the chief legislative body of the college or school.
4. The authority of the faculty governing body shall extend to all academic affairs of the college or school, subject to provisions stated in the Bylaws and Academic Charter.
5. The educational purposes of the college or school shall determine student rights and responsibilities.
6. The Dean of each college or school shall publish and maintain a current handbook stating the philosophy, organization, and procedures of the college or school. A copy shall be given to each member of the college or school faculty and to each of the general administrative officers of the University.
7. Department chairs or other administrative college or school officers shall be appointed by the Dean following consultation with members of the department and related departments.
8. The Deans of the colleges or schools shall establish procedures for faculty participation in annual budgetary requests and for dissemination of appropriate financial information. In a manner provided by the colleges or schools, the faculty shall participate in the determination of college or school policies and procedures governing salary increases.

## **XV. Appointment of Deans**

A. Selection of Academic Deans is the responsibility of the Provost, with the advice of and in consultation with the President and appropriate faculty, subject to the approval of the Board of Trustees. Selection of Academic Deans shall be based on the 'Primary Responsibilities of Deans of Drake University's Colleges' (Appendix I).

B. There shall be a search committee to identify and screen candidates that shall nominate qualified persons to the Provost. The committee shall cooperate and consult with the Provost. Interview procedures shall insure the communication of advice from appropriate faculty, students, and administrators.

C. The Search Committee shall consist of at least five members. The Faculty of Instruction of the college shall elect at least two of their number as members of the Search Committee. The Provost shall appoint other members of the Committee, which may include faculty, alumni, friends, students of the college, and faculty of other colleges. The Chair shall be a member of the instructional faculty appointed by the Provost.

D. With the advice of the Search Committee, the Provost shall appoint the Dean of each college, subject to confirmation by the Board of Trustees.

## **XVI. The Faculty Senate**

A. The Faculty Senate shall be the chief legislative body within the University. It shall have the following powers in addition to those elsewhere specified:

1. To establish educational policy affecting the University as a whole.
2. To enact academic regulations of uniform application. The Faculty Senate shall exercise restraint not to intrude into the internal regulation of the Colleges of the University.
3. To recommend special actions to the President and to the Board of Trustees.
4. To establish policies concerning extracurricular activities supported by the University, in full consultation with the Student Senate.
5. To establish standing and ad hoc committees.
6. To establish rules for the Senate; *Robert's Rules of Order Newly Revised* shall govern the proceedings of the Senate unless otherwise provided.

B. The Faculty Senate shall be constituted as follows:

1. One member of the Faculty of Instruction from and elected by each College except the College of Arts and Sciences wherein one member of the Faculty of Instruction shall be elected from and by each of the four divisions. For the purposes of Faculty Senate elections as well as representation on the Senate Executive Committee, the Faculty of Instruction of Cowles Library shall be considered a College.
2. Twelve members of the Faculty of Instruction elected at-large.

C. Senators will be elected to two-year terms, with one-half of the faculty representatives being elected each year. Senators can be elected to two consecutive terms, after which they will be ineligible for election for one year. Elected members will assume office the day following Spring Commencement of the year of their election. Vacancies may be filled as provided for by the Rules of the Faculty Senate.

D. The President of the University and the Provost shall be non-voting ex officio members of the Faculty Senate, and shall report to the Senate at each regularly scheduled meeting. If the President of the University suspends action of the Senate, the President shall provide a written statement within sixty days of the action setting forth the reasons and asking the Senate to reconsider. If the President of the University and the Senate do not reach agreement on the matter within forty-five days thereafter, it shall be submitted to the Board of Trustees by mutual agreement.

E. The Faculty Senate shall elect from among its members, a Vice-President who shall serve as President-Elect of the Senate.

F. Standing Committees of the Faculty Senate.

1. Academic Freedom and Tenure. See Article IX of this Academic Charter.

2. Executive Committee. The Committee will determine the constituency of all other committees and regulate the Senate agenda. This Committee will also establish operational procedures for the orderly conduct of the Senate's business and elections. It shall study and recommend to the Senate desired changes or amendments to the Bylaws of the University or to the Academic Charter. The Committee will also function as a faculty advisory board to the President of the University, the Provost and other administrative officers. The Executive Committee shall meet with the President in its advisory capacity once each month during the academic year and at additional times at the request of the President or the Executive Committee. The President of the Senate will serve as Chair of the Executive Committee and the president-elect serves as Vice-Chair. In addition to the president, one Senator from each college will be elected by members of the Senate to serve on the Executive Committee at the annual organizational meeting of the Senate.

3. Intercollegiate Athletics Council. The Council reports to the Senate and makes recommendations regarding policy and program. The Council shall give primary consideration to the educational goals of the University and benefits to students, both participants and spectators. Budgetary and personnel matters shall be the responsibility of the administrative officers of the University. The Council shall have jurisdiction over the scheduling of contests and the granting of awards.

The Council shall consist of six members of the Faculty of Instruction; the Faculty Representative for Intercollegiate Athletics; three students, two of whom may be participants in intercollegiate athletics; a member of the Student Life division, and an alumnus. Faculty members will be appointed to a three-year term renewable for one additional term. Ex-officio, non-voting members include the Director of Intercollegiate Athletics; an Associate Director of Intercollegiate Athletics; and the Director of Compliance. The Chair will be a faculty member who has served for at least two years on the Committee. The Council meets regularly once a month during the academic year and at other times upon the call of the Chair.

4. The Faculty Senate shall create other committees as it deems necessary.

G. An individual designated by the Provost of the University shall keep a record of the proceedings of the Faculty Senate and cause an abstract of the same to be transcribed and circulated in a manner prescribed by the Senate.

H. General files of the Faculty Senate and its officers shall be housed in an office designated for the purpose by the Provost.

I. No action taken by the Faculty Senate, the several faculties, or the General Faculty shall establish or modify the budget of the University. Fiscal implications should be considered in deliberations by the Faculty Senate of matters within its jurisdiction. The President and Board of Trustees shall determine budgetary action in light of established policies.

## **XVII. The Student Senate**

A. The purpose of the Student Senate shall be to serve as the representative organization of the Drake University student body and to formulate and express the opinions, recommendations, and suggestions of the student body. The Student Senate shall

strive to develop a more desirable relationship among students and encourage quality student involvement in academic and extracurricular activities.

B. The Student Senate shall be constituted as follows:

1. The student body president who shall serve as chair.
2. At least 20 other members of the student body as specified in the Rules and Regulations of the Student Senate.

C. Elections for the Student Senate shall be held in the spring term in accordance with the Rules and Regulations of the Student Senate. Elected members shall serve one-year terms. Vacancies may be filled as provided in the Rules and Regulations of the Student Senate.

D. The powers committed herein to the Student Senate shall be exercised in conformity with the policies expressed in the Articles of Incorporation, the Bylaws of the University, and the Academic Charter. The Student Senate shall have the following powers in addition to those specified elsewhere:

1. To establish policies concerning student life consistent with the rules of Drake University.
2. To recommend special actions to the President and to the Board of Trustees.
3. To make recommendations to the Faculty Senate or to the appropriate administrative officials regarding educational policies or other student concerns.
4. To act as an ombudsman on behalf of the student body.
5. To recognize student organizations in accordance with procedures outlined in Appendix A of the Student Handbook.
6. To establish standing and *ad hoc* committees.
7. To establish rules for the Student Senate.

E. A quorum of the Student Senate shall be a majority of the membership.

F. No action taken by the Student Senate shall establish or modify the budget of the University. Fiscal implications should be considered in deliberations by the Student Senate of matters within their jurisdiction. The President and the Board of Trustees shall determine budgetary action in light of established policies.

G. The Secretary of the Student Senate shall keep a record of the proceedings of the Student Senate and cause an abstract of the same to be transcribed and circulated in a manner prescribed by the Senate.

H. General files of the Student Senate and its officers shall be housed in the office of the student body president.

### **XIII. Review and Amendment of the Academic Charter**

Changes in The Academic Charter other than those relating to the Student Senate shall be enacted jointly by the Faculty Senate, the President of the University, and the Board of Trustees or by the Board of Trustees alone in the manner provided for amendment of the Bylaws of the University. When initiated by the Faculty Senate, a two-thirds majority of those present is required.

Changes in the Student Senate article of the Academic Charter may only be initiated by the Student Senate or by the Board of Trustees and approved by the Board of Trustees.

The *Academic Charter* was approved by the Faculty Senate on April 19, 1989, revised on March 11, 1992, April 16, 1997, February 21, 2001, December 12, 2001, May 8, 2002, May 3, 2006, March 11, 2009, October 20, 2010, March 9, 2011 and September 21, 2011. The Board of Trustees approved the language change for the April 16, 1997 Faculty Senate action on September 5, 1997, and the current document, which includes previous Senate and Board actions (e.g., Mission and Vision Statements, reporting structure in the provost's area, and dropping of the Graduate Coordinating Board) on November 1, 1997. Additional revisions were approved on June 24, 2006, April 25, 2009, April 29, 2011 and October 1, 2011.