

Resolution to Revise the University Council Constitution

WHEREAS, based on a three-year review by the President's Committee on Governance, a restructuring of the university's system of shared governance was codified in a new University Council Constitution and Bylaws, which was approved by University Council (UC Resolution 2021-22A) on March 21, 2022, and subsequently by the Board of Visitors on June 7, 2022, and became effective at the beginning of the 2022-23 academic year; and

WHEREAS, that resolution mandated a review of the new system of shared governance after the first and second years of implementation; and

WHEREAS, based on observations and experience during the first year of implementation, the attached set of recommendations is proposed to amend the University Council Constitution; and

WHEREAS, the proposed amendments to the University Council Constitution have received the requisite approvals by University Council, two-thirds of the senates, and the President of the University, and are now brought to the Board of Visitors for final approval;

NOW, THEREFORE, BE IT RESOLVED that University Council Constitution be revised as outlined in the attached document, effective immediately.

Recommendation:

To approve the resolution to revise the University Council Constitution.

June 11, 2024

Proposed Changes – UC Constitution

Article II. Purpose –

Existing:

In order for this system to function as intended, the roles and authority of its different components as presented in this document must be maintained, and participants in shared governance are expected to adhere to these statements of purpose, function, or charge. Senate and commission charges identify the areas of legislative authority and responsibility for the relevant body. These charges are not exhaustive: when questions arise regarding the relevance of the topic of a resolution to a commission or senate charge, they will be addressed to the parliamentarian and, if necessary, the University Council Cabinet. Per Article III Section 3 of the University Council Bylaws, the University Council Cabinet will review all resolutions for agreement with the commission charge. Determination of the authority of a commission to advance a resolution rests with the University Council Cabinet and the University Council.

Reason/rationale: (i) Generally, matters appropriate for policy development, revision, or discontinuance through shared governance are those that fall within the charges of the university and senate commissions as specified in the University Council Constitution; and (ii) delegating authority to the Office of the VP for Policy and Governance to approve resolution proposals that clearly fall within a commission's charge expedites the resolution approval process and frees up the time of University Council Cabinet members to handle their other job responsibilities.

Proposed: [\(Reviewed by Cabinet 1/29/24 and 2/12/14\)](#)

In order for this system to function as intended, the roles and authority of its different components as presented in this document must be maintained, and participants in shared governance are expected to adhere to these statements of purpose, function, or charge. Senate and commission charges identify the areas of legislative authority and responsibility for the relevant body. These charges are not exhaustive: when questions arise regarding the relevance of the topic of a resolution to a commission or senate charge, they will be addressed to the parliamentarian and, if necessary, the University Council Cabinet. Per Article III Section 3 of the University Council Bylaws, the University Council Cabinet will review all resolutions proposals for agreement with the commission charge. At its discretion, University Council Cabinet may delegate limited authority to the Office of the Vice President for Policy and Governance to approve resolution proposals that clearly fall within a commission's charge, and the OVPPG will regularly inform the University Council Cabinet of all such decisions. University Council Cabinet retains veto power over all such decisions made by the Office of the Vice President for Policy and Governance; ultimate determination of the authority of a commission to advance a resolution rests with the University Council Cabinet and the University Council.

Article IV. Membership, Section 1. Composition

Reason/rationale:

- (i) *The Department Heads Council is reorganizing and will have a president and vice president going forward.*

FINAL – Approved by UC 4/1/2024, to BOV 6/11/2024

- (ii) *COIA and CEOD are the only two commissions that do not report to a senate and instead report directly to University Council. The vice president for strategic affairs and diversity is already a member of University Council and can represent the CEOD. In contrast, COIA has no representation on University Council at that level; therefore, the addition of the vice president for outreach and international affairs is recommended.*
- (iii) *Current language that the representatives on University Council are “of” the commission means that the individuals must be members of the respective commission. Changing to “elected by” does not limit the commission to choosing only from among its membership to serve on University Council.*
- (iv) *Under the former governance system, it was the commission chairs who would introduce resolutions at University Council, and the intent was for that to continue under the new governance system (even though senates now must approve commission resolutions before they go to University Council). Making the commission chairs non-voting ex officio members of University Council would enable them to introduce and make a motion for approval of a resolution from their commission. (According to Robert’s Rules, non-voting members of a body may make or second motions/resolutions but cannot vote.)*
- (v) *Taking up the time of Cabinet and University Council to approve continued membership of ex officio members who have a straight-forward title changes with no change in function would be highly inefficient.*

Proposed: (reviewed by Cabinet 1/29/24)

Department Heads Council ~~Executive Committee co-chairs~~ president and vice president Vice President for Outreach and International Affairs [since COIA is a university commission, as is CEOD, which already has a VP on University Council]

Four representatives ~~of~~ elected by the Commission on Equal Opportunity and Diversity
One representative ~~of~~ elected by the Commission on Outreach and International Affairs

Unless chairs of university and senate commissions are already serving on University Council through another affiliation, they will serve as ex officio, non-voting members of University Council concurrent with their term as commission chair to enable them to introduce and make a motion for approval of a resolution from their commission.

Revisions to the membership of the University Council follow the procedures for amendments contained in Article XIII of this constitution. Changes to titles of ex officio members of University Council or University Council Cabinet that are not accompanied by a significant role change may be made without following the amendment procedures.

Article VI. University Council Cabinet, Section 3. Membership

Existing:

The University Council Cabinet consists of . . . members appointed or elected by the following bodies . . . One representative of the Department Heads Council Executive Committee.

FINAL – Approved by UC 4/1/2024, to BOV 6/11/2024

Reason/rationale: The Department Heads Council is reorganizing and will have a president and vice president going forward.

Proposed: (Reviewed by Cabinet 1/29/24)

The University Council Cabinet consists of . . . ~~members appointed or elected by the following bodies . . . One representative~~ the chair or vice chair of the Department Heads Council ~~Executive Committee.~~

Article VIII. Commissions, Section 2. Responsibilities

Reason/rationale: Some commissions have other non-policy-making functions, and in many cases these commissions have carried out these responsibilities for many years without involvement of a senate, University Council, or any other. There would be no benefit now to begin involving senates and University Council; doing so would unnecessarily complicate the functions and take up time of the senates and University Council that could be better spent on their other work.

Proposed – Add new paragraph at the end of the section, as follows: (Reviewed by Cabinet 1/29/24)

In some cases, a commission may have other non-policy-making functions that do not involve or require approval of any senate or University Council. Such functions are stated explicitly in a commission's charge.

Section 7. Senate Commissions – Commission on Administrative and Professional Faculty Affairs (CAPFA)

Existing:

Commission on Administrative and Professional Faculty Affairs (CAPFA)

Charge: To study, formulate, and recommend to the Administrative and Professional (A/P) Faculty Senate policies and procedures affecting the working conditions of A/P faculty. Areas for consideration include morale of administrative and professional faculty; procedures for appointing, non-reappointing, evaluating, disciplining, recognizing, and promoting administrative and professional faculty; benefits, educational and personal leave, and extra-university professional activity; and matters of equity and diversity that affect A/P faculty. The commission is also responsible for reviewing allegations of unprofessional or unethical conduct against any A/P faculty member and grievances advanced to the level of the executive vice president and provost or the vice president for human resources and for advising these administrators prior to their taking action.

Reason/rationale: This change is requested by CAPFA and the AP Faculty Senate because the responsibilities highlighted have been shifted from the commission to the newly created AP Faculty Senate. This parallels the Faculty Senate model.

FINAL – Approved by UC 4/1/2024, to BOV 6/11/2024

Proposed: (Reviewed by Cabinet 1/29/24)

Commission on Administrative and Professional Faculty Affairs (CAPFA)

Charge: To study, formulate, and recommend to the Administrative and Professional (A/P) Faculty Senate policies and procedures affecting the working conditions of A/P faculty. Areas for consideration include morale of administrative and professional faculty; procedures for appointing, non-reappointing, evaluating, disciplining, recognizing, and promoting administrative and professional faculty; benefits, educational and personal leave, and extra-university professional activity; and matters of equity and diversity that affect A/P faculty. ~~The commission is also responsible for reviewing allegations of unprofessional or unethical conduct against any A/P faculty member and grievances advanced to the level of the executive vice president and provost or the vice president for human resources and for advising these administrators prior to their taking action.~~

Section 7. Senate Commissions – Commission on Graduate and Professional Student Affairs (CGPSA)

Existing:

Commission on Graduate and Professional Student Affairs (CGPSA)

Charge: To study, formulate, and recommend to the Graduate and Professional Student Senate policies and procedures concerning graduate and professional student life and morale. Areas for consideration include working conditions for graduate assistants, graduate research assistants, and graduate teaching assistants; graduate and professional student relations with peers, staff, faculty, administrators, alumni, and the community; policy matters related to graduate and professional student conduct; graduate and professional student organizations, social life, and recreation; and residential life, health, safety, and quality of graduate and professional student-related services.

Reason/rationale: The proposed language captures the intent of the charge.

Proposed: (Reviewed by Cabinet on 1/29/24)

Commission on Graduate and Professional Student Affairs (CGPSA)

Charge: To study, formulate, and recommend to the Graduate and Professional Student Senate policies and procedures concerning graduate and professional student life and morale. Areas for consideration include working conditions for graduate assistants, graduate research assistants, and graduate teaching assistants; graduate and professional student relations with peers, staff, faculty, administrators, alumni, and the community; policy matters related to graduate and professional student conduct; graduate and professional student organizations, social life, and recreation; ~~and residential life, health, safety, and quality of graduate and professional student-related services;~~ and graduate and professional student well-being.

Section 7. Senate Commissions – Commission on Research (COR)

Existing:

Commission on Research (COR)

FINAL – Approved by UC 4/1/2024, to BOV 6/11/2024

Charge: To study, formulate, and recommend to the Faculty Senate policies and procedures concerning research and research faculty. Areas for consideration include sponsored programs, core programs and interdisciplinary research; intellectual property; animal care and human subjects; indirect costs and returned overhead; research facilities, centers and institutes, and library resources; and liaison with affiliated corporations and institutes.

Reason/rationale: This long-standing duty of the commission is cited in [Policy No. 13005: Centers and Institutes](#). The commission has relevant expertise and experience and is best able to conduct a knowledgeable, objective review of centers and institutes.

Proposed: (Reviewed by Cabinet on 1/29/24)

Commission on Research (COR)

Charge: To study, formulate, and recommend to the Faculty Senate policies and procedures concerning research and research faculty. Areas for consideration include sponsored programs, core programs and interdisciplinary research; intellectual property; animal care and human subjects; indirect costs and returned overhead; research facilities, centers and institutes, and library resources; and liaison with affiliated corporations and institutes. The Commission on Research also conducts reviews of centers and institutes as described in Policy 13005; this function does not involve or require approval of any senate or University Council.

Section 7. Senate Commissions – Commission on Undergraduate Student Affairs

Existing:

Commission on Undergraduate Student Affairs (CUSA)

Charge: To study, formulate, and recommend to the Undergraduate Student Senate policies and procedures pertaining to the undergraduate student experience at Virginia Tech. Areas for consideration include undergraduate student wellbeing, inclusion, and morale; undergraduate student relations with peers, staff, faculty, administrators, alumni, and the community; policy matters related to undergraduate student conduct; undergraduate student organizations, social life, and recreation; employment, placement, and counseling; and residential and campus life, health, safety, and quality of undergraduate student related services.

Reason/rationale: (i) The proposed well-being language captures the intent of the charge. (ii) This long-standing duty of the commission is cited in [Policy 8012: Establishing and Maintaining a University-Chartered Student Organization](#). The commission has relevant expertise and experience and is best able to determine whether the constitutions of UCSOs should be approved. Note that the USS and GPSS themselves are special types of UCSOs, and one of the ways in which they differ from all other UCSOs is that the process for approving their constitutions is governed by the University Council Constitution, Article XIV: Amendments to Senate Constitutions or Bylaws (which is also cited in Policy 8012).

Proposed: (Reviewed by Cabinet on 1/29/24)

Commission on Undergraduate Student Affairs (CUSA)

Charge: To study, formulate, and recommend to the Undergraduate Student Senate policies and procedures pertaining to the undergraduate student experience at Virginia Tech. Areas for consideration

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include undergraduate student wellbeing, inclusion, and morale; undergraduate student relations with peers, staff, faculty, administrators, alumni, and the community; policy matters related to undergraduate student conduct; undergraduate student organizations, social life, and recreation; employment, and placement, and counseling; and residential and campus life, health, safety, and quality of undergraduate student related services; and undergraduate student well-being. The Commission on Undergraduate Student Affairs also approves the constitutions of all University Chartered Student Organizations (UCSOs) except the student senates; this function does not involve or require approval of any senate or the University Council.

Section 7. Senate Commissions – Commission on Undergraduate Studies and Policies

Existing:

Commission on Undergraduate Studies and Policies (CUSP)

Charge: To study, formulate, and recommend to the Faculty Senate policies and procedures concerning undergraduate academic matters. Areas for consideration include library resources, admissions, academic progress, degree requirements, the Undergraduate Honor System and study environment, including approval of changes to the Undergraduate Honor Code; In-Honors programs, undergraduate curricular standards and expectations, advising, and instruction; student honors and awards; financial aid, scheduling, and registration.

Reason/rationale: The commission is best able to conduct a knowledgeable, objective review.

Proposed: (Reviewed by Cabinet on 2/12/24)

Commission on Undergraduate Studies and Policies (CUSP)

Charge: To study, formulate, and recommend to the Faculty Senate policies and procedures concerning undergraduate academic matters. Areas for consideration include library resources, admissions, academic progress, degree requirements, the Undergraduate Honor System and study environment, including approval of changes to the Undergraduate Honor Code; In-Honors programs, undergraduate curricular standards and expectations, advising, and instruction; student honors and awards; financial aid, scheduling, and registration. The commission also is responsible for conducting an annual review of the university academic catalog to ensure that it is in alignment with university policies and is otherwise accurate. Such reviews do not involve or require approval of any senate or University Council. Any policy changes determined to be necessary will be considered through the normal resolution approval process.

Section 7. Senate Commissions – Commission on Graduate and Professional Studies and Policies

Existing:

Commission on Graduate and Professional Studies and Policies (CGPSP)

FINAL – Approved by UC 4/1/2024, to BOV 6/11/2024

Charge: To study, formulate, and recommend to the Faculty Senate policies and procedures concerning graduate and professional academic matters. Areas for consideration include admissions, academic progress, degree requirements, commencement; registration and scheduling; graduate curricular standards and expectations, advising, and instruction, both of and by graduate students; research involving graduate students; financial assistance including assistantships, scholarships, and fellowships; the graduate and professional honor systems, including approval of changes to the Graduate Honor Codes; and library resources.

Reason/rationale: The commission is best able to conduct a knowledgeable, objective review.

Proposed: (Reviewed by Cabinet on 2/12/24)

Commission on Graduate and Professional Studies and Policies (CGPSP)

Charge: To study, formulate, and recommend to the Faculty Senate policies and procedures concerning graduate and professional academic matters. Areas for consideration include admissions, academic progress, degree requirements, commencement; registration and scheduling; graduate curricular standards and expectations, advising, and instruction, both of and by graduate students; research involving graduate students; financial assistance including assistantships, scholarships, and fellowships; the graduate and professional honor systems, including approval of changes to the Graduate Honor Codes; and library resources. The commission is also responsible for conducting an annual review of the university academic catalog to ensure that it is in alignment with university policies and is otherwise accurate. Such reviews do not involve or require approval of any senate or University Council. Any policy changes determined to be necessary will be considered through the normal resolution approval process.

Article XI. Meetings and Procedures, Section 1. Parliamentary Procedures.

Existing:

The latest edition of *Robert's Rules of Order [Webster's New World Robert's Rules of Order Simplified and Applied]*, subject to special rules as may be adopted by University Council, shall govern the procedures of the University Council and its internal and related components.

Reason/Rationale: Switch to official, full-length Robert's Rules for consistency. The full-length version can be found easily on line or in print.

Proposed: (Reviewed by Cabinet on 2/12/24)

The latest edition of *Robert's Rules of Order* ~~*[Webster's New World Robert's Rules of Order Simplified and Applied]*~~, subject to special rules as may be adopted by University Council, shall govern the procedures of the University Council and its internal and related components.

FINAL – Approved by UC 4/1/2024, to BOV 6/11/2024

Article XI. Meetings and Procedures, Section 2. University Council Procedures

Reason/rationale: To clarify the process for “appealing” a determination by University Council Cabinet that a resolution proposal is not within the charge of a commission.

Proposed: [New Paragraph 4] (Reviewed by Cabinet on 3/11/24)

4. In the case in which a resolution proposal was submitted to the University Council Cabinet and determined by the cabinet not to be within the purview of the respective commission, the respective commission chair or senator who is a member of University Council may make a verbal or written request to the secretary of University Council to place on the agenda for the next University Council meeting a “Request for Reconsideration of a Resolution Proposal,” in accordance with the University Council Bylaws, Article III, Section 3. The Request for Reconsideration automatically will be placed on the agenda for the next University Council meeting; the commission chair or senator who is a member of University Council should be present at the University Council meeting to present the resolution proposal for reconsideration and make a motion for its approval. The requirement for two readings at University Council is waived in this situation unless a deferral is requested.

Article XI. Meetings and Procedures, Section 2. University Council Procedures

Reason/rationale: (i) To expand communication of commission and committee activity; and (ii) to disseminate information about degrees approved or discontinued since these actions no longer require action by University Council in the new governance system.

Proposed: [New Paragraph 5] (Reviewed by Cabinet on 2/12/24)

5. Any commission and committee minutes approved since the last University Council meeting will also be included on the University Council agenda for information purposes. In addition, a listing of any degrees and certificates approved or discontinued since the last University Council meeting will be included on the University Council agenda for information purposes.

Article XII. University Mission Initiatives

Reason/rationale:

In spring 2023, University Council Cabinet was asked to consider a matter for consideration as a university mission initiative. After much discussion, Cabinet determined that the matter was already in implementation phase and thus not appropriate for the UMI process. However, it was the consensus of Cabinet members that this section of the UC Constitution needs to be revised and expanded upon to include more guidance (i.e., specific criteria and examples) to enable them to make a determination in the future as to whether a matter is appropriate for the UMI process.

Proposed: (Reviewed by Cabinet on 2/12/24 and 3/11/24 – There will be a clause to this effect in the Resolution that accompanies this document) It is recommended that a committee including individuals with appropriate expertise and representation be involved in the revision process for the purpose described above.

Article XIII. Amendments to the University Council Constitution or Bylaws, Section 3. Approval of Amendments to the Bylaws

Existing:

An amendment to the University Council Bylaws becomes effective upon an affirmative vote of the majority of the Council members present and voting, provided that a quorum has been reached, and approval by the president.

Reason/rationale: Efficiency. Taking up the time of Cabinet and University Council to approve continued membership of ex officio members who have a straight-forward title changes with no change in function would be highly inefficient.

Proposed: (Reviewed by Cabinet on 2/12/24)

An amendment to the University Council Bylaws becomes effective upon an affirmative vote of the majority of the Council members present and voting, provided that a quorum has been reached, and approval by the president. Changes to the titles of any ex officio members or chairs of the commissions and committees included in the bylaws that are not accompanied by a significant role change may be made without following these amendment procedures.

Article IV. Membership, Section 1. Composition
Article IV. Membership, Section 2. Voting Privileges
Article VI. University Council Cabinet, Section 3. Membership

Reason/rationale: The Vice President for Policy and Governance (VPPG) had voting privileges on University Council under the former governance system and functions basically the same as before. All other VPs on University Council/Cabinet have voting privileges. By virtue of position, the VPPG should also have voting privileges. (Note: The President does not have a vote because University Council is advisory to the President; the President has veto power over University Council's actions.)

Proposed: (Reviewed by Cabinet on 2/12/24)

Restore voting privileges of the Vice President for Policy and Governance