

**Agendum
Oakland University
Board of Trustees Formal Session
March 2, 2010**

**AMENDMENT TO THE CONSTITUTION OF THE LIBRARY
A Recommendation**

1. **Division and Department:** Academic Affairs; Kresge Library
2. **Introduction:** The Board of Trustees (Board) has delegated full authority and responsibility for the governance of Oakland University (University) to the President, subject to Board limitations and policies. The Board has also recognized the University Senate as an organization to advise the President in regard to academic policies and programs.

The University Senate is organized and functions in accordance with a Board approved constitution, which provides that the University Senate must “approve, disapprove and make recommendations regarding the constitutions proposed by the various organized faculties of the University.” “Organized faculties” refer to the faculties of the Library and the various schools and colleges approved by the Board. The constitutions of the Library and the various schools and colleges require not only Senate approval, but also Board approval.

The Board first approved the Constitution of the Library on December 11, 1985. The Board last approved an amendment to the Constitution of the Library on June 2, 2004. The faculty of the Library now wishes to amend the Constitution of the Library to reflect editorial changes, and the addition of a Committee on Instruction to the standing committees of the Library’s Faculty Assembly.

The proposed, amended, Constitution of the Library was approved by the University Senate, the Senior Vice President for Academic Affairs and Provost and the President, and, has been reviewed by the Office of Legal Affairs and complies with the limitations and policies established by the Board with regard to governance generally, and the constitutions of the Senate and organized faculties specifically.

Attachment A is a copy of the redline version of the proposed, amended Constitution of the Library, and Attachment B is the final version.

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3. **Previous Board Action:** The Constitution of the Library was first approved by the Board on December 11, 1985. On February 6, 1997, and on June 2, 2004, the Board approved amendments to the Constitution of the Library.
4. **Budget Implications:** N/A
5. **Educational Implications:** N/A
6. **Personnel Implications:** N/A
7. **University Reviews/Approvals:** The proposed, amended Constitution of the Library was ratified by the Library faculty on March 27, 2009; approved by the University Senate on December 3, 2009; and has been approved by the Senior Vice President for Academic Affairs and Provost and the President.
8. **Recommendation:** WHEREAS, the Constitution of the Oakland University Senate, as authorized by the Board of Trustees, provides for certain functions to be assigned to the organized faculties of the Library, the Schools, and the College of Arts and Sciences; and

WHEREAS, the Board of Trustees has acted to approve internal constitutions in order to obtain the input and recommendations of faculty, staff, and students on matters relating to the programs of Oakland University, but has retained unto itself the full authority granted to it by law; now, therefore, be it

RESOLVED, that notwithstanding any provision of the proposed, amended Constitution of the Library, the Board of Trustees reconfirms its legal authority to grant, modify and rescind internal constitutions when the Board determines such action to be in the interest of the University or required to comply with its legal obligations; and, be it further

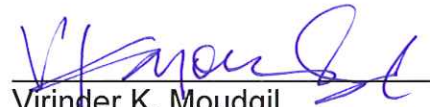
RESOLVED, that the Board of Trustees, under the conditions set forth above, approves the amended Constitution of the Oakland University Library, attached hereto, effective March 2, 2010.

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9. Attachments:

- A. Redlined version of the proposed, amended Constitution of the Library
- B. Final version of the proposed, amended Constitution of the Library

Submitted to the President
on 2/5/10, 2010 by



Virinder K. Moudgil
Senior Vice President for
Academic Affairs and Provost

Recommended on 2/5, 2010
to the Board for approval by



Gary D. Russi
President

OAKLAND UNIVERSITY
CONSTITUTION OF THE LIBRARY

PREAMBLE: In accordance with provisions of the Constitution of the Oakland University Senate and subject to the approval of the Oakland University Board of Trustees, the Library Faculty establishes this eConstitution to conduct its business.

Article I. The Library

The Library encompasses the faculty and staff of the Kresge Library.

Article II. The Library Faculty

- i. The Library Faculty includes all persons who hold non-visiting tenure-track positions in the Library.
- ii. The Library Faculty shall exercise all powers accorded to an organized faculty by the Constitution of the University Senate.
- iii. The Dean of the Library is the principal academic and administrative officer of the Library.
 1. The Dean shall be a tenured member of the Library Faculty.
 2. The Dean shall be appointed by the Board of Trustees upon recommendation by the Senior Vice President for Academic Affairs and Provost and the President. Before recommending the initial appointment of the Dean, the Senior Vice President for Academic Affairs and Provost and the President shall consult with the Library Faculty.
 3. The Senior Vice President for Academic Affairs and Provost and the President may review the Dean's appointment at any time but they shall do so at least once every five years or upon the written request of a majority of the Library Faculty who do not hold administrative titles.
- iv. The Dean may establish academic administrative positions consistent with university policy.

1. An academic administrator shall be a tenured member of the Library Faculty.
2. An academic administrator shall be appointed by the Board of Trustees upon recommendation by the President, the Senior Vice President for Academic Affairs and Provost and the Dean of the Library. Before recommending the initial appointment of an academic administrator, the Dean shall ~~consult with the Library Faculty~~ solicit input from all Library Faculty and full-time staff.
- ~~3.~~ 3.—The Dean may review an academic administrator's appointment at any time but he/she shall do so at least ~~once every three years~~ every five years or upon the written request of a majority of the Library Faculty who do not hold administrative titles. In conducting the review the Dean shall ~~consult with the Library Faculty~~ solicit input from all Library Faculty and full-time staff.
- ~~3.4.~~ In appointing an academic administrator to an interim position the Dean shall solicit input from all Library Faculty and full-time staff.

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Article III. The Library Faculty Assembly

- i. The Library Faculty Assembly is the primary governance body of the Library Faculty. It shall have the following rights and responsibilities:
 1. Initiate proposals on matters of importance to the Library.
 2. Be consulted on matters of significance to the Library.
 3. Advise the Dean on matters he/she brings before it.
 4. Request actions of other agencies of the University.
 5. Take such actions as are necessary to exercise responsibilities stated elsewhere in this eConstitution.
- ii. Membership of the Assembly shall include:
 1. The Library Faculty.
 2. Any person to whom the Assembly extends an invitation. The Assembly shall set the conditions and terms of membership. The Dean shall extend the offer of membership.
- iii. ~~All members of the Assembly shall have full voting rights and shall~~ All full-time members of the Library Faculty shall have full voting rights and be eligible to serve on committees except when committee memberships are restricted.

- iv. The Executive Committee shall call all meetings of the Assembly in the fall and winter semesters and shall call at least two meetings in each of those terms. It must call a meeting within fifteen days upon the written request of twenty (20) percent or more of the Assembly. Meetings in the ~~spring and~~ summer semesters may be called by either the Executive Committee or the Dean.
- v. The Dean or his/her designee shall be the presiding officer of the Assembly.
- vi. Fifty (50) percent of the Library Faculty shall constitute a quorum of the Assembly.
- vii. The Executive Committee shall determine the placement and timing of all motions which come before the Assembly.
- viii. The Assembly shall provide for the preparation of its minutes.
- ix. Substantive motions shall be circulated to members of the Assembly at least five days before their first reading. Committee recommendations and materials deemed appropriate by the Executive Committee shall accompany the text of motions.
- x. Ordinary substantive motions are placed on the agenda by the Executive Committee with or without comment or endorsement. Such motions shall normally receive readings on two separate meeting days of the Assembly with amendments in order during both readings. Final votes on a main motion and its amendments may be taken only during the second reading. At that time, a majority vote of those members present shall suffice for a decision.
- xi. By an affirmative vote of three-fourths of the members present, the Assembly may proceed directly from the first to the second reading and final action on a motion.
- xii. When an agenda has been completed, the presiding officer shall call for and recognize motions from the floor of the Assembly. They are extraordinary substantive motions.
- xiii. By vote of two-thirds of the members present, the Assembly may authorize immediate debate on an extraordinary motion, in which case the motion shall be treated as an ordinary motion in its first reading. Otherwise, the Executive Committee shall place the motion on the agenda of the next meeting of the Assembly. When placed upon the agenda by either of those procedures, the motion shall be treated as an ordinary substantive motion in its first reading.
- xiv. Procedural motions may be introduced by a member of the Assembly. Such motions shall be decided in the order of precedence and in accordance with the current Robert's Rules of Order.
- xv. Resolutions may be moved from the floor of the Assembly. By a vote of two-thirds of the members present, a resolution may be adopted on its first reading. An affirmative

majority vote shall suffice to hold a resolution over for a second reading. A resolution may be adopted by an affirmative majority vote on its second reading.

- xvi. Proxy votes shall not be tallied except on amendment(s) to and revision of the Constitution.

Article IV. Standing Committees of the Assembly

- i. The Assembly shall create such ad hoc and standing committees as it deems necessary, designating the charges, memberships and terms of service.
- ii. The Assembly may modify the membership of or charge to a standing committee by an ordinary substantive motion.
- iii. Unless otherwise specified, standing committees shall be organized in the following manner:
 1. Standing committees shall consist of three members elected by the Assembly for staggered two-year terms.
 2. Elections to standing committees shall be held in the winter semester and service shall begin in the subsequent fall semester.
 3. A committee vacancy occurring during the first year of service shall be filled by election; in the second year, by appointment of the Executive Committee.
 4. Each standing committee shall elect a chairperson from its membership at its first meeting of the year. The chairperson shall serve a renewable one-year term. -The first meeting shall be called by the previous chairperson whether or not he/she remains a member of the committee. In the absence of the previous chairperson, the first meeting shall be called by the most senior faculty member on the committee.

~~iv.~~iv. The Assembly shall have an Executive Committee composed of three of its members. They shall be elected to staggered two-year terms which are renewable. The Dean shall be an ex-officio, non-voting member of the committee. The Dean shall chair the committee but may appoint a temporary chairperson in his/her absence. The Executive Committee shall have the following responsibilities:

1. Appoint a secretary to ~~prepare the committee's agendas and minutes, including the call of all matters from ad hoc and standing committees. take minutes of the Executive Committee meetings.~~ The term of office shall be for a renewable one-year term.

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2. Appoint a parliamentarian for the Faculty Assembly. The term of office shall be for a renewable one-year term.
3. Create such ad hoc committees as it deems necessary, designating the charges, memberships and terms of service.
4. Refer matters to ad hoc and standing committees.
5. Receive reports and recommendations from ad hoc and standing committees to be placed on agendas of the Assembly. The Executive Committee shall have the right to request a committee to reconsider its recommendations once. A committee's second submission must be placed on the next agenda of the Assembly.
6. Originate substantive motions.
7. Appoint replacements for vacancies occurring on ad hoc committees.
8. Appoint replacements for vacancies occurring on standing committees when the vacancies occur in the second year of service.
9. Advise the Dean on matters he/she brings before it, receive information from the Dean, and place before the Dean such matters as it deems appropriate.
10. Transmit and receive communications from the University Senate.

v. The Assembly shall have a Committee on Instruction (COI) comprised of the Coordinator of Information Literacy and three other members of the Library Faculty who will serve in staggered two-year terms. The COI is charged with the following tasks:

1. Propose credit courses to be offered by the Library Faculty.
2. Propose relevant information literacy outcomes for General Education.
3. Propose relevant information literacy outcomes for academic majors and programs.
4. Continued oversight, evaluation, and assessment of information literacy curricula and outcomes.

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Article V. The Library Committee on Appointment and Promotion

- i. The Library Faculty shall have a Committee on Appointment and Promotion (LCAP) consistent with the current Faculty Agreement.

- ii. The LCAP shall consist of six members. One shall be Oakland's non-voting designee.
 -The other five shall be elected by and from the bargaining unit faculty members who hold tenure-track positions in the Library. They shall serve staggered three-year terms.
 -At least three of the voting members shall be tenured. No one may serve on the LCAP in the academic year in which he/she is reviewed for tenure and/or promotion.
1. If a vacancy occurs on the LCAP before a term of office is completed, a replacement shall be elected to fill the unexpired term. If the vacancy is the result of an incumbent's tenure review, a replacement shall be appointed for that year by the bargaining unit faculty members of the Executive Committee.
 2. The LCAP shall elect a chairperson from its members who are tenured and voting. ~~The LCAP shall also elect a secretary. Each office is for a one-year term which is renewable one-time. The term of office shall be for a renewable one-year term.~~
- iii. The LCAP shall establish and make known the policies and procedures which govern its operation as well as the criteria and standards which guide its recommendations on all matters of faculty appointment, promotion and tenure. The LCAP shall also have the following duties:
1. Gather information and make recommendations to the Dean on all Library Faculty appointment, promotion and tenure cases.
 2. Gather information and make recommendations to the Faculty Re-Employment and Promotion Committee (FRPC) regarding all Library Faculty employment recommendations leading to tenure, tenure and promotion, or promotion of tenured faculty.
 3. Be informed by the Dean of final decisions relating to all Library Faculty employment decisions.
- iv. The library representative to the Faculty Re-Employment and Promotion Committee shall be elected by and from the membership of the bargaining unit faculty who hold tenure-track positions. The representative shall be tenured and shall meet the eligibility requirements stipulated in the Faculty Agreement.

Article VI. The University Senate

The Library Faculty shall be represented in the University Senate by a delegation elected in accordance with provisions of the Constitution of the University Senate.

Article VII. Amendment and Ratification

- i. Amendment(s) or revision of the Constitution shall originate as substantive motions of the Assembly. They may be submitted to the Executive Committee in writing, in which case, they shall be placed on the agenda of the next meeting of the Assembly.
- ii. On second reading, a ~~mail referendum~~ secret ballot shall be conducted and an affirmative majority vote of the Assembly shall be required to ratify amendment(s) or revision of the Constitution.
- iii. Amendment(s) or revision of the Constitution must be approved by the University Senate and the Board of Trustees.

Article VIII. Review

- i. This ~~e~~Constitution shall remain in force until it is superseded by a ~~e~~Constitution approved by the Faculty Assembly, the University Senate and the Board of Trustees.
- ii. At least once every five years the Executive Committee shall review or appoint an ad hoc committee to review the Constitution of the Library. The committee shall present its recommendations to the Assembly which may ratify the proposed ~~e~~Constitution with or without change, in accordance with Article VII.

Faculty ratified April 30, 1970; Senate approved May 7, 1970.
 -Faculty ratified March 29, 1978; Faculty amended April 25, 1978; Senate approved November 16, 1978. Faculty ratified March 31, 1983; Board approved December 11, 1985. Faculty ratified October 9, 1991. Editorial changes made by resolution of Faculty Assembly January 18, 1994. Faculty amended November 1, 1994, January 25, 1995, April 18, 1995 and April 18, 1996. Senate approved November 14, 1996. Board approved February 6, 1997. KL Faculty Assembly revised, then ratified April 23, 2003, additional revisions approved March 8, 2004. Senate approved March 18, 2004. Board of Trustees approved June 2, 2004. KL Faculty Assembly amended and ratified March 27, 2009. Senate approved December 3, 2009.

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