

College of Education By-Laws

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1. THE FACULTY

1.1. Composition of the faculty.

1.1.1. The regular faculty of the College of Education shall consist of all persons in the College who have been appointed under the rules of tenure and hold the rank of professor, associate professor, assistant professor, or instructor.

1.1.2. The temporary faculty of the College shall consist of all persons holding the rank of professor, associate professor, assistant professor, or instructor but not appointed under the rules of tenure.

1.1.3. Adjunct faculty shall consist of persons whose professional position, qualifications, and interests make some relationship with the College desirable.

1.1.4. Honorary faculty will be those persons designated as visiting professors or professors emeriti.

1.2. Voting faculty.

1.2.1. The voting faculty shall consist of all regular faculty.

1.2.2. On matters internal to the College, voting rights are extended to specialists in the job security system.

1.2.3. Departments shall determine voting privileges for matters limited to departments.

1.2.4. A faculty member appointed in two or more units may vote only once in a College election or on a College matter.

1.3. Faculty meetings.

1.3.1. The faculty of the College shall meet at least once during fall and spring semesters. Additional meetings of the faculty may be called by the Dean, by the Faculty Advisory Council, or by twenty-five regular faculty.

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1.3.2. Written notice of faculty meetings shall be sent to all faculty and specialists at least two weeks in advance and such notice shall set forth the matters to be considered.

1.3.3. The Dean or designee shall preside at College faculty meetings. Robert's Rules of Order, Revised, shall guide meeting procedures.

1.3.4. A College faculty meeting may consider any matter related to the welfare of the faculty or the welfare of the College and any matter brought before it by a member of the faculty.

1.3.5. The agenda for College faculty meetings shall be prepared by the Dean and the Faculty Advisory Council.

2. THE STUDENTS

2.1. Student constituency of the College.

2.1.1. The student constituency of the College shall be all students who have declared a major or major preference in an academic program of the College.

2.2. Student participation in academic governance.

2.2.1. Student participation in College academic governance bodies shall in all cases be in the same mode as faculty participation, except as reserved. The matters reserved to faculty are:

2.2.1.1. Policies concerning salary, leaves, insurance, retirement, and fringe benefits of faculty.

2.2.1.2. Decisions concerning the appointment, salary, re-appointment, promotion, tenure, or dismissal of individual faculty members.

2.2.1.2.1. Evidence from students regarding the teaching performance of faculty shall be considered in decisions concerning the above matters.

2.2.1.3. Matters affecting the professional responsibility of the faculty to establish and maintain the intellectual authority of the University.

3. COLLEGE ORGANIZATION

3.1. Dean of the College.

3.1.1. The chief executive officer of the College of Education is the Dean.

3.1.2. The Dean is responsible for instructional, research, and service programs of the College. This responsibility includes budgetary matters, physical facilities, and personnel matters in the Dean's jurisdiction, taking into account the advisory procedures of the College.

3.1.2.1. The Dean shall make available the College's written criteria and procedures for periodic

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merit-based salary adjustments.

3.1.3. The voting faculty of the College shall have shared responsibility with the Provost to determine procedures for selection of the Dean.

3.1.4. The selection of assistant and associate administrators to be nominated to the provost shall be the responsibility of the Dean who shall consult with the Faculty Advisory Council.

3.1.5. The Dean shall be subject to regular review at intervals not to exceed five years.

3.1.5.1. The Faculty Advisory Council shall have shared responsibility with the Provost to determine procedures for the review of the Dean.

3.1.6. The Dean shall participate in academic governance as part of his or her administrative responsibility. This participation shall include those responsibilities listed in Section 2.1.5. of the University Bylaws.

3.1.6.1. The Dean or the Dean's designee shall attend all meetings of the College's academic governance bodies.

3.2. Faculty Advisory Council.

3.2.1. Composition.

3.2.1.1. The Faculty Advisory Council shall consist of two regular faculty members elected from each of the College's departments, and one ex-officio member, without vote, selected by the Faculty Advisory Council from the College representatives to the Academic Council.

3.2.2. Functions.

3.2.2.1. The Faculty Advisory Council shall advise and consult with the Dean on issues concerning the welfare of the College.

3.2.2.2. The Faculty Advisory Council shall have delegated authority to supervise and conduct all faculty elections at the College level.

3.2.2.3. The Faculty Advisory Council shall name replacements to University governance bodies when the elected faculty representative is unable to serve for a period of one semester or more.

3.2.2.4. The Faculty Advisory Council shall have shared responsibility with the Dean in determining the time, date, and place of all College faculty meetings.

3.2.2.5. The Faculty Advisory Council shall have shared responsibility with the Dean in preparing the agenda and making arrangements for the faculty meetings.

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3.2.2.6. The Faculty Advisory Council shall consult with the Dean in the appointment and replacement of associate and assistant Deans.

3.2.2.7. The Faculty Advisory Council shall have shared responsibility with the Provost in determining procedures for the review of the Dean.

3.2.2.8. The Faculty Advisory council shall advise the Dean regarding initiation and evaluation of and decisions concerning policies related to scholarship and professional conduct.

3.2.2.9. The Faculty Advisory Council shall have shared responsibility with the Dean regarding development and revision of guidelines and procedures for faculty appointment, promotion, and tenure in accordance with the University Faculty Handbook.

3.2.3. Procedures.

3.2.3.1. The Faculty Advisory Council shall determine its own operating rules and procedures and elect a chair from its membership.

3.2.3.2. The elected chair of the Faculty Advisory Council shall serve a one-year term of office.

3.2.3.3. The Faculty Advisory Council shall meet as often as needed to perform its duties, but no less than once a month during fall and spring semesters.

3.2.3.4. The minutes of the Faculty Advisory Council shall be made available to all faculty.

3.2.3.5. Meetings of the Faculty Advisory Council are open, except when the Council votes to hold a closed meeting. All faculty will be notified of Council meetings in advance.

3.2.4. Elections.

3.2.4.1. Department elections for the Faculty Advisory Council will take place in the spring semester.

3.2.4.2. Any member of the regular faculty of the College is eligible for election to the Faculty Advisory Council.

3.2.4.3. Faculty members are elected to the Faculty Advisory Council for a two-year term of office. No faculty member shall serve more than two consecutive terms.

3.3. Standing Committees of the Faculty.

There shall be two standing committees of the faculty: a College Curriculum Committee and a Reappointment, Promotion, and Tenure Committee.

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3.3.1. College Curriculum Committee.

3.3.1.1. Composition.

3.3.1.2.1. The College Curriculum Committee will consist of two regular faculty members elected from each of the College's departments, one undergraduate student, one graduate student, and two non-voting ex-officio members: the College of Education representative to the University Committee on Curriculum and a member appointed by the Dean.

3.3.1.2 Functions.

3.3.1.2.1. The College Curriculum Committee will have delegated authority in making recommendations to the University Committee on Curriculum regarding changes in academic programs.

3.3.1.2.2. The College Curriculum Committee shall advise the College faculty about major changes in courses and programs in the departments of the College.

3.3.1.2.3. The College Curriculum Committee shall consult and seek the advice of the affected units when deliberating on proposals for the development, elimination, or modification of courses, course sequences, program emphases, and programs affecting two or more departments of the College.

3.3.1.2.4. The College Curriculum Committee shall consult and seek the advice of the Faculty Advisory Council and/or the College faculty when deliberating on major proposals affecting two or more units of the College or proposals to eliminate academic programs in the College or proposals to establish or change "all-college" programs.

3.3.1.3. Procedures.

3.3.1.3.1. The College Curriculum Committee will determine its operating rules and procedures and elect a chair from its voting membership.

3.3.1.3.2. The College Curriculum Committee will meet as often as required to perform its duties but no less often than once a semester.

3.3.1.3.3. The minutes of the College Curriculum Committee will be made available to all faculty.

3.3.1.3.4. Meetings of the College Curriculum Committee are open. All faculty will be notified of meetings in advance.

3.3.1.4. Elections.

3.3.1.4.1. Department elections for the College Curriculum Committee will take place in the spring semester.

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3.3.1.4.2. Any member of the regular faculty of the College is eligible for election to the College Curriculum Committee.

3.3.1.4.3. Faculty members are elected for a two-year term of office; student members, for a term of one year. No member will serve more than two consecutive terms.

3.3.2. Reappointment, Promotion, and Tenure Committee.

3.3.2.1. Composition.

3.3.2.1.2. The Reappointment, Promotion, and Tenure Committee will consist of two tenured faculty members elected from each of the College's departments.

3.3.2.2. Function.

3.3.2.2.1. The Reappointment, Promotion, and Tenure Committee shall advise the Dean regarding reappointment, promotion, and tenure procedures and decisions.

3.3.2.3. Procedures.

3.3.2.3.1. The Reappointment, Promotion, and Tenure Committee will determine its operating rules and procedures in accordance with the University Faculty Handbook and elect a chair from its membership.

3.3.2.3.2. The Reappointment, Promotion, and Tenure Committee will meet as often as required to perform its duties but no less often than once each semester.

3.3.2.3.3. The minutes of the Reappointment, Promotion, and Tenure Committee will be published and distributed to all faculty.

3.3.2.3.4. Meetings of the Reappointment, Promotion, and Tenure Committee are open, except when reviewing and discussing specific candidates' materials. All faculty will be notified of meetings in advance.

3.3.2.4. Elections.

3.3.2.4.1. Department elections for the Reappointment, Promotion, and Tenure Committee will take place in the spring semester.

3.3.2.4.2. Any tenured member of the regular faculty of the College will be eligible for election.

3.3.2.4.3. Faculty members are elected for a two-year term of office. No member will serve more than two consecutive terms.

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3.4. Student Advisory Council.

3.4.1. Composition.

3.4.1.1. The Student Advisory Council will consist of four undergraduate students (at least one student elected from each College department that enrolls undergraduates), and one masters student and one doctoral student elected from each department.

3.4.2. Functions.

3.4.2.1. The Student Advisory Council will advise and consult with the Dean on matters concerning student welfare.

3.4.2.2. The Student Advisory Council will consult with the Faculty Advisory Council in its review of proposed changes in courses, curricula, and programs affecting the total College or more than one unit of the College.

3.4.3. Procedures.

3.4.3.1. The Student Advisory Council will determine its own operating rules and procedures and elect a chairperson and a secretary from its voting membership during the fall semester.

3.4.3.2. The Student Advisory Council will meet as often as required to perform its duties but no less often than once a semester during fall and spring semesters.

3.4.3.3. The minutes of the Student Advisory Council meetings will be made available to the Faculty Advisory Council and the College Curriculum Committee and will be publicly posted.

3.4.3.4. Meetings of the Student Advisory Council are open. Students will be notified of Student Advisory Council meetings in advance.

3.4.4. Elections.

3.4.4.1. Members of the Student Advisory Council will be nominated and elected to the Council by the student organizations chartered to conduct the elections. In the absence of such organizations, the Student Advisory Council will conduct the elections.

3.4.4.2. Elections for the Student Advisory Council will take place in the fall semester.

3.4.4.3. Any member of the College's student constituency will be eligible for election to the Student Advisory Council.

3.4.4.4. Members of the Student Advisory Council are elected for a one-year term of office. There is no restriction on the number of consecutive terms a student can be elected to the Council.

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3.5. Special Committees.

3.5.1. Special committees may be established by the Dean, by the Faculty Advisory Council, or by a majority vote of the College faculty.

4. BYLAW AMENDMENT AND REVIEW

4.1. The voting faculty of the College shall have shared responsibility with the Dean to adopt and publish bylaws in conformity with academic governance.

4.2. Bylaw amendment and revision.

4.2.1. College bylaws may be amended or revised by a two-thirds vote of the faculty voting on the amendment/revision. The vote will be taken after the College Faculty Advisory Council has published any proposed amendment/revision and has held one or more hearings open to the faculty and students. Voting shall be by written ballot setting forth clearly the changes proposed. The College Faculty Advisory Council shall establish procedures and certify results.

4.2 Bylaw review.

4.2.1. College bylaws shall be reviewed every five years and at such time as the Dean in consultation with the College Faculty Advisory Council deems it necessary. Procedures for the review will be set forth in accordance with university regulations.

5. FACULTY GRIEVANCE PROCEDURES

5.1. The College of Education Faculty Grievance Procedures are attached as Appendix B.

APPENDIX A. MODES OF PARTICIPATION

There are four modes of faculty and student participation in academic governance.

1. Consultation: a body of faculty and/or students discuss with and inform an administrator authorized to make decisions. Such a committee is not a deliberative body; there is no vote. Rather the members express their views to inform an administrator's decision.

2. Advisory: a deliberative body of faculty and/or students make recommendations to an administrator authorized to make decisions. The administrator is not bound by the recommendation and accepts responsibility for the decision.

3. Shared responsibility: a deliberative body of faculty and/or students makes recommendations to an administrator authorized to make decisions. If the administrator and deliberative body cannot agree and action must be taken, the recommendations of the administrator and the deliberative body will be submitted in writing to the next higher administrative level for resolution.

4. Delegated authority: a deliberative body of faculty and/or students is authorized to make

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decisions on specified matters. Such decisions are subject to administrative review, but will be altered only in exceptional circumstances.

APPENDIX B. FACULTY GRIEVANCE PROCEDURES

1. Any College of Education faculty member with the rank of professor, associate professor, assistant professor, lecturer, instructor, assistant instructor, research associate, specialist, or librarian may initiate a grievance, alleging violation of existing policies or established practices by an administrator, by filing a complaint with the Faculty Grievance Official (FGO) pursuant to the procedures set forth in the Faculty Grievance Procedure.

2. Initiation of Grievances and Hearing Procedures.

2.1. Initiation of Grievances.

2.1.1. A faculty member who feels aggrieved may without delay discuss the matter in a personal conference with the FGO. The FGO shall determine if the grievance falls under the Faculty Grievance Procedure, the University Committee on Faculty Tenure, or the Anti-Discrimination Judicial Board.

2.1.2. In order to establish and retain access to the formal hearing mechanisms at the college level, a faculty member must submit a written grievance statement to the FGO within 30 days of his/her first knowledge of the alleged violation.

2.1.3. The grievance statement shall set forth the alleged violation of existing policy or established practices, a concise statement of the facts relevant to the grievance, the name(s) of any administrator(s) whose action is at issue, the approximate date on which the alleged action took place, and the redress sought.

2.1.4. The FGO shall forward a copy of the grievance statement to the administrator(s) named within 10 days of receipt of the grievance.

2.2. Informal Resolution.

2.2.1. The FGO shall investigate the grievance and make every reasonable effort to resolve it informally. The FGO may recommend dropping the grievance as lacking in merit or for other just cause. Such a recommendation, however, shall not be binding on the grievant.

2.2.2. Within 30 days of the filing of the grievance statement, the parties and the FGO shall attempt to resolve the grievance informally. If the FGO determines that the grievance cannot be resolved informally, notice shall be provided to the parties. If the faculty member wishes to pursue the grievance, a written request for a formal hearing must be submitted to the FGO within 30 days of such notice. Failure to submit such a request will constitute a waiver of the faculty member's right to pursue the grievance.

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2.2.3. The FGO shall determine after consultation with both parties the appropriate hearing level (department/unit, college, university) and shall notify the administrator at the appropriate level of the written request for a hearing.

3. Formal Hearing Procedures.

3.1. A College of Education hearing panel shall be established by the FGO in the following manner:

3.1.1. A hearing panel shall consist of 3 members, drawn by lot from the College of Education faculty. The drawing shall be conducted by the FGO.

3.1.2. The FGO shall notify each party of the names drawn for the hearing panel and within 10 days either party may challenge any member for cause. In addition, each party shall have one peremptory challenge. Cause shall be determined by the College of Education Faculty Advisory Council or its designee(s). Challenged members shall be replaced pursuant to the procedures stated in 3.1.1.

3.2. The hearing panel shall conduct a hearing according to the procedures stated below and according to guidelines in Articles 3 and 6 of the Faculty Grievance Procedure.

3.2.1. A hearing shall commence within 14 days of the establishment of the hearing panel.

3.2.2. The FGO shall assemble the hearing panel and shall supervise selection of the Presiding Officer from among the members of the hearing panel.

3.2.3. The Presiding Officer shall apply the rules of procedure consistent with the guidelines stated in Article 6 of the Faculty Grievance Procedure.

3.2.4. The hearing panel shall decide whether the preponderance of the evidence does or does not support the allegation(s) of the grievant.

3.2.5. Findings and recommendations of hearing panels shall conform to existing policy and procedures in the College of Education.

3.2.6. Whenever a hearing panel loses a member, the hearing shall be terminated and a new panel selected.

3.2.7. Hearing panels shall report their findings and recommendations in writing within 14 days of the completion of the hearing to the FGO, who shall forward them to the grievant, the respondent, and the administrator who is the respondent's immediate supervisor.

3.3. The dean, chairperson, or director shall provide written notification of his/her decision to the parties to the grievance and to the FGO within 14 days of his/her receipt of the findings and recommendations of the hearing panel. Failure to provide written notification shall result in an

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automatic appeal.

3.4. If the grievance is not satisfactorily resolved, either party may appeal the decision within 14 days of the receipt of the decision of the appropriate administrator, in accordance with the procedures established in Article 5 of the Faculty Grievance Procedure.

3.4.1. Failure to appeal within the prescribed time shall be deemed to be acceptance of the decision.