



## THE UNIVERSITY OF ARKANSAS AT FORT SMITH CONSTITUTION AND BYLAWS

### PREAMBLE

IN ADOPTING THIS POLICY FOR THE UNIVERSITY OF ARKANSAS AT FORT SMITH CONSTITUTION, THE BOARD OF TRUSTEES, ON ITS OWN MOTION, MAY AT ANY TIME REVIEW, AMEND, REVISE, OVERRULE OR AFFIRM ANY MATTER, POLICY, RESOLUTION OR LEGISLATION THAT MAY BE ADOPTED BY ANY GROUP REFERRED TO HEREINAFTER.

### ARTICLE I

#### SCOPE AND PURPOSE

We, of the University of Arkansas at Fort Smith<sup>1</sup> ("UAFS" or "University"), recognize that our commitment to scholastic endeavor is best governed by the corporate wisdom, participatory decision-making, and collective efforts of the students, faculty, staff, and administrators of the University of Arkansas at Fort Smith.

Members of the UAFS faculty, staff, students, and administration understand the obligation to uphold federal, state, and local laws, and will adhere to those laws and policies of the Board of Trustees of the University of Arkansas and the University of Arkansas System as foundational documents for campus governance.

Therefore, we hereby ordain and establish this constitution for governance of the University of Arkansas at Fort Smith pursuant to the policies established by the Board of Trustees of the University of Arkansas, under the authority of the University of Arkansas Board of Trustees Board Policy 100.4, "Rules and Regulations of the Board of Trustees of the University of Arkansas for the Governance of the University of Arkansas," and any subsequent revisions thereof.

### ARTICLE II

#### ADMINISTRATION

The Administration of the University of Arkansas at Fort Smith, under the authority of the Board of Trustees of the University of Arkansas ("Board of Trustees") and the President of the University of Arkansas System ("President"), is unified under the office of the Chancellor.

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<sup>1</sup> The University of Arkansas at Fort Smith (UAFS) campus refers to any location where UAFS courses of instruction are taught or any other location which may be added.

### **Section 1. Chancellor**

The Chancellor shall be the Chief Executive Officer of the University of Arkansas at Fort Smith and shall be appointed by the Board of Trustees upon recommendation of the President. The Chancellor shall have a discussion annually with the President concerning an evaluation of his or her performance. Subject to the direction and control of the Board of Trustees and laws applicable to the University of Arkansas at Fort Smith, the Chancellor shall be responsible for the management of the affairs and execution of the policies for the institution. The Chancellor shall have broad, discretionary authority to affect these functions and meet the responsibilities of the office.

The Chancellor and the Chief Financial Officer (CFO) for UAFS shall have authority to contract on behalf of the Board of Trustees in accordance with Board Policy 300.1 and UASP Policy 300.1.

The Chancellor is the official administrative spokesperson for the University of Arkansas at Fort Smith and serves as the officer responsible for liaison with state offices, governmental bodies, and the federal government.

The Chancellor shall be responsible to the President and Board of Trustees for the prompt and effective enforcement of laws relating to UAFS and of all resolutions, policies, procedures, budgets, and rules and regulations for the operation of UAFS. It shall be the responsibility of the Chancellor to bring to the attention of the President all matters which, in his or her opinion, affect UAFS, the University of Arkansas, and require the attention of the Board of Trustees.

The Chancellor shall have the responsibility of facilitating the promotion of goals, programs, and needs of the campus. The Chancellor shall establish an administrative organization to assist in the execution of the policies of the University of Arkansas and the University of Arkansas at Fort Smith. The Chancellor shall be assisted by Vice Chancellors and other staff, as necessary. The Chancellor shall prescribe the duties and assignments of the Vice Chancellors and other staff officers. Furthermore, the Chancellor shall establish and define the duties of institution wide councils, committees, or other bodies organized to advise and assist him or her. All official communications from faculty, staff, and students at UAFS shall proceed through the Chancellor to the President, when necessary.

The Chancellor shall be responsible for making an annual report to the President corresponding to the fiscal year of the University of Arkansas, which report shall also be provided to the Board of Trustees. The Chancellor shall further provide any other reports that may be required.

The Chancellor shall be prepared to report to the Board of Trustees on the status of his or her campus at any meeting upon request of the President or any member of the Board.

The Chancellor shall make recommendations for the development of the educational programs of the campus and shall serve as the general advisor to the President, and through the President, the Board of Trustees, with respect to all programs and activities of the campus. The Chancellor shall present to the President all matters concerning the campus which are to be considered by

the Board of Trustees or any of its committees. The Chancellor shall be expected to attend all meetings of the Board of Trustees when an agenda item for the campus is to be presented unless excused by the President.

Subject to the policies prescribed by the Board of Trustees and the President, the Chancellor shall make recommendations to the President with respect to budget and the appointment of full-time academic personnel.

The Chancellor shall serve as the official medium of communication between the President and all deans, heads of departments and department chairs and all other administrative officers, faculty, staff, and students of the campus.

The Chancellor is a member of all faculties and other academic bodies of the campus and shall be a member of all campus governing bodies.

### **Section 2. Vice Chancellors**

Serving at the pleasure of the Chancellor, the Vice Chancellors shall lead and manage the divisions of the institution for which they have broad decision-making authority.

Vice Chancellors shall recommend governance structures for conducting the business necessary to lead their divisions. They, and their designees, will be responsible for selecting personnel to operate departments within their divisions.

### **Section 3. Academic Affairs Leaders**

Serving at the pleasure of the Provost and Vice Chancellor of Academic Affairs (VCAA) and their direct supervisors, Academic Leaders include the Deans of Academic Colleges, Associate and/or Assistant Provosts, Associate/Assistant Deans, Department Chairs, Department Heads, and Directors/Executive Directors of Academic Programs and other leaders deemed to be necessary for the administration of the division of Academic Affairs.

1. Academic Leaders are responsible for promoting the division of Academic Affairs through thoughtful decision-making and the formulation and recommendation of policies.
2. Academic Leaders are expected to support a culture of collegiality, professional development/scholarship, and shared governance among faculty, staff, and students.
3. Academic Leaders are responsible for initiating regular internal review of academic programs and maintaining programmatic and university level accreditation standards.
4. Academic Leaders are responsible for budgeting and strategic planning for their departments, units, and colleges.
5. Academic Leaders are responsible for the oversight of the curriculum, management, faculty and staff hiring, and performance evaluation and promotion of the faculty and staff within their units and colleges.
6. Academic Leaders are responsible for knowing and promoting best practices in their disciplines.
7. Academic Leaders are considered primary experts in their disciplines and will work with employees to develop policies for review and recommendation to the Academic

Deans' Council with final approval by the VCAA or for referral to the Chancellor when appropriate.

8. Academic Leaders are responsible for the creation, revision, and recommended adoption of by-laws for each academic college. Approval authority is only given to the Chancellor and President for by-laws adoption.

#### **Section 4. Non-Academic Leaders**

Serving at the pleasure of their direct supervisors, department leaders of non-academic units may have titles including but not limited to vice chancellor, associate vice chancellor, dean of students, department head, executive director, or director.

1. Department leaders are responsible for strategic planning, program development, policy formulation, hiring and evaluation of employees, assessment, budgeting, and a host of other responsibilities relevant to the department, unit, or division.
2. Considered the primary experts for their departments, department leaders will work with internal and external constituents to develop institutional and departmental policies for review and approval by the Chancellor's Cabinet, presented through their vice chancellors.
3. Considered the primary experts for their departments, department leaders will work with their employees to formulate Standard Administrative Practices or Standard Operating Practices for tasks and work that resides within the purview of their departments.
4. Department Leaders are expected to take a leading role in resolving student grievances and complaints as well as to proactively create environments in which grievances are minimized.

#### **Section 5. Board of Visitors**

Appointed by the Board of Trustees of the University of Arkansas, the members of the UAFS Board of Visitors serve as liaisons between UAFS and the region. Visitors advise the Chancellor, President, and Board of Trustees regarding the educational and service needs of the River Valley region.

1. Visitors are responsible for revising and interpreting their by-laws.
2. Visitors are responsible for representing the University in positive interactions throughout the community and at University events.

### **ARTICLE III**

#### **SHARED GOVERNANCE ORGANIZATIONS**

##### **Section 1. The Faculty and Faculty Senate**

###### **A. Authority**

1. The faculty, acting through the Faculty Senate, may make recommendations on any academic or institutional matter. Such matters shall include, but not be limited to:
  - a. admission requirements; transfer of credits; withdrawals; academic honesty; scholastic probation; suspension and dismissal;
  - b. curricula and courses;

- c. degrees and requirements for degrees;
  - d. University academic calendars and schedules;
  - e. award of academic honors;
  - f. policies regarding faculty status, including appointments, promotions, retirement, non-reappointment, and dismissal;
  - g. environment and safety;
  - h. physical facilities;
  - i. policies affecting the general welfare, working conditions, and the services performed by and for the faculty; and
  - j. policies relating to academic and professional research and other scholarly and creative activities.
2. The foci of faculty shall be on teaching, scholarly/creative activity, and service.
  3. The faculty, through the Faculty Senate, may propose legislation by majority vote of those present and voting at any meeting of the faculty. Such proposed legislation shall be referred to the Faculty Senate for action.
  4. The Faculty Senate shall have responsibility for creation, revision, and interpretation of its own policies and by-laws upon initial approval by the Chancellor and President.

#### B. Membership

Each member of the Faculty Senate may propose legislation according to the voting processes outlined in the Faculty Senate by-laws.

1. The voting membership of the Faculty Senate shall consist of the Chair, the Chair-Elect, and elected representatives elected pursuant to Faculty Senate by-laws.
2. The Chancellor, the Vice Chancellor of Academic Affairs, the dean of each college or school, the director of the University library, and the director of athletics shall be non-voting members of the Faculty Senate. This provision does not preclude any dean or director from election as a voting representative pursuant to Faculty Senate by-laws.
3. The members of faculty shall vote for the elected Faculty Senate representatives as outlined in Faculty Senate by-laws.
4. The Faculty Senate shall adopt rules for the election of college or campus-wide representatives. These rules shall provide for election by faculty eligible to vote.

#### C. Officers and Duties

Election of officers shall be outlined in Faculty Senate by-laws.

#### D. Meetings

1. The Faculty Senate shall meet at least three times each semester, and at such additional times as the Chair of the Faculty Senate deems appropriate. Meetings may

be held in person, through virtual platforms, or a hybrid format of in-person and virtual.

2. A meeting notice and tentative agenda shall be distributed to all members of the faculty as outlined in the Faculty Senate by-laws.
3. The Faculty Senate Chair and Chair-Elect will conduct regular meetings with the Chancellor and Vice Chancellor of Academic Affairs to review the business of the Faculty Senate and to present formal resolutions for consideration. Any member of the group may invite other, relevant parties to attend the meetings. Resolutions presented during these meetings may be immediately adopted by the VCAA and Chancellor, may be approved as modified, denied, remanded to Faculty Senate for further consideration, or referred to another leader or governing body for input before full consideration is given.

#### E. Committees

1. The Faculty Senate shall utilize the standing committees of the faculty. Through this system faculty exercise their primary responsibility for curriculum and other areas of faculty work.
2. The Faculty Senate may establish appropriate ad hoc committees. Student, staff, and administration representatives shall serve on such committees as the Faculty Senate deems appropriate.
3. The Faculty Senate shall establish appropriate standing committees of the faculty and shall adopt rules for the appointment of faculty members to such committees.
4. Student, staff, and administration representatives shall serve on faculty committees as the Faculty Senate deems appropriate and shall be appointed pursuant to the rules of each constituency.

### **Section 2. The Staff and Staff Senate**

#### A. Authority

1. The staff, acting through the Staff Senate, shall have responsibility relating to the quality of the work life of the staff, the efficiency of the University's operations, and the staff's service to the campus community.
2. The staff, acting through the Staff Senate, may make recommendations on any matter of staff concern. Such matters shall include, but not be limited to:
  - a. fringe benefits;
  - b. University calendars and schedules;
  - c. compensation;
  - d. work schedules and working conditions;
  - e. hiring and dismissal procedures;
  - f. staff and administration evaluation;
  - g. grievance procedures;

- h. environment and safety;
- i. physical facilities; and
- j. health and wellness.

#### B. Membership

1. In these Articles, "staff" shall mean all UAFS regular full-time and part-time employees who are not deans, associate deans, provost, associate/assistant provost, vice chancellor, associate vice chancellor, or members of Chancellor's Cabinet, or Faculty Council.
2. The chancellor, vice chancellors, academic deans, and all others above the level of department director are considered ex-officio members of the Staff Senate. They do not have the authority to vote in Staff Senate elections, by-laws, etc.
3. The Staff Senate is responsible for the creation and interpretation of its own by-laws.

#### D. Meetings

1. Meetings of the Staff Senate shall be open to all members of the staff, and they shall have an opportunity to be heard as provided in by-laws adopted by the Staff Senate.
2. Regular meetings of the Staff Senate shall be held monthly, during regular office hours, and as provided in by-laws adopted by the Staff Senate.
3. Special meetings of the Staff Senate may be called by the Chair, by a majority of the members of the Staff Senate, or otherwise as provided in by-laws adopted by the Staff Senate.
4. A majority of the members of the Staff Senate --50% of the elected members-- shall constitute a quorum at any meeting.
5. The Staff Senate Chair and Chair-Elect will conduct regular meetings with the Chancellor and Chief of Staff to review the business of the Staff Senate and to present formal resolutions for consideration. Any member of the group may invite other, relevant parties to attend the meetings. Resolutions presented during these meetings may be immediately adopted by the Chancellor, may be approved as modified, denied, remanded to Staff Senate for further consideration, or referred to another leader or governing body for input before full consideration is given.

#### E. Committees

1. The Staff Senate shall establish appropriate standing committees of the staff and shall adopt rules for the appointment of members to such committees.
2. The Staff Senate may establish appropriate ad hoc committees.

3. The Staff Senate Chair shall appoint or nominate staff to University Committees.

### **Section 3. Students and Student Government Association**

#### **A. Authority**

1. The students, acting through the Student Government Association, may make recommendations relating to the quality of life of the students, the efficiency of the University's operations, and academic and institutional policies.
2. The students, acting through the Student Government Association, may make recommendations on any matter of student concern. Such matters shall include, but not be limited to:
  - a. academic policies;
  - b. academic schedules;
  - c. grievance procedures;
  - d. environment and safety;
  - e. physical facilities;
  - f. student life and engagement; and
  - g. health and wellness.
3. The Student Government Association will report to the Dean of Students for informational and advisory purposes.
4. The Student Government Association will serve as the liaison for students with the administration.
5. The Student Government Association will be responsible for the creation and interpretation of its own by-laws.

#### **B. Membership**

In these Articles, "student" shall mean all UAFS degree seeking undergraduate and graduate students. For the purpose of this document degrees can include technical and graduate certificates.

#### **C. Officers**

The officers of the students shall be the officers of the Student Government Association who are elected following the Student Government Association by-laws. They shall have the duties outlined in the Student Government Association by-laws.

#### **D. Meetings**



Meetings of the Student Government Association shall be open to all students, and they shall have an opportunity to be heard as provided in by-laws adopted by the Student Government Association.

#### E. Committees

1. The Student Government Association shall establish appropriate standing committees of the students and shall adopt rules for the appointment of members to such committees.
2. The President of the Student Government Association shall have the responsibility for selecting and nominating students to participate on university committees and councils.

### **Section 4. Chancellor's Cabinet ("Cabinet")**

#### A. Authority

The Chancellor's Cabinet is the formal organization of top-level university administrators who carry out the coordination and decision-making of the university operations.

The Cabinet has authority to create and review resolutions to recommend or adopt certain strategies and policies to benefit the University.

#### B. Membership

The Chancellor, Vice Chancellors, and Chief of Staff make up the formal, voting membership of the Chancellor's Cabinet. The Chancellor has the authority to invite other permanent or guest members based on institutional strategies and initiatives of UAFS.

#### C. Meetings

The Chancellor's Cabinet will schedule regular, weekly meetings. These meetings will be held as needed based on the agenda items and availability of a majority of the Cabinet members.

Monthly, the Cabinet will meet with academic and institutional leaders to discuss strategic priorities and initiatives to ensure timely communication and decision-making occurs across institutional divisions.

### **Section 5. Deans' Council**

#### A. Authority

The Deans' Council is the formal organization of top-level academic administrators who carry out the coordination and decision-making for the academic operations.

The Deans' Council has authority to create and review resolutions to recommend or adopt certain strategies to benefit the University.

#### B. Membership

The Provost and Vice Chancellor of Academic Affairs, Associate and Assistant Provosts, Academic Deans, and Director of the library make up the formal, voting membership of the

Deans' Council. The Vice Chancellor of Academic Affairs has the authority to invite other permanent or guest members based on institutional strategies and initiatives of UAFS.

#### C. Meetings

The Deans' Council will schedule regular meetings. These meetings will be held as needed based on the agenda items and availability of a majority of the Deans' Council members.

### **Section 6. Recommendations Not Adopted by the Chancellor**

Recommendations adopted through the campus governance structure shall be transmitted to the Chancellor. If the Chancellor declines to act favorably upon such a recommendation within two weeks of receiving it, the campus governing body that made the recommendation may request that the President consider the matter upon a three-fifths vote of all governing entities representing students, faculty, and staff. If a resolution is not achieved within 30 days, the President may submit the recommendation to the Board of Trustees for consideration.

## **ARTICLE IV**

### **COMMITTEES AND COUNCILS**

#### **Section 1. Scope and Purpose.**

The work of the University shall be carried out in large part by the action of various committees and councils. Committees and councils of the University are constituted to provide forums in which a greater detail of attention can be given to tasks and matters before the University. As such, all University committees and councils shall be empowered to conduct investigations, make recommendations, and formulate resolutions on matters under their consideration.

The actions recommended by all academic committees and councils, except those reporting directly to the Chancellor, are subject to Academic Deans' Council review with approval by the Vice Chancellor for Academic Affairs.

The actions recommended by all non-academic committees and councils, except those reporting directly to the Chancellor, are subject to Cabinet review with final approval by the Chancellor.

## **ARTICLE V**

### **SYSTEM COMMITTEES**

#### **Section 1. Composition.**

Systemwide standing committee members will be elected by the local governance body which deals with their functions as determined by the Chancellor, unless authority has been given to the Chancellor by the University of Arkansas Board and/or President to appoint systemwide committee members.

## **ARTICLE VI**

### **UAFS PUBLICATIONS**

All UAFS publications which contain academic and institutional policy and procedures, including but not limited to the UAFS Academic Catalog, the UAFS Student Handbook, the UAFS Faculty and Staff Handbook, must be submitted for approval to the Office of the General Counsel for the University of Arkansas System prior to final publication by the academic or administrative unit that supervises their publication. In the event that the University publication is ambiguous on matters of policy or procedure, the appropriate University committees, the Vice Chancellor of Academic Affairs, and the Chancellor will work together to resolve said ambiguity.

## **ARTICLE VII**

### **AMENDMENTS**

#### **Section 1. Amendment Procedures.**

The Constitution may be amended by the following procedure. Proposed amendments may be recommended by any of the governance bodies of UAFS: Faculty Senate, Staff Senate, and Student Government Association. The proposed amendment will be forwarded as recommended to the Chancellor's Cabinet. Upon agreement of the Chancellor, he or she shall transmit the proposed campus governance amendment to the President for review, approval, and transmission to the Board of Trustees. Any such proposed amendment or amendments shall become effective and be in operation when expressly approved by the Board of Trustees of the University of Arkansas or after approval by the Board of Trustees on a day specified therein.

In the event that an amendment is proposed by the Chancellor's Cabinet or the Chancellor, those amendments will be reviewed with the Faculty Senate, Staff Senate, and Student Government Association before it is presented to the Board of Trustees.

November 22, 2024, by University of Arkansas System Board of Trustees.