

# CAS Faculty Senate Meeting – Minutes

## April 18, 2016

### a. Senators Present

Jocelyn Alcantara-Garcia, Andrea Barrier, William Boyer, Martha Carper, Leslie Criston, Richard Cunningham, Deni Galileo, Mark Greene, Eynat Gutman, Adele Hayes, Arild Hestvik, Maria Johnson, Jonathan Justice, Stuart Kaufman, Jenny Lambe, Yuk Leung, Barbara Ley, Rudi Matthee, Mark Miller, Phillip Mink, John Morgan, James Morrison, Chad Nicholson, Sandeep Patel, Tony Seraphim, Blake Smith, Mary Margaret Werth, Lance Winn.

### b. Senators Absent

Aryana Alborzi, Michael Cotsell, Ted Davis, Alan Fox, Jennifer Nauen, Yasser Payne, Karen Rosenberger.

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Meeting called to order by President Phillip Mink at 4:02 pm.

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## Agenda

### 1. Adoption of the agenda

Motion to amend agenda to include Dean's remarks.

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Approved unopposed as amended.

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### 2. Approval of minutes from meeting of March 21, 2016

JOHN MORGAN: We have prepared a transcript that I hope will be appended to the minutes

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Approved unopposed.

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### 3. Educational Affairs Committee

#### A. APA\_HIST\_MA\_Revise\_Course\_Reqs-rev032316

#### B. APA\_HIST\_PhD\_Revise\_Course\_Reqs-rev032316

PHILLIP MINK: The two proposals were approved by the Ed Affairs committee. No one in the steering committee had any objections. We will vote on these together unless anyone objects.

[No objections were raised.]

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Approved unopposed.

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### 4. Dean's remarks

GEORGE WATSON: There is a Celebration of Achievement and Success event on May 12 to which all are warmly invited. We will recognize College alumni achievement, faculty excellence, and university excellence award winners. We will also recognize newly promoted faculty.

There were 27 promotion cases this year – all successful. They will get personal invitations to join us for the May 12 event – Florence Nightingale's birthday.

On board (table below) are some numbers representing the promotion dossier activity in the six years I've been Dean. We're responsible for about half the cases in the University.

<b>Six Years of CAS Promotions</b>			
	<b>#</b>	<b>%</b>	<b>Relative Head Count</b>
<b>Arts</b>	20	13	10
<b>Humanities</b>	46	30	30
<b>Natural Sciences</b>	50	33	34
<b>Social Sciences</b>	30	19	23
<b>Associate in Arts</b>	3		
<b>Total</b>	<b>149 (of which 21 were Continuing Track)</b>		
*Relative numbers of full time faculty in each portfolio			

We may use this as we consider P&T committee composition.

JOHN MORGAN: CT faculty can't apply for promotion unless they can expect reasonable prospects of success with respect to their departmental policies. Would you expect the proportion of CT cases to increase in future years as promotion and tenure documents are updated to address CT cases?

GEORGE WATSON: I have not encountered many challenges in that area. The 21 cases were successful. 24% of our faculty are on CT. That's shifting so we may expect to see more. Most CT members are in departments where the documents are already updated.

**5. Presentation by John Morgan, COCAN Chair**

JOHN MORGAN: An update on where we stand. The good news is that we have an excess of volunteers on the Advisement & Retention Committee and the Awards Committee. COCAN will meet soon and prepare a list for approval by CAS Senate in May.

We still need two volunteers from arts and humanities portfolios on the P&T Committee. Note that some committees have people who have put in good service over many years and I am very grateful for their continuing service. Andrea Barrier, for example, has served six years on Ed Affairs, and Ken Haas has served on Grade Grievance at least since 2009; both are willing to continue to Chair their respective committees. Aaron Fichtelberg and Marie Laberge have also served a long time on the Grade Grievance Committee. I'm very grateful to them all.

I am pleased to report that we have two very respectable candidates for President Elect; Stuart Kaufman and Larry Duggan are willing to run. We still need volunteers for COCAN chair so please let me know.

PHILLIP MINK: Thank you John. There's a lot of work involved and we appreciate it.

**6. College of Arts & Sciences By-Laws**

PHILLIP MINK: Stuart Kaufman sent in several amendment recommendations. Deni, Andrea, and I have been working on these by-laws for two years. The current draft responds to George's substantive comments. We could finalize these in May if we are done. We will go through the proposed revisions one by one.

[The following points reference the draft by-laws included as Appendix A, below.]

- A. I.1 Replaces "can be voting members of the College faculty" with "are voting members of the College faculty"

STUART KAUFMAN: That's just to avoid the misinterpretation that while they can be, they may not be voting members of the College faculty.

JOHN MORGAN: I think that I was responsible for the ‘can be’ language. I thought it needed to be clear to indicate that to be a voting member of the College faculty one must be a full time voting member of the University faculty. Phil, could you clarify if we are having a final vote on this today?

PHILLIP MINK: I don’t think we will have a final vote on this today. Let’s get as much done as we can and then try to get everything in order for May. I do think Stuart may have a point.

STUART KAUFMAN: I do think the ‘only’ takes care of it. Awkward though.

DENI GALILEO: If we just change ‘can be’ to ‘are’ then that says that any member of the University faculty is a voting member of the College faculty, which is what we don’t mean.

JENNY LAMBE: Suggest removing the second sentence and amending the first sentence to read “The faculty of the College of Arts and Sciences (hereinafter the College) consists of those full-time voting members of the University faculty who hold primary appointments in the College.”

PHILLIP MINK & STUART KAUFMAN: I like it.

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“The faculty of the College of Arts and Sciences (hereinafter the College) consists of those full-time voting members of the University faculty who hold primary appointments in the College”

Approved unopposed.

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#### B. 1.2. Replaces “shares responsibility” with “is responsible”

STUART KAUFMAN: That is the original wording. This would be more consistent with the Trustees’ bylaws for the whole university. There is a principle here too: the question is which whom do we share it. With ‘shared’ responsibility it might be read as the dean having a veto. We should assert that this is what the faculty does; we do the academic and educational affairs.

MARK GREENE: Is it in fact true that we don’t share this responsibility?

STUART KAUFMAN: Every member of the Dean’s office is also a faculty member and they share the responsibility in that way. Clearly administrators have influence. But when it comes to things like a departmental vision statement faculty should be able to do things for themselves. I’m thinking about this partly because my department was saddled with a vision statement the majority disagreed with. We were stuck with it. Depending on this language, that becomes the norm.

GEORGE WATSON: I suggested ‘shares responsibility’. I thought it useful because it does not require defining precisely what academic affairs are. It is not meant to erode faculty rights and responsibilities. I thought it a more accurate depiction of what a shared governance environment is. Everything I do as Dean is academic, so I thought ‘is responsible’ was too inclusive. If we are going to ‘is responsible’ we’ll have to dig in and really work out who’s responsible for what. I believe the ad hoc bylaws committee accepted the language.

PHILLIP MINK: We did.

JENNY LAMBE: If we keep ‘shares’ we need to be clear who we share the responsibility with.

GEORGE WATSON: That would be the College Administration for the purpose of administering the College.

PHILLIP MINK: Stuart, do you think your language reflects how things functionally work in the college?

STUART KAUFMAN: I think either wording does reflect the reality. It is give and take either way. It comes to the question of whether the Dean has the final say in the event of disagreement on academic issues.

GEORGE WATSON: I do believe that is a misconception. Any forms coming out of Ed Affairs on curriculum already require the Dean’s signature. I can’t propose curricular matters that don’t go through Ed Affairs so either side can kill a curriculum revision. It is a shared responsibility. Same with P&T and hiring – all require approval of the Dean.

MARY MARGARET WERTH: Since Deans are faculty, does ‘is responsible’ exclude shared responsibility? Doesn’t the language already include all members of the Dean’s Office?

GEORGE WATSON: I am a faculty member at heart but it doesn’t reflect my role. I have a very different status as an administrator. I think Jenny’s suggestion does accurately convey the situation.

MARK GREENE: The question is not whether the Dean has a say qua faculty member, but whether he has a say qua Dean. Correct, Stuart?

STUART KAUFMAN: Yes. George's points are accurate and all that modifies the statement. It is a statement of principle unless modified elsewhere.

MARK GREENE: I do find the 'is responsible' language confusing. We do only share responsibility for, for example, curriculum changes because as a matter of fact they go on to other committees. As a new Senator I found that kind of thing very confusing.

BARBARA LEY: Looking ahead to point 3, including the Deans as faculty in the current point confuses point 3.

DENI GALILEO: The University Faculty Senate struck out language delegating responsibility to the faculty of the colleges. I'm putting that back in in drafts to be circulated soon. There is initial responsibility for changes delegated to the Colleges. Initial vs. ultimate responsibility is another way of sharing responsibility, even if we don't have ultimate responsibility. So, to make matters more complicated, it is not just the Dean's office who also have a say. In that sense, better not to specify sharing responsibility with the College administration because they aren't the only ones we share responsibility with.

JOHN MORGAN: Suggest aligning this language with that of the board of trustees; and we don't know what that is going to be yet. It might be better to postpone this until the May meeting.

PHILLIP MINK: That would be a problem. I suggest we move on with our own document. We can amend if needed with a two thirds majority of this body. John, Deni has suggested different language, should our procedure be to proceed with Stuart's proposal first?

JOHN MORGAN: Probably simpler to do that.

PHILLIP MINK: We will consider Stuart's amendment first, then Jenny Lambe's

ARILD HESTVIK: The question is who has the last word. Can we solve this by giving the Senate and Deans a veto – this would force consensus.

PHILLIP MINK: That would be a change of policy – could consider it if you want to propose some language.

MARY MARGARET WERTH: The "is responsible" seems more open and clear and leaves room for whatever is happening. Adding "sharing responsibility" with the administration adds a layer of complication.

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"is responsible for"

Approved with 13 for 8 against.

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### C. I.3.D. Replaces "recommend regulations" with "adopt regulations"

STUART KAUFMAN: This is similar but a much clearer case because we don't share this with anybody. We should be able to adopt our regulations without a veto from anybody.

GEORGE WATSON: It's not so much the wording as the sentiment, which suggests unwillingness to accept any administrative authority over academic and educational affairs. For the College faculty to adopt regulations without consultation with the University Senate, the Dean, and the Provost is not tenable and I would not be able to move the bylaws forward with that language.

STUART KAUFMAN: That's the current wording, so if we vote to keep it we don't need your approval. Our regulations are not up to you. Obviously there's consultation.

JOHN MORGAN: Any regulations we adopt would not take effect if they contradict a higher authority such as the University Constitution. The Deans, as College faculty, will have input.

PHILLIP MINK: George, you have the authority to stop these bylaws moving forward.

GEORGE WATSON: That is to be tested. Stuart and I disagree.

MARK GREENE: I don't understand how this would work if the bylaws are de facto College bylaws. I don't see how we could have the authority to change our own rules within the context of changing the whole College rules, not just College Senate procedural regulations.

STUART KAUFMAN: I've been thinking this narrowly as about procedures for assembling in meetings etc.

MARK GREENE: Then I really don't know what this is about.

STUART KAUFMAN: Good point.

MARY MARGARET WERTH: If college faculty includes the Deans, then they are part of #3. They are already there.

PHILLIP MINK: Theoretically that is correct. But as a practical matter they are not operating as regular faculty but in administrative positions. It is operationally incorrect to say that administrators will have the same function as regular faculty.

JOHN MORGAN: One reason for the wording in the bylaws emerges if you look at I.3.C to I.3.F, because they talk about recommendation made to entities outside the college such as the University Library, or on the conduct of public exercises like commencement. We can't just tell the Library what to do. But we should be able to adopt our own regulations bearing in mind that the Deans are rather powerful members of the faculty.

JOCELYN ALCANTARA-GARCIA: If the Deans are college faculty, doesn't either word mean the same?

PHILLIP MINK: They have different roles. They are not much involved in faculty decisions. So, definitional you are right, but they don't really participate in many of these functions.

DENI GALILEO: Since it was unclear what was meant by procedures, I wonder if it means adopt and amend its own bylaws. That confines the definition. I take it not to mean procedures outside the bylaws.

PHILLIP MINK: What would those be?

DENI GALILEO: The College has a lot of procedures not in the bylaws.

PHILLIP MINK: But this is the College faculty.

STUART KAUFMAN: The point is that the faculty acting qua college faculty is about these bylaws. Acting in the College itself, then the Faculty Handbook is operative. We are really talking about the bylaws here.

PHILLIP MINK: So you would accept Deni's friendly amendment?

STUART KAUFMAN: Yes.

GEORGE WATSON: The language from the University bylaws was truncated. Section 3.2.4.9, "Adopt regulations governing its own procedures with authority to enact, amend, and repeal its bylaws." That language is very strictly limited to the bylaws.

JOHN MORGAN: Would that extra language be acceptable to you?

GEORGE WATSON: Yes. If we're consistent with University bylaws, fine. If the CAS faculty or Senate awards itself more powers than granted by the Board of Trustees, that's a show stopper. If we could adopt the University language verbatim that would be fine.

ANDREA BARRIER: The intention of the ad hoc committee was to simplify, not to re-define.

GEORGE WATSON: I still don't know if it is the case that the College Faculty can adopt rules for themselves without any other authority. I'm happy to consider transcribing the language from the other bylaws.

JOHN MORGAN: I move that we adopt the language that George has just suggested.

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“Adopt regulations governing its own procedures with authority to enact, amend, and repeal its bylaws.”

Approved unopposed.

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- D. III.4. Replaces “Senators shall serve at most three consecutive terms.” With “There shall be no limit on the number of terms that senators or officers may serve.”

STUART KAUFMAN: There are advantages to continued service and familiarity with the issues and procedures of the Senate and of committees. Also, it’s hard to get candidates and you might get stuck with someone who is less than enthusiastic. Why not allow able, interested people to continue?

ANDREA BARRIER: Nothing here precluded people running against people who are not doing a good job. So I don’t see the need to limit.

JOHN MORGAN: The practice in the US is not to limit in congress or most state governments. This is because their role is only legislative. Where there are term limits, these are for executive functions. They have much more power, so that can make sense.

PHILLIP MINK: I’m not sure how this matters. There may be a distinction without a difference.

GEORGE WATSON: This was modelled on the practice in University Senate. They have term limits. This is not a show stopper for me. I don’t find the arguments compelling.

BARBARA LEY: I see some value to having new perspectives every so often. I do see an issue where we can’t find someone. I wonder if there is some way to allow for that with a term limit but with the option to continue if no one else wants to do it.

DENI GALILEO: I was term-limited out of Faculty Senate, but now I’m back on because the replacement didn’t like it and now I’m back. Who are we to second guess the Department if that who they want representing them?

JONATHAN JUSTICE: If you delete the term limit language, is there any need to specify unlimited? It’s implicit so why add clutter?

STUART KAUFMAN: I take that as a friendly amendment.

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Deletion of “Senators shall serve at most three consecutive terms.”

Approved with one opposed.

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- E. III.4.B. Replaces “When a vacancy occurs, the chair/program director shall be notified, and the department/program shall elect a new representative...” with, “When a vacancy occurs in the position of a department or program representative, the chair/program director shall be notified, and the department/program shall elect a new representative ...”

STUART KAUFMAN: That’s just a clarification. We don’t want this read as applying to At Large Senators.

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Approved unopposed.

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- F. III.4.B. Replaces “...shall elect a new representative no later than thirty days after notification.” with, “...shall elect a new representative as soon as possible.”

STUART KAUFMAN: It seemed to me that it might be hard to get it done in thirty days and I don’t see the need to set a hard and fast limit. It’s up to the department or program if they want to be represented.

PHILLIP MINK: As chair of the ad hoc committee, I disagree. I think you need a deadline so that it gets done.

JIM MORRISON: What happens at 30 days. What do we do?

PHILLIP MINK: They have no representation in the senate for the current term.

JOHN MORGAN: 30 days is plenty of time unless it’s the summer. Each department has rules on electing senators.

PHILLIP MINK: We could bend the rules for summer perhaps. But these things are usually scheduled.

Morgan: Suggest, 'should elect a replacement...'

PHILLIP MINK: That is not mandatory. If they do not hold the election they lose representation for that term.

STUART KAUFMAN: I withdraw the motion to change.

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Motion withdrawn.

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- G. III.7. Replaces "the total number of nominees shall be more than the number of at-large positions to be filled" with "the total number of nominees should, if feasible, be more than the number of at-large positions to be filled."

STUART KAUFMAN: We would prefer competitive elections but if we can't find more than one person to run, that's ok. We want to avoid people running who don't want to serve.

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"the total number of nominees should, if feasible, be more than the number of at-large positions to be filled."

Approved unopposed.

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JOHN MORGAN: I'd like to offer a further amendment to this section. I have heard reports that the University COCAN has sometimes omitted the name of someone who wanted to run. The current University COCAN chair thought his committee was authorized to do that. I want it to be very clear that we have a democratic process. I would like to add after "to be filled..." the sentence, "The name of any eligible College faculty member who has communicated to the COCAN chair willingness to stand for election shall appear on the ballot."

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Addition approved unopposed.

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YUK LEUNG: Back to III.6. Is the Senate mandating a secret ballot? My department elected me by show of hands in a departmental meeting.

DENI GALILEO: This is in the University bylaws. It should be consistent in your departmental documents. Though who's to say if your department has adopted a different procedure.

JOHN Morgan: The reason for it is that I have heard of cases in another college, where a chair basically proposed his girlfriend for the University Senate. It's hard to object if the ballot is by show of hands.

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No action.

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- H. III.12.A. Deletes "...and shall serve at most three consecutive terms."  
III.12.B. Replaces "The ballot shall consist of at least two nominees for each position." with, "The ballot shall, if feasible, consist of at least two nominees for each position."

STUART KAUFMAN: This is the same issue about term limits. Same rationale – we don't want a president serving who doesn't want to serve.

GEORGE WATSON: Is it clear that the President Elect will become President? Are we really talking about Secretary and Chair of COCAN? Senate officers are elected and we've not been conducting elections for Secretary. I think, for the strength of this body we need contested elections for President Elect, Chair of COCAN, and Secretary. If we adhere to contested elections, we don't need term limits.

JOHN MORGAN: University Faculty Senate Secretaries have been elected for decades. Some of the past minutes are sparse. Election is not the best way to choose a Secretary. You want to appoint someone you think would do a good job.

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Deletion and replacement approved unopposed.

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JOHN MORGAN: I have another amendment to section B here, parallel to what I read in earlier. After “for each position.” add, “The name of any eligible College faculty member who wants to stand for election shall appear on the ballot.”

MARK GREENE: Does there need to be a stipulation that they inform someone?

JOHN MORGAN: They can nominate themselves at the meeting as a write-in.

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Insertion approved unopposed.

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I. III.15.D Delete “to a limit of three terms,”

STUART KAUFMAN: Same logic.

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Approved unopposed.

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J. III.15.J.iii Concerning the composition of the P&T Committee

GEORGE WATSON: I endorse the addition of a CT member. Arts and Humanities were one portfolio but now each has an Associate Dean. Looking at the number of cases considered, I believe that one representative from the humanities is an underrepresentation. I propose a P&T Committee of nine with at least two from each portfolio. In most cases a representative from a candidate’s own department will recuse themselves. That can mean that no one from humanities is represented in some cases, same for the arts. That is unfortunate. Nine members does make COCAN’s work more challenging but it is an important committee and we need adequate representation from all portfolios. It also allows adding a CT person without disadvantaging any portfolio.

JOHN MORGAN: As chair of COCAN, what you said is 100% correct. A beautiful theory but facing some ugly facts. I have emailed for volunteers for P&T. I have heard from three in Social Science but none in humanities or arts. I’m going to have to send out email to arts and humanities faculty to ask for volunteers for this important committee. Last year, in fall, humanities were represented by one CT member on the Educational Affairs Committee – there were none when that member went on sabbatical. We have to be very careful because P&T is the one area where failure to follow the procedure can get UD sued.

PHILLIP MINK: We need to consider the policy and then address difficulties we might have administering it.

JOHN MORGAN: We have no power to solve the problem.

PHILLIP MINK: The same problem applies with seven members. It’s premature to leap to a legal issue.

DENI GALILEO: Same problem with contested elections. What do you do if no one steps forward? We could allow for two but accept one if one comes forward. That allows for one from a portfolio while still following the rules.

PHILLIP MINK: It does but it has different rules for different portfolios. The bylaws reflect the reality of the College.

JENNY LAMBE: Suggest ‘The Committee shall ideally consist of two from each portfolio plus a CT representative.’ Or add a sentence saying there must be a minimum of at least one from each portfolio. I don’t think we should have different rules for different portfolios.

PHILLIP MINK: I don’t think we should base our policy on our difficulties finding someone to serve.

STUART KAUFMAN: Suggest requiring 7 to 9 faculty members with minimum of one and maximum of two from each portfolio, including one CT faculty member at the rank of associate professor or higher.

RICK CUNNINGHAM: Do we need an odd number?

JOHN MORGAN: No. Often one will need to recuse.

MARY MARGARET WERTH: This does not solve George's problem that if one member has to recuse, there may be no one else from that portfolio.

STUART KAUFMAN: It may not.

PHILLIP MINK: John, has it been that hard to get people to serve on this committee?

JOHN MORGAN: It has been a challenge. We have to work very hard.

DOUG DOREN: This is one of the most important things the faculty does. I have heard you say, John, that we send out emails and haven't got much response. I'm hoping you do a lot more. I'd be embarrassed if we can't find nine to serve on this committee in any given year. The workload is easier with more people. Other than it being difficult, I'm not hearing a reason not to do this.

JOHN MORGAN: The workload does not get lighter with more members, and meetings get harder to schedule.

DOUG DOREN: I've served on the Committee a couple of times. You can assign primary readers among a larger committee.

JOHN MORGAN: Should we have separate three-person P&T Committees for each of the portfolios?

PHILLIP MINK: I'm really hesitant to formulate policy based on your difficulties finding people.

JOHN MORGAN: Can Adele comment on her experience.

ADELE HAYES: It is painful finding people.

PHILLIP MINK: Did you find enough members?

ADELE HAYES: Yes.

STUART KAUFMAN: Should we adopt the Dean's language or be more flexible?

ADELE HAYES: I'm concerned that this is so serious and we're out of time and rushed.

PHILLIP MINK: We would really like to wrap this up in May if we can come to a meeting of minds.

JOHN MORGAN: We presumably have about 25 faculty who have already submitted their intent to go up for promotion. When will this come into effect? Do I have to find these people now?

PHILLIP MINK: These bylaws will go up the chain. That should not be the problem we are facing now.

People submitting now will be judged by the current bylaws.

JENNY LAMBE: Can we pass the bylaws without this and then come back to it and amend the bylaws?

PHILLIP MINK: We need to come to language we can all agree on.

MARK GREENE: Reiterate the point that George's concern was a matter of substantive justice that there be someone from a candidate's portfolio who does not have to recuse themselves. This cannot be finagled by something like a 7 to 9 and hope it works out.

PHILLIP MINK: Can we work on this as the bylaws committee and email it for the May meeting?

BLAKE SMITH: Should we aim for the ideal to move forward, because this is so important? I'd rather solve the problem of finding people than run the risk of missing out. I'll even serve next year. I'd like us to aim for the ideal language.

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Replace, "The committee shall consist of seven tenured faculty members, including a minimum of two from the Natural Sciences, one from the Arts, one from the Humanities, and two from the Social Sciences." with, "The committee shall consist of nine faculty members at the rank of associate professor or higher, including one CT faculty member from any portfolio and eight tenured faculty members. The tenured faculty members shall include two members from each of the following portfolios: the Natural Sciences, the Arts, the Humanities, and the Social Sciences."

Approved with one opposed.

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## 7. Old Business

None.

## 8. Introduction of New Business

None.

## 9. Adjournment

Meeting adjourned 5:53 pm.

# Appendix: Draft bylaws as amended by the CAS Senate meeting of April 18, 2016. Language adopted at the meeting is shown in bold.

## Bylaws of the College of Arts & Sciences Faculty and its Senate

### I. General Powers

1. **The faculty of the College of Arts and Sciences (hereinafter the College) consists of those full-time voting members of the University faculty who hold primary appointments in the College.**

2. For the purpose of governing the College, the College faculty **is responsible** for all matters relating to the academic and educational affairs of the College of Arts and Sciences. The College Senate represents the faculty in governance in conformity with the University Charter, the Trustee Bylaws, and the University Senate Bylaws.

3. The College faculty shall:

- A. provide for the establishment of curricula and courses in the College;
- B. determine degree requirements in the College;
- C. make recommendations for university services (e.g., University library, computing services, etc.) as they pertain to the College;
- D. **adopt** regulations governing its own procedures, with authority to enact, amend, and repeal its by-laws;
- E. determine the duties that it will delegate to the College Senate;
- F. make recommendations for the conduct of formal exercises and public functions held under College auspices.

4. The College faculty is free to:

- A. make recommendations on matters of general interest to the College;

B. consider and make recommendations to the Dean about policies governing appointments, promotions, tenure, and dismissals in the College.

5. Nothing in these bylaws shall annul any provisions of written consent authorized by the Board of Trustees and existing prior to the adoption of these bylaws.

## II. Dean of the College

1. The Dean of the College, as chief representative and administrative officer of the College, shall have general administrative authority over College affairs. The Dean shall exercise leadership in recommending policies, in the introduction of educational ideas and proposals, and in the stimulation of College discussions leading to improvement of the College's educational program. The Dean's responsibilities shall include both strengthening the College and its programs, and advocating them to the University and to the community.

2. The Dean, as chief administrative officer of the College, shall consult with department chairs, center directors, and program directors on matters that affect those units. The Dean shall have final authority to make budgetary decisions for the College.

## III. College Faculty Senate

1. **Mission Statement.** The College Faculty Senate is a democratic forum responsible for the creation and review of policies concerning College matters. The College Faculty Senate is also the standing executive committee of the College faculty and, absent a general College faculty meeting, shall be responsible for fulfilling the functions delegated to the College faculty in Part I. This includes, but is not limited to, the creation and review of policies concerning curriculum, promotion and tenure, and student academic issues. The College Faculty Senate also integrates department and program interests and represents college-wide interests to College administration and the University Faculty Senate.

2. The College Faculty Senate shall consist of the Senate officers, department representatives, and representatives of programs that have their own full-time faculty (each department or eligible program of the College shall elect one representative), hereinafter called Senators; six Senators-at-large; the president; the president-elect; the past-president; the chair of the Senate Committee on Committees and Nominations (COCAN); the secretary; the Dean; and one undergraduate and one graduate representative selected by the duly authorized University student governments. Academic programs without representation as defined in this section may each send a non-voting representative to the Senate by filing a request with the Senate Executive Committee.

3. Senators shall be full-time faculty with a minimum appointment of 50 percent in the College. College faculty members holding joint appointments with at least 25 percent in a given department may be a Senator for that department.

4. The term of a departmental or at-large Senator shall be two years. **Terms will be staggered so that about half the College Senate is elected to office each year.** The following requirements also will apply to the Senate:

A. Any Senator who has more than two unexcused absences from Senate meetings in any one semester shall forfeit the office.

**B. When a vacancy occurs in the position of a department or program representative, the chair/program director shall be notified, and the department/program shall elect a new representative *no later than thirty days after notification.***

C. If an at-large Senator forfeits office, the first alternate (defined as the at-large candidate with the highest, non-winning ballot count at the most recent election) shall be appointed to complete the term. If no alternate is available, **the position will remain vacant until the next election cycle.**

5. Faculty holding administrative appointments at the level of department chair or higher are ineligible for election to the College Senate.

6. Senators must be elected through secret ballot among eligible members of their department/program as defined in its bylaws. Such elections shall be held before the end of the spring semester of each year with the term of office beginning the following September.

7. To be eligible for at-large Senate seats, a faculty member must meet the requirements of section III.2. COCAN will prepare a slate of candidates for these positions, and the total number of nominees **should, if feasible, be** more than the number of at-large positions to be filled. The name of any eligible College faculty member who has communicated to the COCAN chair willingness to stand for election shall appear on the ballot. Elections will be held in April of each year with the term of office beginning the following September. COCAN shall prepare, distribute, and count the ballots (whether paper or electronic), and shall announce the results promptly to the College Senate.

8. Meetings.

A. The Senate shall meet at least twice each semester during the academic year, one of which shall occur in May, when elections shall be held. Meetings of the Senate shall be open to all members of the University community and invited guests. The Dean may assign an administrative assistant to aid the Senate when needed as determined by the Executive Committee and in consultation with the Dean.

B. Ordinarily, the Senate shall meet the 3rd Monday of each month during the regular fall and spring semesters (September, October, November, December, February, March, April, and May). The Executive Committee shall prepare a list of the dates for the following academic year and present them to the Senate for ratification at the May Senate meeting. If changing these meeting dates is required or preferable due to inclement weather or other unforeseen circumstances, the Executive Committee shall determine the alternative date by majority vote and promptly inform the Senators.

9. Procedures for the College Senate.

A. A quorum in the Senate shall consist of a majority of Senators.

B. Only elected Senators, or in their absence formally designated departmental alternates, may act as official members of the Senate. To designate an alternate, an elected Senator must provide the secretary of the Senate or the president the name of

the designated alternate before the relevant Senate meeting takes place.

C. The Senate shall establish or amend its rules of procedure by a two-thirds majority of those voting yes or no, provided that any proposed change be presented in writing to the Senate at least one month before its consideration.

D. In cases not addressed by the rules of procedure set out in these bylaws, Robert's Rules of Order Newly Revised shall be the parliamentary authority.

E. The president of the Senate shall appoint a parliamentarian, subject to confirmation by the Executive Committee, whose responsibilities will be to advise the president in procedural matters during meetings.

F. The Senate approves motions with majority vote of those present and voting either yes or no.

10. The Senate may make recommendations regarding any matter of interest to the Dean or to the College faculty. The College faculty shall have the right of reconsideration of motions by petition, which means that at least fifteen percent of full-time College faculty members must petition the Senate within two weeks of publication of the Senate minutes that announced approval of the motion. Confirmation of such a Senate motion must be made by an email ballot vote of the College faculty. COCAN shall distribute ballots to the College faculty within two weeks of receipt of the petition, and they must be returned within two weeks of the receipt of the petition. The motion will pass if approved by more than half of the College faculty voting yes or no.

11. Matters may be brought before the Senate by the Dean, Senators, and officers, or at the request of College faculty members through Senators or officers.

12. Officers.

A. The Senate officers shall consist of the president, the president-elect, the past president, the secretary, and the chair of **COCAN**. **Each** serves a one-year term. The president-elect will become the president of the Senate for the academic year following the term as president-elect.

B. The COCAN Chair and president-elect will be elected in the Senate's last regularly scheduled spring meeting. Nominations for these positions may be made from the floor or in writing to COCAN. The ballot **shall, if feasible, consist** of at least two nominees for each position. The name of any eligible College faculty member who wants to stand for election shall appear on the ballot. In the event three or more nominees are seeking an office, and if in the balloting no individual receives a majority, the subsequent ballot will be between the two nominees receiving the highest plurality.

C. If a vacancy occurs before an officer's term has expired, a special election shall be held. The replacement officer then shall serve out the remainder of the unexpired term.

13. Officers' Duties.

A. The president of the Senate shall preside over Senate meetings. In his/her absence, the president-elect shall preside.

B. The president may assign duties to the president-elect.

C. The secretary shall take minutes at all College Senate and College Faculty meetings and shall be responsible for their prompt distribution.

#### 14. Senate Executive Committee.

A. The Executive Committee shall consist of the president, the president-elect, the secretary, the past president, the Dean, the chairs of the committees on Promotion and Tenure and Educational Affairs, and the chair of COCAN.

B. The president of the Senate shall chair and conduct meetings of the Executive Committee and will keep a record of official actions.

C. The Executive Committee shall have the following authorities and responsibilities:

i. to establish the agenda for Senate meetings;

ii. to refer appropriate matters to a standing committee of the Senate;

iii. to call special meetings of the Senate;

iv. to make recommendations to the Senate for action on any matter related to the College;

v. to investigate any condition that could affect the College's academic freedom or that of any of its members. The Committee shall report its findings to the College faculty and College Senate;

vii. to discharge any other responsibility or authority that the Senate assigns to the Executive Committee.

E. At the request of at least three members of the Executive Committee, the Committee will convene, for the purpose of discussion only, a meeting without the Dean or any other College administrators present.

#### 15. Standing Committees of the Senate.

A. Senate standing committees shall deal with questions of policy and procedure in their areas of jurisdiction.

B. A committee chair may form subcommittees of Senate standing committees as necessary.

C. Senate standing committees may initiate matters within their respective committee

jurisdiction.

D. Terms of service on standing committees shall be two years and should be staggered so that no more than a simple majority of the committee will be appointed each year. Members may serve more than **one term, except** for the special condition described for the Committee on Promotion and Tenure in section 15.I.iii.

E. COCAN shall constitute standing committees. Their new members shall be confirmed no later than the beginning of the fall semester.

F. The Chair of COCAN shall replace a committee member who is on sabbatical or other leave with someone who will serve out the unexpired term of the original appointee.

G. Those who serve on standing or *ad hoc* Senate committees are not required to be College Senators, but they must be members of the College faculty.

H. Those who serve in an administrative position at or above the level of department chair or academic program director (as defined in the Policy Guide for Department Chairs and Academic Program Directors) may not serve on standing committees, but may serve on *ad hoc* Senate committees when their expertise is deemed necessary.

I. Committees shall have 30 business days (during regular fall and spring semesters) to act upon business items forwarded to them. If the committee cannot address an item within that time frame, the committee chair shall formally communicate to the originator of that business item the reason for the delay and the time frame by when the committee's action will occur.

J. The Standing Committees are:

i. The Committee on Committees and Nominations. COCAN shall consist of five faculty members and have at least one representative from each of the four portfolios in the College, to include Natural Sciences, Social Sciences, the Arts, and the Humanities.

a. COCAN shall conduct officer elections as mandated in section III.12.B.

b. COCAN shall conduct elections for at-large Senators as mandated in section III.7.

c. COCAN shall select all committees members except for the Executive Committee. COCAN will recommend the chairs of the committees subject to Senate confirmation.

d. COCAN should complete its staffing of committees for the new academic year by the end of the preceding spring semester.

e. To ensure the timely appointment of committees, the chair of COCAN will request nominations from all College faculty at the beginning of the

spring semester.

ii. The Committee on Educational Affairs. The committee shall be composed of seven faculty members, including a minimum of two from the Natural Sciences, two from the Social Sciences, one from the Arts, one from the Humanities, and also a voting member of the Dean's office assigned by the Dean. (This language is not meant to suggest that members can only be selected from any particular department or program.) This committee shall review and evaluate:

- a. courses and curricula;
- b. new or provisional College-wide academic policies and degree requirements;
- c. changes in the structure of academic programs;
- d. developments in teaching and curricula that may affect the College; and
- e. other matters related to educational affairs.

**iii. The Committee on Promotion and Tenure. The committee shall consist of nine faculty members at the rank of associate professor or higher, including one CT faculty member from any portfolio and eight tenured faculty members. The tenured faculty members shall include two members from each of the following portfolios: the Natural Sciences, the Arts, the Humanities, and the Social Sciences.** No College department/program shall have more than one member on the committee, and the chair of the committee shall be a full professor. The membership of the committee shall reflect, to the greatest degree practicable, the diversity of the College in terms of academic disciplines, gender, and ethnicity. Terms of service for this committee shall be two years and are not renewable. Members may not serve again until two years have elapsed. This committee shall:

- a. maintain oversight of departmental criteria for promotion and tenure and notify departments when criteria are vague or insufficient;
- b. represent the College faculty in reviewing promotion and tenure dossiers;
- c. recommend changes to College promotion and tenure policies and criteria for the Senate's consideration; and
- d. address other matters related to promotion and tenure.

In carrying out its duties, the committee will communicate its recommendations to the Dean in writing.

iv. The Committee on Advisement and Retention. The committee shall be comprised of four faculty, two students, and a representative from the College's Office of Undergraduate Academic Services. This committee shall, in consultation with faculty and department officials,

a. propose ways to improve and maintain the quality of academic advising in the College and the University; and

b. identify educational issues and needs related to the retention of students or specific student populations.

v. The Grade Grievance Committee. This committee shall be composed of five faculty members. In the event of a grade grievance, the Dean shall appoint three of those members and two students to a hearing panel in accordance with the UD Student Guide to University Policies. The panel shall then conduct the hearing by the procedures set forth in the Guide.

vi. The Committee on Faculty and Student Awards. This committee shall consist of five faculty members. It shall review nominations for College excellence awards in teaching, scholarship, advisement, and service, and shall convey its recommendations to the Dean, who shall present the awards on behalf of the College.

vii. The Committee on Diversity and Inclusion. The Committee shall advise the Dean regarding recruitment and retention of minority faculty. The Committee shall work with the Dean and the College Senate to develop programs and activities that will enhance the diversity of the College faculty.

16. *Ad hoc* Senate committees may be formed by the Executive Committee or the Senate to consider business outside the jurisdiction of the standing committees. Such actions require a majority vote of the Executive Committee or the Senate. With the consent of the Senate, the Executive Committee may select chairpersons and members of *ad hoc* committees from the faculty.

#### IV. College Faculty Meetings

1. The Dean or the College Senate may call a College-wide faculty meeting at any time for informational or discussion purposes. If the College faculty believes a College-wide faculty meeting is necessary to conduct business outside the College Senate, it may be called by a petition signed by at least fifteen percent of the full-time College faculty, which will then be presented to the secretary of the College Senate. At these meetings the faculty shall automatically assume all the powers vested in it under Article I of these Bylaws.

2. The Dean of the College shall chair such College-wide faculty meetings. An Associate Dean or Deputy Dean shall preside in the absence of the Dean or when the Dean takes the floor to participate in debate.

3. The secretary of the College Senate shall also serve as secretary of the College faculty and shall distribute the agenda and keep minutes of general College faculty meetings. The agenda of such a meeting shall be confined to the topic(s) announced in the petition for the meeting.

4. A quorum shall consist of one-quarter of the voting membership of the College. Motions are approved by a majority vote of eligible College faculty present and voting either yes or no.

5. A College faculty ballot may be called for on any nonprocedural motion by a one-third vote at any time during the meeting. The ballots shall be prepared, distributed, collected, and counted by COCAN in cooperation with the secretary of the College Senate.

6. Motions acted upon by the College Senate but not previously acted on in a College faculty meeting may be introduced as old business, provided the College faculty receives written notification of the motion in the call to the meeting. Such motions shall appear first on the agenda.

#### V. Departments

The department, as established by the Board of Trustees, is the basic organizational unit of the College. Proposals to add, abolish, combine, move, or split departments of the College shall, after full consultation of all the members of the groups directly concerned and a positive vote by those groups, be referred by the Dean to the Senate for review and recommendations. Senate recommendations shall then be forwarded to the University Faculty Senate for consideration.

#### VI. Election of University Faculty Senators

1. If the number of University Faculty Senators allotted to the College equals the number of departments/programs, then each department/program shall elect a Senator from its area.

2. If the number of University Faculty Senators allotted to the College exceeds the number of departments/programs, then Senators beyond those allotted to departments/programs shall be elected by the at-large election process outlined in Section III. 7.

3. If the number of University Faculty Senators allotted is less than the number of departments/programs, those departments/programs with the most full-time faculty will have priority. If a department/program is not allotted a Senator, then its faculty shall be joined with the next lowest number, or any department in the same portfolio that agrees to do so (by formal departmental faculty vote for collectively electing a Senator.)

#### VII. Amendments and Implementation

These bylaws may be amended at a College Senate or faculty meeting, provided previous notice of intention to amend has been given in the call for the meeting in which proposed amendments are to be considered. In either case, of the votes cast yes or no by Senators or faculty, two-thirds in approval is required to amend the bylaws.

Bylaws adopted December 1969, including amendments and revisions of March and April 1972, February 1974, May 1974, 1976, and 1977, June 1980, May 1982, September 1983, May 1984 and 1985, November and December 1989, March, April, May, September, October, November of 1990, June 1992, June, September of 1994, May of 1996.

The current College Senate Bylaws were adopted in May 2002, and revised in September and October

2002; April 2003; October 2008; May 2009; October 2009; April 2011; May 2012; April 2015; May 2015; September 2015; April 2016.