

**CONSTITUTION AND BYLAWS  
FOR THE WEST VIRGINIA NORTHERN COMMUNITY COLLEGE  
FACULTY ASSEMBLY**

ADOPTED DECEMBER 14, 1973  
REVISED FEBRUARY 8, 1974  
AMENDED APRIL 24, 1981  
REVISED APRIL 23, 1993  
REVISED NOVEMBER 3, 2006  
REVISED AUGUST 18, 2014  
REVISED FEBRUARY 8, 2019  
REVISED MARCH 6, 2020

**A. Constitution of the Faculty Assembly of West Virginia Northern Community College.**

**PREAMBLE**

With full recognition that ultimate decisions at West Virginia Northern Community College are vested in the President of the College by the West Virginia Northern Community College Board of Governors the State College System, members of the Faculty are dedicated to the concept of faculty participation in shared governance. Thus, through faculty consensus expressed at a general meeting on November 7, 1973, faculty authorized the creation of a Faculty Senate, renamed “Faculty Assembly” by a unanimous vote of faculty on September 1, 2006 in accordance with the definition in the WV Code, adopted July 1, 2004. Convinced that no institution can rely entirely on the judgment of one person or a small group of people for optimum development of the college's goals, the Faculty believes that an effective faculty voice should provide advice and guidance to the Administration so that the President and Vice President for Academic Affairs need not rely on isolated and random opinions purporting to represent faculty thought. Moreover, it is hoped that the Faculty Assembly will greatly assist the Administration in resolving conflicts and grievances.

The Faculty Assembly, therefore, proposes to take within its province any subject of interest to the Faculty, to hold hearings on any matter it elects to review, to appoint committees for additional study of problems brought before it, and then to formulate and submit to the President of West Virginia Northern Community College recommendations on college policy and the resolution of problems. Through these means the Faculty Assembly is pledged to be responsive to the needs of faculty members, students and other members of the academic community. The Faculty Assembly is created to continue, through elected representatives, (hereinafter referred to as the Executive Committee), the faculty function of serving as a policy developing body for matters within its jurisdiction, chiefly matters of academic policy.

**Article I - Authority**

Section 1. - The authority for the organization and establishment of the Faculty Assembly derived initially from a resolution passed by the Faculty of West Virginia Northern Community College 14 Dec 1973, and maintains its authority as provided for in the WV Code, Section 18B-6-3, 1 July 2004.

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- Section 2. - The Faculty Assembly is all tenured faculty, full-time faculty, and instructional specialists of West Virginia Northern Community College.
- Section 3. - The Faculty Assembly operates pursuant to this Constitution and its Bylaws with approval by a majority of the Faculty, and provisions in the WV Code adopted 1 July 2004.

**Article II - Composition and Membership of the Faculty Assembly**

- Section 1. - The Faculty Assembly is all tenured faculty, full-time term faculty, and instructional specialists of West Virginia Northern Community College.
- Section 2. - Only faculty, as defined in Article I of the Bylaws may be voting members of the Faculty Assembly.

**Article III - Composition and Membership of the Faculty Executive Committee**

- Section 1. - The Faculty Executive Committee is limited to one-fourth of the total voting members of the Faculty Assembly.
- Section 2. - Membership on the Executive Committee is open to full-time faculty members as defined above through election by members of the Faculty Assembly, including Program Directors and Division Chairs. Program Directors and Division Chairs with supervisory responsibilities who are responsible for evaluating other full-time faculty members may be elected to Executive Committee, but will abstain from voting in matters that present a conflict of interest. Members of the Faculty Assembly may challenge the election of a Program Director or Division Chair to Executive Committee if they believe a conflict of interest exists, subject to a majority vote of the Faculty Assembly.

**Article IV –Election of Executive Committee**

- Section 1. - All elections of members of the Executive Committee of the Faculty Assembly shall be conducted in accordance with the Rules of Election stated in the Faculty Assembly bylaws.
- Section 2. - Elections of members of Executive Committee shall be held in March of each year.
- Section 3. - Members of Executive Committee shall be elected for a two year term (Provision is made in the Bylaws for ensuring that only one-half of the terms expire each year).

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- Section 4. - No member of Executive Committee shall serve more than two terms in succession without at least one elapsed year.
- Section 5. - Term of office for members of Executive Committee shall be from 1 April until 31 March.
- Section 6. - All vacancies in the Executive Committee shall be filled in accordance with the procedures outlined in the Bylaws, Article III.

**Article V - Officers and Their Election**

- Section 1. - The presiding officers, the President of the Faculty Assembly, together with a Vice-President (designated as President-elect in two years), and a secretary for a two-year term shall be elected by the Executive Committee at their April meeting. Officers should be familiar with Robert's Rules of Order and be able to utilize these rules during official meetings.
- Section 2. - Executive Committee officers will assume their offices immediately upon election and preside over the Faculty Assembly until their successors have been elected. Both outgoing members of Executive Committee and incoming members of Executive Committee will attend the Executive Committee meeting in April. Incoming members will elect officers for the upcoming year, who will serve a two year term.
- Section 3. - The duties of all officers shall be those which are ordinarily assigned to such offices and such additional duties as are described in this Constitution and its Bylaws.
- Section 4. - Vacancies in any office of the Executive Committee shall be filled in accordance with the procedure established in Article III of the Bylaws.

**Article VI - Meetings of the Faculty Assembly and the Executive Committee**

- Section 1. - The Faculty Assembly shall hold at least one regular meeting each semester during the academic year.
- Section 2. - The Executive Committee shall hold at least three regular meetings each semester during the academic year.
- Section 3. - The President of the Faculty Assembly, or in his or her absence, the Vice President, shall preside over all meetings of the Faculty Assembly and the Executive Committee.

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- Section 4. - Special meetings of the Faculty Assembly or Faculty Executive Committee may be called by the President of the Faculty Assembly upon his or her own initiative, or at the request of the President of the College, or upon petition in writing to the President of the Faculty Assembly signed by one-third of the total membership. The President of the Faculty Assembly shall be required to give at least 48 hours prior notice to all voting members of the Faculty Assembly and/or Executive Committee as to the time and place of all special meetings.
- Section 5. - Notice of all meetings of the Faculty Assembly and/or the Executive Committee shall be made available through email or other electronic communication, in writing and/or by telephone.
- Section 6. - A quorum of any regular or special meeting of the Faculty Assembly shall be one-third of the membership plus one. A quorum of any regular or special meeting of the Executive Committee shall be a simple majority of the membership.
- Section 7. - Except as specified in the Bylaws, any member of the faculty, any administrative officer, and any student may attend the meetings of the Faculty Assembly or the Executive Committee and may express his views upon recognition by the presiding officer. Only members of the Faculty Assembly, however, may propose a motion or cast a vote at Faculty Assembly meetings, and only elected members of Executive Committee can vote at Executive Committee meetings.
- Section 8. - The Secretary of the Faculty Assembly shall be responsible for the minutes of all regular and special meetings of the Faculty Assembly and the Executive committee. Minutes shall be posted electronically and available for review by all members of the Faculty at least one week prior to the next regular meeting of Faculty Assembly. Once minutes are approved, the secretary will post or submit them to the College President's office for posting on the College's website.

**Article VII - Agenda, Motions and Resolutions**

- Section 1. - The Executive Committee of the Faculty Assembly shall not be required to have an agenda for its meetings. Executive Committee meetings are open, unless the meeting or portion thereof is closed, and any faculty member, administrative officer or any student may present a motion or resolution, or have items placed on the agenda for discussion by the Executive Committee or the entire Faculty Assembly.

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- Section 2. - A motion to overrule an action of the Faculty Assembly or the Executive Committee must be announced prior to the meeting of the Executive Committee or Faculty Assembly as a specific agenda item. An agenda item which merely proposes consideration of an Executive Committee or Faculty Assembly action, or of a subject on which the Executive Committee or Assembly has acted, is not a proposal to overrule the action of the Executive Committee or Faculty Assembly.
- Section 3. - An agenda for full Faculty Assembly meetings shall be available electronically or delivered via email to each member of the Faculty Assembly at least two calendar days before a scheduled meeting.
- Section 4. - Resolutions germane to any subject set forth in the agenda of a Faculty Assembly meeting may be passed by a majority vote of the faculty members present and voting. The President of Faculty Assembly may call for the vote by secret ballot if he or she believes it is in the best interests of the faculty to do so.
- Section 5. - Resolutions germane to any subject under discussion before the Executive committee may be passed by a majority vote of the Executive Committee members present and voting. The President of Faculty Assembly may call for the vote by secret ballot if he or she believes it is in the best interests of the faculty to do so.

**Article VIII - Functions of the Faculty Assembly and Faculty Executive Committee**

- Section 1. - The Faculty Assembly has any and all powers delegated to it by WV state code, the Faculty, the President of the College, the Board of Governors, and the State College System. The faculty hereby delegates to the Executive Committee its responsibilities to formulate policies and make recommendations on any matter of interest to the Faculty subject to approval by a majority of the full Faculty Assembly. Such matters shall include but not necessarily be limited to the following: standards for admission and retention of students; curricular requirements for the granting of degrees; curricular requirements for general education, career-technical education, and professional education; development of programs of research, experimentation and instruction, and online courses or programs, and any other issue which may affect faculty.
- Section 2. - The Executive Committee shall elect its officers pursuant to the procedures outlined in the Bylaws.

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- Section 3. - The Executive Committee and Faculty Assembly shall elect or select its committees and subcommittees and establish whatever rules and procedures necessary for their functioning, consistent with this Constitution and its Bylaws.
- Section 4. - The Faculty Assembly may adopt, amend, or repeal any Bylaws, rules, or procedures relating to the conduct of business and the duties and functions of officers and committees by a two-thirds majority of the voting members of the Faculty Assembly.
- Section 5. - The Faculty Assembly shall transmit its recommendations to the President of the College via the President of the Faculty Assembly. In appropriate cases the Faculty Assembly shall submit written recommendations to the Board of Governors directly via the BOG faculty representative. Recommendations to the State College System shall be transmitted in writing through the faculty representative on the Advisory Council of Faculty (ACF) to the State College System of West Virginia.
- Section 6. - The Executive Committee of Faculty Assembly shall make available its official minutes by having them posted to the College's website.
- Section 7. - The Vice President of Faculty Executive Committee and 2 at large representatives from Faculty Assembly shall consult with the Vice President for Academic Affairs annually to review and/or recommend revisions to the Faculty Handbook. This handbook shall contain this Constitution and state the established policies of the college in all matters relating to the faculty. Recommendations for such revisions will be submitted to the President of the College by the VPAA no later than the second Friday in April for approval for the following academic year.
- Section 8. - The officers of the Executive Committee shall be responsible for officially informing the President of the College and the Vice President for Academic Affairs of the transactions of the Executive Committee and Faculty Assembly and for informally discussing and following up on these and related matters with them.
- Section 9. - The officers of the Executive Committee shall be responsible for keeping the Faculty properly informed and the individual Executive Committee members shall communicate regularly with members of the Faculty.

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Section 1. - The procedure for initiating referendum or recall is stated in the Bylaws.

Section 2. - In order to remove a member of the Executive Committee from office, 20 percent of the Faculty Assembly must sign a petition and submit it to the Secretary of the Faculty Assembly. The Faculty Assembly shall vote to decide if grounds exist for removal. If the decision of the Faculty Assembly is to remove the member, said member will be notified through electronic or written communication within 15 days and the vacancy shall be filled in accordance with procedures specified for filling a vacancy.

**Article X - Amendments**

Section 1. - Amendments to this Constitution must have two readings at consecutive meetings of the Faculty Assembly. This Constitution may be changed or amended at a Faculty Assembly meeting immediately after the second reading by a two-thirds majority of the Faculty present and voting, with at least 50 percent of the membership present.

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**B. Bylaws of the Constitution of the West Virginia Northern Community College Faculty**

**Article I - Definition of Faculty**

- Section 1. - Only full-time faculty members and instructional specialists may be classified as voting members of the Faculty Assembly. Administrators holding Faculty rank who are reassigned to teaching will be classified as voting members of the Faculty Assembly if they meet the above requirements.
- Section 2. - When a doubt arises as to the status of any individual, the Executive Committee of the Faculty Assembly will investigate the particulars of the case and make a recommendation to the Faculty Assembly concerning the individual. The Faculty Assembly will then decide the status of that individual by a majority vote of the voting members present at the meeting.

**Article II - Election of Faculty Executive Committee and other representatives**

- Section 1. - Section 4 of Article II of the Constitution limits the Executive Committee to one-fourth of the total voting faculty.
- Section 2. - The Executive Committee will be chosen by the vote of the full Faculty Assembly.
- Section 3. - Membership on the Executive Committee of the Faculty Assembly is open to full-time faculty members through election by members of the Faculty Assembly, including Program Directors and Division Chairs. Program Directors and Division Chairs with supervisory responsibilities who are responsible for evaluating other full-time faculty members may be elected to Executive Committee, but will abstain from voting in matters that present a conflict of interest. Members of the Faculty Assembly may challenge the election of a Program Director or Division Chair to Executive Committee if they believe a conflict of interest exists, subject to a majority vote of the Faculty Assembly.
- Section 4. - Election of the Executive Committee shall take place in March of each year. Terms of office are for two years commencing on 1 April and expiring at midnight 31 March. The terms of the Executive Committee will be staggered so that only one-half expire each year. The ballot will be prepared by the Secretary of Faculty Assembly in February each year and sent to all members of Faculty Assembly no later than the fourth Friday in February, following the guidelines outlined below in Section 6.
- Section 5. - The election will be supervised by the current Faculty Assembly Executive



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Committee.

- Section 6. - All eligible faculty will automatically be placed on the ballot, including those whose first two year term is expiring who are eligible for a second term, and those receiving the greatest number of votes will then fill the vacant Executive committee seats. In preparing the ballot, the current secretary of Faculty Executive Committee shall remove the names of faculty who are automatically continuing for the second year of his or her term, and the names of faculty who have served for two consecutive terms, who are not eligible for another two year term until one year has elapsed.
- Section 7 - One faculty member will be elected in odd numbered years for a two-year term to serve as the faculty representative to the Board of Governors of West Virginia Northern Community College and one faculty member will be elected to serve as the faculty representative to the statewide Advisory Council of faculty. These representatives will communicate with and/or disseminate information to members of the Executive Committee and the Faculty Assembly and serve as the liaison between the faculty and these groups. This does not preclude them from being elected to the Executive Committee; however, if they are not serving as an elected representative of Executive Committee, they will be considered an “ex-officio” member and will be ineligible to vote at Executive Committee meetings. There is no term limit for faculty representatives to these groups unless the external committee has term limits specified in their by-laws

**Article III - Vacancies in the Executive Committee**

- Section 1. - An Executive Committee vacancy may occur through death, resignation, recall, retirement, or removal. When a vacancy occurs, the President of the Faculty Assembly shall declare a vacancy and call for a special election.
- Section 2. - An Executive Committee seat may be declared vacant by the Executive committee of the Faculty Assembly in the event of three successive unexcused absences by the elected Executive Committee member. The President of the Faculty Assembly shall call for a special election to fill the vacancy.
- Section 3. - Should the office of President of the Faculty Assembly become vacant, the Vice-President shall succeed to that position, followed in order by the Secretary. The Faculty Executive Committee shall elect from its membership successors to any vacant office at their next regularly scheduled meeting or may call for a special meeting for the purpose of

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filling the vacancy. The individual elected shall serve out the remainder of that officer's term.

Article IV – Duties of officers of Faculty Executive Committee

- Section 1 - The President of Faculty Assembly shall:
- a. Preside over all meetings of Faculty Executive Committee and Faculty Assembly and coordinate discussion of committee reports, and discussion and approval of proposals & motions
  - b. Communicate regularly with the VPAA and the President of the College to follow up on proposals or referendums approved by Faculty Assembly, and with other administrators as needed
  - c. Attend President's Council meetings & represent faculty issues or concerns (not Cabinet)
  - d. Serve as the official liaison between faculty, staff, & administration
  - e. Coordinate efforts with other members of Faculty Executive Committee to communicate faculty issues or concerns to the faculty representative of the Board of Governor's (BOG), the faculty representative of the Advisory Council of Faculty (ACF), and/or the BOG as needed
  - f. Make a presentation to the BOG at least annually to highlight faculty accomplishments and share issues or concerns with the BOG
  - g. Serve as the Chair of the Faculty Welfare/Advocacy Committee and coordinate representation for faculty as needed
  - h. Solicit volunteers for committees at the first Faculty assembly meeting of the year and provide that information to the administrators by September of each year. Fill vacancies on those committees as they arise
  - i. Fill vacancies on Faculty Executive Committee
  - j. Speak at commencement ceremony, offering greetings from the faculty and presenting the valedictorian with a scholarship award

- Section 2 - The Vice President (President elect) of Faculty Assembly shall:
- a. Assume the duties of the President of Faculty Assembly if the President is unable to fulfill his or her duties
  - b. Assist the President of Faculty Assembly with communication with staff & administration

- Section 3 - The Secretary of Faculty Assembly shall:
- a. Assume the duties of the President if the President AND the Vice President are unable to fulfill the duties of the President
  - b. Take minutes at Faculty Executive Committee and Faculty Assembly meetings
  - c. Send draft minutes to members of said committees electronically no

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less than 48 hours before the next meeting

- d. Prepare the ballot for election of Faculty Executive Committee in February of each year in accordance with the by-laws (Article 2, Section 6), distribute to all members of Faculty Assembly, tabulate the votes, and notify outgoing and incoming members of Executive Committee no later than the 4<sup>th</sup> Friday in March of each year.

Article V - Meetings -

Section 1. - Regular meetings of the Executive Committee and/or the Faculty Assembly are open to any member of the faculty, administrative officer, or student of the College, as are all committee and subcommittee meetings, unless such meeting or portion thereof is declared closed by the President of the Faculty Assembly. Meetings will be conducted using Robert's Rules of Order, applied.

Section 2. - Closing a meeting or portion thereof may be accomplished in two ways: (1) The President of the Faculty Assembly may announce in the notice of the meeting of the Executive Committee and/or the Faculty Assembly that the meeting or a particular portion of the meeting will be closed. When the meeting convenes, the President of Faculty Assembly will ask if there are any objections to closing the meeting or portion thereof. If any voting member so requests, a roll call will be taken on the question. A simple majority of those voting will close the meeting. (2) A motion from the floor may close a meeting or a portion of a meeting of the Executive Committee and/or Faculty Assembly. A simple majority of those voting will close the meeting or a portion thereof.

Section 3. - A faculty committee or subcommittee meeting may be declared closed by the committee chairperson. A simple majority of the members of the committee, however, may force the chairperson to reopen the meeting upon the request of any committee member, member of the faculty, or administrative officer.

Section 4. - Any motion or recommendation to close a meeting of the Executive Committee and/or the Faculty Assembly must specify the person or persons to whom it is to be closed, the reasons for the closure, and the business to be transacted during the closed period. The meeting or portion thereof will be reopened as soon as the business has been transacted for which the meeting was closed.

Issues discussed during portions of the meeting which are closed shall not be recorded in the official minutes, other than to indicate that there was a motion to close the meeting and a subsequent motion to re-open the

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meeting, and who made and seconded those motions.

Article VI - Faculty Initiated Petitions, Proposals, Recall, and Referendums

- Section 1. - Any faculty member eligible to vote in Faculty Assembly may present a proposal to the Faculty Executive Committee or Faculty Assembly at any of its regular meetings. Action on the petition or proposal will require the matter be submitted to a vote of the Faculty Assembly.
- Section 2. - Any member of the faculty may initiate a referendum (a vote in which members are asked to give their opinion about or decide on an important question or issue), a recall (bringing up or reconsidering an issue which was previously acted upon), by submitting in writing to the President of the Faculty Assembly a petition signed by ten percent of the faculty eligible to vote in Faculty Assembly elections. The President of the Faculty Assembly, will prepare and submit ballots to all those faculty eligible to vote. The referendum must be completed and the results announced by the President of the Faculty Assembly within fourteen days of receipt of the original petition. The votes of faculty who do not submit their ballot within the 14 day period will not be counted, and a simple majority of Faculty Assembly is required to approve the referendum or recall.
- Section 3. - In order to recall a member of the Executive Committee, 20 percent of the faculty eligible to vote in Faculty Assembly elections may present a written petition to the President of the Faculty Assembly. The petition must specify the reason or reasons which the petitioners consider sufficient to justify the Executive Committee members' removal from office. The President of the Faculty Assembly shall then submit the petition to the next regularly scheduled meeting of the Faculty Assembly. If the petitioners so request, a special meeting of the Faculty Assembly may be convened. A motion will be presented to the Assembly, and a simple majority of those members present and voting will be required to declare the member recalled. The vote will be a show of hands unless a motion is made and passed by a two-thirds majority for a secret ballot. If an Executive committee member is recalled, his or her seat will be filled in accordance with procedures specified for filling a vacancy.

Article VII - Committees and Subcommittees

- Section 1. - Internal Faculty committees and subcommittees will be established by members of the Faculty Assembly and/or the Executive Committee of the Faculty Assembly, who will also establish whatever rules and procedures it

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deems necessary for the functions of such committees and subcommittees, consistent with the Constitution and the Bylaws.

Internal Faculty Assembly committees (primarily Faculty Executive Committee Faculty Evaluation and Review Committee, Faculty Emeritus Committee, and the Faculty Welfare/Advocacy Committee) consist of primarily or exclusively faculty and report to Faculty Assembly. The formation of additional ad hoc faculty committees may be recommended by any voting member of Faculty Assembly, subject to a majority vote of the faculty.

Members of Faculty Assembly or Executive Committee may also volunteer, be elected, or be appointed to standing college committees or ad hoc committees deemed necessary by the President of the College, the Vice President of Academic Affairs (VPAA) or the Faculty Assembly. The formation or dissolution of ad hoc committees may be recommended by any voting member of Faculty Assembly, subject to a majority vote of the faculty in consultation with the President and the VPAA of the College.

Article VIII - Amendments and Bylaws

- Section 1. - These Bylaws or any portion thereof may be repealed or amended by a majority vote of the voting members of the Faculty Assembly after two readings.
- Section 2. - In cases not covered by the Constitution or Bylaws, the parliamentary procedure to be followed in conducting Executive Committee or Faculty Assembly meetings will be the current edition of Robert's Rules of Order.
- Section 3. - The President of the Faculty Assembly may appoint a Parliamentarian to serve at the pleasure of the Executive Committee or Faculty Assembly.