Constitution of the College of Education and Human Development

Preamble

The mission of the University of Minnesota College of Education and Human Development is to contribute to a just and sustainable future through engagement with the local and global communities to enhance human learning and development at all stages of the life span.

In keeping with this mission, the College plays a significant role in supporting the University’s commitment to its roles as an urban, public, land-grant, research institution.

Pursuant to Section 10 of the University of Minnesota Charter (Territorial Laws 1851, Chapter 3), "The immediate government of the several Departments shall be entrusted to their respective Faculties," and to Article I of the University Senate Constitution (approved by the Board of Regents), "Consistent with actions and policies by the regents of the University of Minnesota, all matters relating to the educational and administrative affairs of the University are herein committed to the president, the Faculty Senate, the University Senate, and the several faculties," the College of Education and Human Development adopts this constitution.¹

¹ Constitutional commentary: both the University charter and the regentally-approved University Senate constitution make clear that the governors of the institution, under the authority of the Board, are the administration and the faculty. The drafters of the constitution also took note of the University Senate policy, adopted in 2003 and approved by the University administration in 2005, which provides, inter alia, that "The regular faculty, as defined in the Board of Regents policy on Faculty Tenure, shall hold the primary responsibility for governance in tenure-granting units. This responsibility shall include governance of the unit in research policy, curricular policy and degree requirements, and academic personnel allocation, in consultation with the dean, chair or head of the department" and "Governance mechanisms that provide for participation by all appropriate groups in the decision-making processes of the unit shall be established, subject to the primary responsibility of the regular faculty within the unit with respect to the matters identified above." This constitution acknowledges the legal framework established by the charter and the Senate constitution and the provisions of the Senate policy, and at the same time provides appropriate and effective voice for the staff and students.
The purpose of this constitution is to provide a framework that enables the members of the college to work collaboratively to fulfill the college mission and that defines the roles of the members of the college in the initiation of recommendations, formulation of decisions, and communication of the basis for decisions to those affected.

This constitution is not part of the employment contract between the University and its employees. It does not establish terms and conditions of employment. All conditions not covered in this constitution are governed by University policies and procedures. Nothing in this constitution will be construed to conflict with Board of Regents' or University policies, nor will its provisions be construed to conflict with accreditation requirements of any department or program.\(^2\)

**Article I. General Powers**

All matters related to the educational and administrative affairs of the college are committed to the dean and the college faculty, as delegated by the Board of Regents. All matters related to education, research, outreach and community engagement, and academic personnel are the responsibility of the faculty (as defined in Article III(1)(a) and (b) and the dean; all matters related to the general administrative affairs of the college are the responsibility of the dean, the members of the college, and the College Assembly.

In general the meetings of all committees established by this constitution will hold open meetings. Except for the Assembly, any committee established by this constitution may, by majority vote of those present at a meeting, close all or a

\(^2\) Constitutional commentary: Department is defined in Article V.
portion of a meeting. The chair of the committee has the authority to determine who may remain in the meeting when a vote to close it has occurred.

Article II. The Dean

Section 1. Appointment. The dean will be appointed in the manner prescribed by the Provost and Senior Vice President for Academic Affairs. The College Consultative Committee and the Faculty Consultative Committee expect to be involved in the search and selection process in an appropriate manner, including periodic appraisal on the conduct of the search and interviews with final candidates. The college expects that the dean will be or will become a tenured member of the faculty in one of the departments of the college. The college expects that a majority of the search committee will be faculty members (whether from within or outside the college) and that the provost will not, except under compelling circumstances, consider a candidate for dean over the objections of a majority of the Faculty Consultative Committee (defined in Article IV(3)).

Section 2. Accountability. The dean is ultimately accountable for the quality of the faculty and the programs of the college.

Section 3. Duties and Authority. The dean has general administrative authority over the college’s affairs and will:

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3 Constitutional commentary: there are several groups established by this constitution with various names, including council and committee. The generic term describing these groups in this constitution is "committee."

4 Constitutional commentary: at the time this constitution was adopted, the University's General Counsel had ruled that only meetings of the Board of Regents are subject to the state's open meeting law, so committees and other groups established by this constitution may close their meetings. This constitution, however, requires that Assembly meetings be open.

5 Constitutional commentary: this constitution puts the final authority for all decisions in the hands of the dean. The University's delegations-of-authority policy locates authority for a college in the dean, and the dean will be evaluated on the health and well-being of a college. Where there is responsibility and accountability there must also be authority. The dean may delegate certain responsibilities to others in the college, but the dean will nonetheless be held responsible for actions taken.
a. Provide leadership in formulating policies and implementing procedures to strengthen the college’s teaching and learning, research and discovery, and outreach and engagement activities;
b. Appoint chairs of departments and directors of collegiate centers, following consultation with the members of the department or center;\(^6\)
c. Appoint associate and assistant deans and other college officials, following consultation with the College Consultative Committee, delegating to them responsibility to assist in the discharge of certain duties and authorities of the dean as may be necessary or convenient. (See also Article V.)\(^7\)
d. Make recommendations to the Senior Vice President for Academic Affairs and Provost concerning faculty appointments and salaries following consultation with the department chair and faculty members
e. Be responsible for developing and periodically reviewing departments and other programs on his or her initiative and as may be required by University policy;
f. Exercise final authority over preparing the college’s annual budget and make recommendations on it to the appropriate University officers, following

\(^6\) Constitutional commentary: as used in this constitution, the term "consultation" generally means discussions or meetings in order that all the parties involved talk with each other and understand one another's views, even if they do not agree. It also means that the individual or group charged to engage in consultation will identify and seek out appropriate individuals and groups with whom to consult, with "appropriate" in this context implying a broader rather than narrower reach, suggesting consultation will not be confined to a small circle of individuals who may or not be representative of the groups that would be affected by the decision about which the consultation is to occur. "Consultation" also means that the discussions about a matter will take place before a decision has been made. "Consultation" does not mean email or other electronic exchanges are the sole means of communication. Finally, "consultation" does not mean that the individuals or groups being consulted have final authority, or veto power, over the decision; it only means that their voices will be heard.

\(^7\) Constitutional commentary: the provost's office has cautioned that a college constitution may not restrict the authority of a dean to appoint assistant and associate deans and other administrative officers that he or she deems necessary to the effective operation of the college. This constitution does not restrict the dean's authority but does create expectations for consultation when significant administrative positions are created and when individuals are appointed to those positions.
consultation with the department chairs, the directors of centers, and the
College Consultative Committee;
g. Maintain regular communication with faculty, staff, students, and other
c constituencies about the current status of college programs and changes
under discussion;8
h. Serve as the primary channel of communication for official college business
and to other University authorities;
i. Appoint such advisory committees as he or she deems necessary;
j. Make such recommendations as are necessary to the President and to the
Senior Vice President for Academic Affairs and Provost;
k. Lead efforts in fund raising and development.
l. Take any other actions necessary and appropriate to maintain the quality of
the college and advance the achievement of its mission, in consultation with
the College Consultative Committee.

Section 4. Review. Review of the dean will take place in the manner prescribed
by the Senior Vice President for Academic Affairs and Provost. The College
Consultative Committee and the Faculty Consultative Committee expect to be
involved in the review and expect that a review will take place no later than three
years after the initial date of appointment. The college also expects that the
department chairs and center directors will be consulted during the review.

Article III. Members of the College

Section 1. The Faculty

The faculty consists of three groups.

a. Tenured and Tenure-Track Faculty. The faculty includes faculty members
who hold tenured or tenure-track appointments of 67%-time or greater who are
budgeted in departments in the college. It also consists of members on leave or on

8 Constitutional commentary: when the term "staff" is used without a modifier, as
in "faculty, staff, and students" or "staff and students," it encompasses both P&A
appointees and CS/BU staff—the non-faculty employees of the College.
phased retirement, the dean, and associate and assistant deans holding tenured or tenure-track appointments.\(^9\)

Faculty members holding tenured and tenure-track appointments as defined in Board of Regents policy *Faculty Tenure* have primary responsibility for governance, research policy, curricular policy and degree requirements, and academic personnel allocation within their departments, in consultation with the dean or chair of the unit.

b. **Contract Faculty** The faculty also includes contract faculty (non-tenure-track, non-tenured) who hold appointments of 67% time or more and who are budgeted through the departments, centers, or the Office of the Dean for teaching and learning, research and discovery, and outreach and engagement, and extension faculty members not covered by Article III(1).

Contract faculty may be appointed in departments, in college-wide centers, or in the dean's office.

The total number of contract faculty in the college may not exceed 20% of the total number of tenured and tenure-track faculty in the college.

c. **Other Faculty.** The faculty also includes adjunct, visiting, and temporary faculty members, and contract faculty members who have appointments of less than 67% time. Adjunct faculty may come from another college in the University or from outside the University. Faculty members holding adjunct, visiting, and temporary appointments, and those holding appointments of less than 67% time may not be elected to the Assembly as voting members nor are they counted in meeting voting requirements set forth in various places in this constitution. Other faculty may speak at meetings of the Assembly and they may serve on departmental and college committees. Departments may grant voting rights to

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\(^9\) *Constitutional commentary:* at the time this constitution was adopted, the Board of Regents policy *Faculty Tenure* required that a faculty member must hold an appointment of at least 67% time in order to hold tenure. University rules also provided that any employee must have an appointment of at least 75% time to quality for full fringe benefits. For the purposes of this constitution, because the Board of Regents policy uses 67% time for tenure, 67% time is the standard for determining eligibility for voting and various levels of participation in the committees established herein.
other faculty on all matters except where such voting rights would violate Board of
Regents policy Faculty Tenure, hiring decisions about faculty defined in section 1
of this Article III, or in matters related to hiring and promotion of faculty defined
in section 2 of this Article III.

This section III(1)(c) is not to be construed to be in conflict with Article IV(2)(c).
Faculty members appointed by the dean to a department placed in receivership will
have full voting rights irrespective of their other status in the University.

d. The faculty of the college defined in sections 1(a) and (b) of this Article III
have the authority to meet alone, without the presence of the dean, any other
college or university administrators, and with guests of their choosing or without
any guests. For the purposes of this section, "faculty" does not include faculty
members who hold decanal appointments of any kind. Department chairs may be
excluded from such a meeting by majority vote of those present. A meeting of the
faculty may be called by majority vote of the Faculty Consultative Committee or
on petition from any eight members of the faculty eligible to vote for members of
the Faculty Consultative Committee.

e. The faculty of the College, by majority vote, may petition the Senior Vice
President for Academic Affairs and Provost to remove the dean. Any faculty
member in the college may take the responsibility for organizing and submitting
the petition.¹⁰

f. The college's representatives to the Faculty Senate will be elected from among
the faculty defined in sections 1(a) and (b) of this Article III and those P&A
appointees who are designated as "faculty-like" according to the definition
established by the Faculty Senate constitution (in its Article IV, Section 2(d)). The
Faculty Consultative Committee will serve as the nominating committee for
Faculty Senate candidates and will nominate at least twice as many individuals for
each seat as there are seats open for election. Elections will be held during spring
semester and the dean's office is responsible for conducting the election.

¹⁰ Constitutional commentary: it is to be noted that the faculty of a college do not
have the authority to remove a dean; that authority rests with the provost, the
president, and the Board of Regents.
All faculty members defined in sections 1(a) and (b) and all P&A appointees who meet the Faculty Senate constitution definition of "faculty-like" are eligible to vote in elections for members of the Faculty Senate.\(^{11}\)

All faculty members are subject to the provisions of the Board of Regents policy Faculty Tenure.

Section 2. Academic Professional and Administrative Staff

The academic professional and administrative (P&A) appointees consist of professional personnel with appointments of 67\% time or greater who are budgeted in departments, centers, or the Office of the Dean who carry out the research, teaching, and service functions of the College; administrative personnel who are involved in policy development or execution or in directing, coordinating, or supervising activities in the college; and P&A appointees on special program

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\(^{11}\) Constitutional commentary: the college has an environment and tradition of considering as faculty its highly-respected and long-serving P&A appointees who teach or do research. The policies of the University, however, are clear that there are only three categories of faculty: "Regular" faculty (tenured and tenure-track as defined in Board of Regents policy Faculty Tenure), "Term" faculty (non-tenure-track faculty, such as contract, temporary, and visiting), and "Adjunct" faculty (either from within or outside the University). The University also recognizes "Academic Staff" (P&A appointees) who may carry out faculty responsibilities in teaching, research, or service (or outreach or community engagement). Those on faculty appointments, whether Regular, Term, or Adjunct, do not hold Academic Staff appointments, and Academic Staff members do not hold faculty appointments.

This constitution aligns with the provisions of University policy with respect to who is designated as faculty and who as staff. However, in the bylaws setting forth the membership of the Faculty Consultative Committee (defined in Article IV(3)), the P&A appointees who carry out faculty responsibilities as their primary responsibility are represented on the committee. The definition of P&A appointees who are eligible to serve on the Faculty Consultative Committee and otherwise be recognized in this constitution or by the college because they carry out faculty responsibilities does not conform to the definition of "faculty-like" P&A appointees who are eligible for election to the Faculty Senate—nor is it intended to conform to that definition.
appointments in the college. All P&A appointees, including those who are on leave, are eligible to serve on college and department committees.

Some P&A appointees are responsible for duties also carried out by the faculty. Those P&A appointees are eligible for election to the Faculty Consultative Committee. At least 67% of the work for which a P&A appointee is responsible must be faculty work in order for that individual to be eligible for election to the Faculty Consultative Committee. Department chairs will determine which P&A appointees are eligible for election to the Faculty Consultative Committee. The dean, in consultation with center directors, will determine which P&A appointees employed in a college-wide center will be eligible for election to the Faculty Consultative Committee.

P&A appointees with appointments of less than 67% time are not counted in meeting voting requirements set forth in various places in this constitution, but they may speak at meetings of the Assembly and they may serve on departmental committees and college committees whose membership is not prescribed by this constitution and bylaws.

Section 3. Civil Service/Bargaining Unit Staff

The civil service/bargaining unit (CS/BU) staff consists of all civil service/bargaining unit staff with appointments of 67% time or greater who are budgeted through units of the college. All CS/BU staff are eligible to serve on college and department committees.

CS/BU staff members with appointments of less than 67% time are not counted in meeting voting requirements set forth in various places in this constitution, but they may speak at meetings of the Assembly and they may serve on departmental and college committees whose membership is not prescribed by this constitution and bylaws.

Section 4. Students

The student constituency consists of all students who are actively enrolled in an academic program (including pre-majors) offered by the college.

Article IV. Governance
Faculty, staff, and students are expected to participate in the affairs of the college, including its governance mechanisms and committee structure. Representatives from these groups will serve on college committees and will be chosen according to procedures specified in the bylaws.

All members of the college are governed by Board of Regents and University administrative policies.

**Section 1. The College Assembly.** The College Assembly serves as a forum for faculty, staff, and students to discuss important college-wide issues as well as an occasion to celebrate accomplishments and honors. The dean will be given the opportunity to present an annual state-of-the-college address at the Assembly.

All members of the college are members identified in Article III are members of the Assembly.

**Section 2. College Consultative Committee.**

The College Consultative Committee is the elected representative consulting committee of the college. The committee sets its own agenda, but will, upon request from the dean, college committees, constituents, or upon its own initiative:

a. Review and make recommendations to the dean on policies affecting the college as a whole, including but not limited to college administration, human resources, admissions, teaching, service, academic standards, educational policies not within the purview of the Curriculum Council, research issues and policies, and reviews of departments and centers;

b. Review the college’s progress in operationalizing its mission; and

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Constitutional commentary: apropos of these sections 2 and 3, the structure may appear to create potentially burdensome additional meetings for faculty and staff members. The College Consultative Committee and the Faculty Consultative Committee, however, replace the Governance Council in the previous constitution, so these provisions do not call for more meetings than occurred prior to the adoption of this constitution. It is assumed that the College and Faculty Consultative Committees will, when convenient, hold consecutive meetings. These provisions are intended to clarify the roles and responsibilities of college consulting groups.
c. Consult with the dean on budgeting, strategic planning and the compact process, collaborations with state, national and international groups, and such other matters that the committee and the dean agree upon.

Section 3. Faculty Consultative Committee.

a. The Faculty Consultative Committee is the elected representative body of the faculty. The committee consults with and advises the dean on faculty personnel and workload issues and policies and other matters at its discretion.

b. The Faculty Consultative Committee is responsible for the implementation of all educational policies, including those adopted by the Curriculum Council. The committee may submit any educational policy question to the faculty of the college for an advisory vote. When the Faculty Consultative Committee discusses educational policies, curriculum, or programmatic change, the chair of the committee will consult with the chairs of the Curriculum Council and the Educator Preparation Policy Council.\textsuperscript{13}

Section 4. Professional and Administrative Council. The Professional and Administrative Council is the elected representative committee of Professional and Administrative appointees. It will serve in an advisory role to the dean on matters concerning P&A appointees that are under the jurisdiction of the college and on any matter of college policy relevant to academic/administrative professional appointees. The Council oversees and advises on policies and procedures regarding promotion of P&A appointees and will carry out ad hoc tasks as requested by the dean.

\textsuperscript{13} Constitutional commentary: there is no expectation that the Faculty Consultative Committee is to oversee the Curriculum Council. The intention is that the Faculty Consultative Committee will be helpful to the Curriculum Council in that it will be responsible, along with the council, for making sure the policies are followed. The language does not grant the Faculty Consultative Committee the authority to adopt curriculum policy; that is reserved to the council. This provision does allow the Faculty Consultative Committee to submit any curriculum policy to a college-wide faculty vote if that policy is perceived to be causing division or consternation or alarm.
P&A appointees with faculty responsibilities who are eligible to vote for candidates for, and serve on, the Faculty Consultative Committee are not eligible to vote for or serve on the Professional and Administrative Council.\textsuperscript{14}

**Section 5. Staff Council.** The Staff Council is the elected representative body of Civil Service/Bargaining Unit staff and has responsibility for all matters of concern to those staff. It will serve in an advisory role to the dean on matters concerning CS/BU staff that come under the jurisdiction of the college. Bargaining Unit staff representation will be subject to contract specifications.

**Section 6**

a. **Graduate Students in Education and Human Development.** Graduate Students in Education and Human Development represents graduate and professional students and seeks to improve the quality of students’ academic, professional, social, and personal development while studying in the college, acts as liaison between the students and the faculty and administration of the college, advocates the incorporation of student views and opinions in the formulation of policies and procedures governing the college and the University of Minnesota, and promotes and funds student-initiated academic, professional, personal development and social programs. Graduate Students in Education and Human Development may establish its own constitution, bylaws, and operating practices, which may not conflict with this constitution and bylaws.

b. **College of Education and Human Development Undergraduate Student Board.** The Undergraduate Student Board represents undergraduate students and organizations in the college, seeks to enrich undergraduate students’ learning experience, provides academic-related services to college staff and students, and provides leadership opportunities to undergraduate students in the college. The Undergraduate Student Board may establish its own constitution, bylaws, and operating practices, which may not conflict with this constitution and bylaws.

**Section 7. Constitution Committee.**

a. The Constitution Committee will interpret the provisions of this constitution when questions arise. Questions may be referred to the Constitution Committee from any source. The Constitution Committee will issue written interpretations which will become binding once distributed to the faculty for comment, reviewed

\textsuperscript{14} *Constitutional commentary: in other words, there is no "double dipping."*
by the College Consultative Committee, and approved by the dean. Approved
interpretations will be incorporated in the Constitution.

b. Should any faculty or staff member or student object to an interpretation and so
indicate to the dean, the Constitution Committee will review the decision, consult
with any who may object, and forward a further recommendation to the college
Consultative Committee and the dean.¹⁵

c. The Constitution Committee may also issue Constitutional Commentary,
language explaining legislative history and intent that does not interpret the
Constitution. Constitutional Commentary is not binding.

Section 8. Promotion and Tenure Committee.

a. The Promotion and Tenure Committee is (1) responsible for reviewing the
dossiers of (a) probationary faculty members being considered for promotion to
associate professor and awarded tenure, (b) associate professors being considered
for promotion to professor, (c) faculty members hired as associate professors or
professors with tenure, and (d) faculty members hired as associate professors or
professors without tenure and subsequently recommended for tenure or
termination, and (2) advising the dean on whether a candidate should be granted
tenure or promoted or, as applicable, both. The committee will review materials
and circumstances in any extraordinary cases related to promotion and tenure (e.g.,
early termination of a probationary faculty member) and provide advice to the
dean. Only (full) professors with tenure may serve on the Promotion and Tenure
Committee.

b. Selection of Promotion and Tenure Committee members and procedures the
committee uses are set forth in College of Education and Human Development
Promotion and Tenure Review Procedures.

Section 9. Chairs Committee. The department chairs will meet regularly,
including with the dean. Part of the agenda of each meeting will be set by the
dean, to bring issues for discussion, and part of the agenda will be set by the Chairs
Committee. The Chairs Committee has the discretion to conduct part of its
meeting without the presence of the dean or any other guests. The chairs will

¹⁵ Constitutional commentary: the Constitution Committee may change the
interpretation in light of the objection or it may conclude that its initial
interpretation should stand.
determine the selection of a chair, who will be responsible for convening meetings and determining the agenda, in consultation with the other chairs.\textsuperscript{16}

**Section 10. Curriculum Council.** The Curriculum Council will:

a. Establish policies and provide leadership and guidance on educational issues of concern to faculty, students, and administration;

b. Review and make recommendations concerning new, changed, or discontinued courses, and new discontinued, or changed academic programs (majors, minors, and certificates).

c. Conduct reviews of curricula and academic programs as required or appropriate, alone or in conjunction with external reviews, University reviews, and as determined by the college.

**Section 11. Educator Preparation Policy Council.** Educator preparation programs include all programs that are approved by the Minnesota Board of Teaching, the Board of School Administrators, or the Minnesota Department of Education, for teacher and administrative licensure. Educator programs also include school-based personnel such as counselors and school social workers. The council reviews and approves curricula associated with licensure programs prior to Curriculum Council review, creates policy to ensure program quality, makes recommendations to the dean on new initiatives in educator preparation, and provides leadership for program accreditation processes. The responsibilities of the Educator Preparation Policy Council are enumerated in the bylaws.

**Section 12. Student Disputes**

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\textsuperscript{16} Constitutional commentary: as was the case when this constitution was adopted, it is expected that the chairs and the dean will continue to have regular meetings, typically monthly. It is expected that the dean will bring matters for consultation, that the chairs will raise issues for discussion with the dean, and that the chairs, at their discretion, may choose to meet alone. The establishment of the Chairs Committee does not signify an increase in the number of meetings the chairs or the dean are expected to schedule.
a. **Student Scholastic Standing Committee.** The Student Scholastic Standing Committee carries out responsibilities established by University administrative policy.\(^{17}\)

b. For all other student disputes, the matter will be handled in accord with applicable University policies and procedures.\(^{18}\)

**Section 13. Grievances.** When a faculty or staff member has a grievance or dispute that cannot be resolved informally without assistance from outside the college, the matter will be handled in accord with applicable University policies and procedures.\(^{19}\)

**Section 14. Secretary to the College.**

a. The Secretary to the College is responsible for monitoring adherence to the provisions of this constitution and advising the dean when the college may not be doing so. The secretary is also responsible for ensuring that the elections required by the constitution and bylaws are conducted, for ensuring that appointments required are made, and for advising the dean on college adherence to its own and University policies.

b. The Secretary to the College is appointed by the dean following consultation with the College Consultative Committee, serves until replaced (at the discretion of

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\(^{17}\) Constitutional commentary: at the time this constitution was adopted, the committee dealt with academic probation and suspension, per the policy Academic Probation and Suspension for Undergraduate Students.

\(^{18}\) Constitutional commentary: at the time this constitution was adopted, disputes related to the Board of Regents policy Student Conduct Code are brought to the Office for Student Conduct and Academic Integrity. Student academic matters in dispute should follow the provisions of the policy Addressing Student Academic Complaints. All other disputes involving students should be brought to the Student Conflict Resolution Center.

\(^{19}\) Constitutional commentary: in the case of a faculty or staff (or external) grievance, the dean’s office will ensure that those who are involved will contact the Office for Conflict Resolution, the chair of the Senate Judicial Committee (in the instance of faculty members alleging violations of the Board of Regents policy Faculty Tenure), the Office of the General Counsel, and other University offices as appropriate (e.g., Office of the Vice Provost for Faculty and Academic Affairs, Office of Human Resources).
the dean), and serves as an ex officio member of the College Consultative Committee, the Faculty Consultative Committee, and the Constitution Committee.

**Section 15. Formation and Dissolution of Other Committees.** The dean and the College Consultative Committee jointly or the dean and the Faculty Consultative Committee jointly may establish and dissolve additional committees beyond those established by this constitution. Such additional committees will have a written charge and will be appointed through processes outlined by the College Consultative Committee or the Faculty Consultative Committee, as appropriate, and approved by the dean.

**Section 16. Policy Adoption.** The college may adopt policies that do not conflict with policies of the Board of Regents or University-wide administrative policies and procedures. New policy proposals, proposed amendments to existing policies, or proposals to eliminate policies will be presented to the chair of the College Consultative Committee for referral to the appropriate consultative committees in the college. Any individual or governance committee in the College may propose new policy, policy amendments, or the elimination of policy. Committees asked to review policy proposals will make recommendations to the College Consultative Committee or the Faculty Consultative Committee, whichever is determined to be appropriate by the chair of the College Consultative Committee. The Faculty Consultative Committee or College Consultative Committee will make recommendations to the dean, who has final authority to approve or disapprove new policies, policy changes, or the elimination of policies. Any college committee that has reviewed any proposal may make its own separate recommendation to the dean.

**Article V. College Administration**

**Section 1. Associate and Assistant Deans.**

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20 *Constitutional commentary: that is, the University administrative policies and procedures that appear in the Uwide Policy Library.*

21 *Constitutional commentary: it is assumed that policies will be fair, transparent, effective, and efficient and will deal with matters that affect the college or the faculty as whole. If there is significant division on a major issue, the dean would usually be wise to suggest that a policy matter decision be laid over until more consensus can be achieved, if possible, unless a decision is required within a limited period of time.*
a. Positions of associate and assistant deans may be proposed as warranted by the program needs of the college. Establishment of the positions of associate and/or assistant deans are the responsibility of the dean, who will consult with the College Consultative Committee on the establishment or discontinuation of such positions. The dean may assign specific administrative duties to associate and assistant deans and may delegate executive authority to them. The dean will make known to the faculty and staff the principal areas of responsibility delegated to the associate and assistant deans.

b. Terms. Associate and assistant deans serve at the pleasure of the dean.

Section 2. Departments.

a. Definition. Departments are the basic organizational entity of the college and consist of a chair and all faculty, staff members, and students that the department may designate in accord with policies and practices of the college that have the approval of the dean. Departments may be titled as departments, institutes, schools, or other descriptors that may be adopted. All tenured and tenure-track faculty members of the College must hold an appointment in a department, appointed pursuant to the provisions of Board of Regents policy Faculty Tenure and associated University administrative policies and procedures. Departments may be identified as departments, schools, or institutes and may be organized into divisions, programs, or other subunits.

b. Changes. Proposals for change in the departmental structure must be approved by the dean of the college and will be made only after consultation with the faculty.

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22 Constitutional commentary: members of a department include, inter alia, faculty with "tenure homes" there, term and adjunct faculty, academic staff, undergraduate students majoring in a field offered by a department, and graduate students in department programs. Faculty, staff, and students could be members of more than one department (e.g., faculty who have joint appointments, students who are double-majoring). The language describing membership in a department is intentionally vague so departments have flexibility in defining their members.

23 Constitutional commentary: it is to be noted that departments and colleges do not grant tenure. Only the Board of Regents grants tenure, on recommendation from the provost. While convenience of phrasing may suggest otherwise, tenure is NOT held in a department or college; it is held in the University.
of the department(s) and the Faculty Consultative Committee, as required by Board of Regents policy *Faculty Tenure*.\textsuperscript{24}

c. Department Chair Role and Responsibilities. In consultation with the dean and the appropriate associate and assistant deans, the chairs have responsibility for coordination of teaching and learning activities (including the assignment of courses to be taught), research and discovery, engagement and outreach, and continuing education programs. Department chairs are appointed by the dean, following consultation with the members of the department, for an initial period of three years, with the possibility of reappointment for subsequent three-year terms, but serve at the pleasure of the dean. The dean will conduct written annual performance evaluations of the chairs.

The chairs will make recommendations to the dean on personnel matters and administer personnel policies after consultation with appropriate department faculty or staff in accordance with the unit’s constitution and/or bylaws.\textsuperscript{25}

The chairs will make recommendations to the dean on matters regarding department budgets after consultation with unit faculty and staff.

d. Receivership. If, in the judgment of the dean, a department proves unable to govern itself or to manage its affairs, and following consultation with the Faculty Consultative Committee, the dean may put a department into receivership. "Receivership" means the dean may appoint (1) temporary additional faculty

\textsuperscript{24} Board of Regents policy *Faculty Tenure*, section 12.1: "The University and faculty recognize that changes in academic programs are an essential part of the development and growth of the institution. These changes should be based on academic considerations and on long-term policy and planning, and may be undertaken only after consultation with the faculty, including the appropriate governance structure."

\textsuperscript{25} Constitutional commentary: this constitution does not require departments to adopt written rules or a constitution and bylaws. At the time the constitution was written, department chairs did not want a requirement that all departments have constitutions. When controversies arise, however, resolving them can be more complicated if a department only has norms and practices and little or nothing written about how it conducts its business. It is presumed that departments will have written policies and procedures of some kind.
members (from within or outside the college), or (2) a temporary chair from
outside the department, or both (1) and (2), for the purpose of restoring order.
Such appointments will be for no longer than two years. Temporary appointees
have full voting rights, including the right to vote on matters of educational policy,
promotion, and tenure. Throughout implementation of the receivership process the
dean will respect the tenure rights of faculty members as provided in Board of
Regents policy Faculty Tenure.

This section (d) does not bar the dean from appointing a chair from within the
department placed into receivership.

e. Faculty Petition. The faculty of a unit may, at any time, by majority vote,
petition the dean to remove a department head. Any faculty member in the
department may take the responsibility for organizing and submitting the petition.
Final authority to retain or remove a department head resides with the dean.

Section 3. College-wide Centers. Following consultation with the Faculty
Consultative Committee, the dean may establish college-wide research and/or
outreach and engagement centers with a multidisciplinary focus that report directly
to the dean and that have administrative and budgetary responsibilities.\(^{26}\)

Section 4. Other College Units. Following consultation with the Faculty
Consultative Committee, the dean may establish other offices or administrative
units in the college to serve purposes that are integral to the College’s mission.

Section 5. Programmatic Change. When the dean determines that academic
program change is needed, including in particular the addition, dissolution,
reorganization, or merger of academic units, programs, or centers, he or she will
consult with the College Consultative Committee, the Faculty Consultative
Committee, and, as appropriate, the Curriculum Council and the Educator
Preparation Policy Council, before making a final decision. The authority to make
programmatic change resides with the dean, subject to the provisions of Board of
Regents policy Faculty Tenure, especially section 12.

Article VI. Interpretation

\(^{26}\) Constitutional commentary: as with departments, this constitution does not
require that centers have constitutions or bylaws. It is presumed that they will
have written policies and procedures of some kind.
Final authority to interpret this constitution rests with the dean after he or she receives advice from the Constitution Committee and consults with the Faculty Consultative Committee and the College Consultative Committee.

**Article VII. Changes to the Constitution and Bylaws**

**Section 1.** Amendments. Proposed amendments to the constitution require (1) an affirmative vote by an absolute two-thirds majority of the College Consultative Committee, (2) an affirmative vote by an absolute two-thirds majority of the Faculty Consultative Committee, (3) an affirmative vote by a majority of eligible faculty casting votes, as long as more than 50% cast a vote, and (4) a majority of eligible staff voting, as long as more than 50% cast a vote. Proposed amendments to the bylaws require an affirmative vote of an absolute majority of the College Consultative Committee and an affirmative vote by an absolute majority of the Faculty Consultative Committee. Proposed constitutional and bylaw amendments will be brought, as appropriate, to academic departments, the Professional and Administrative Council, the Staff Council, the Graduate Students in Education and Human Development, and the Undergraduate Student Board for consultation before being acted on by the consultative committees and, in the case of constitutional amendments, submitted for a faculty and staff vote at least 30 days prior to any vote.

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27 **Constitutional commentary:** some college constitutions place authority for interpretations in a college assembly or its equivalent, but doing so could be troubling. What if an assembly interprets a constitution in such a way that it contravenes the dean's authority or in a way that clashes with the dean's view? The process of Article VII seems less likely to create problems and provides for final central authority.

At the time this constitution was adopted, the provost's office indicated that it did not need to approve interpretations of the constitution.

28 **Constitutional commentary:** unlike the status attained by the U.S. constitution in the eyes of some, it is not intended that this constitution be seen as sacred writ. The provisions for amending it are not unduly restrictive; it is to be a flexible document, allowing the college to be nimble in responding to changes in its practices and environment while at the same time providing a framework for consultation with faculty, staff, and students in making changes in the way it operates.
days prior to a vote. Constitutional and bylaw amendments may be proposed by any faculty member, staff member, or student in the college and should be directed to the dean for referral to the consultative committees.

The dean must approve all constitutional and bylaw amendments. The provost must approve all constitutional amendments.

**Section 2.** Clerical and Technical Changes. The dean, with the approval of the College Consultative Committee, may make clerical and technical changes to this constitution that do not change its structure, processes, authority, or responsibilities.

**Article VIII.**

**Effective Date**

Following broad consultation with faculty, staff, and students, this constitution will be in effect upon approval by (1) a majority of the eligible faculty and staff casting votes, (2) the dean, and (3) the provost. The effective date will be the date of provostal approval. Eligible faculty and staff are those defined in Article III(1)(a) and (b) and Article III(2).

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29 Constitutional commentary: the drafters assumed that constitutional and bylaw amendments will be brought to groups as appropriate (e.g., a change in the membership of the Promotion and Tenure Committee would not require attention or review by the staff or student organizations and a change in the bylaws on electing the chair of the Staff Council would not need to be presented to all academic departments and student groups). All amendments—constitutional or bylaw—will of course need to be reviewed by those who must vote on them.

30 Constitutional commentary: it is assumed that the approval process will take place in the order stipulated: vote in the college, approval by the dean, and approval by the provost.
a. The College Assembly will meet at least twice per year, once each semester, and may meet additional times at the call of the College Consultative Committee or the dean, or on petition from any 10 members of the Assembly.

b. The chair of the Faculty Consultative Committee will serve as chair of the College Assembly. The chair will designate an alternative presiding officer if he or she cannot be present at a meeting.

c. The dean and the chair and vice chair of the College Consultative Committee will set the agenda for Assembly meetings.

2. College Consultative Committee

a. The College Consultative Committee will consist of the members of the Faculty Consultative Committee, two graduate student representatives, two undergraduate student representative, three P&A representatives (who are not eligible to be members of the Faculty Consultative Committee), and two CS/BU representatives.  

b. Faculty and staff serve three-year terms. Representatives from student groups serve one-year terms. All representatives may be re-elected once to a consecutive term. Any person who has served two consecutive terms may not be re-elected to the College Consultative Committee until two years have elapsed following the end of the second consecutive term. Inaugural terms will be staggered so that approximately one-third of the members either rotate off or are re-elected each year. Members of the College Consultative Committee who miss three consecutive meetings, including from spring to fall semesters but not including summer meetings, will be considered to have vacated their seat on the committee and will be replaced.

c. The College Consultative Committee will elect a chair and a vice chair for one-year terms from among its members. The election will be held in the spring for terms of office beginning July 1. The election will be by secret ballot. To be

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31 Constitutional commentary: inasmuch as P&A appointees with faculty responsibilities are represented on the Faculty Consultative Committee, whose members serve on the College Consultative Committee, the P&A appointees on the College Consultative Committee should come from the ranks of those who do not have faculty responsibilities.
elected, a candidate must receive an absolute majority of the votes of those present
and voting at the meeting at which the election takes place. Anyone serving as
chair or vice chair may be re-elected.

d. The committee will meet monthly, at the call of the chair, or at the request of
the dean. The committee will meet at least once per month with the dean. The
committee will determine its own agendas and guests.

e. Issues and concerns may be brought to the College Consultative Committee
from any source.

3. Faculty Consultative Committee

a. The Faculty Consultative Committee consists of (1) tenured or tenure-track
faculty members, one elected from each academic department of the college, and
(2) three P&A appointees who carry out faculty responsibilities or contract faculty
members elected by their peers from across the college. Only (1) tenured, tenure-
track, and contract faculty members and (2) P&A appointees who carry out faculty
responsibilities are eligible to serve on the committee. Only tenured and tenure-
track faculty members are eligible to vote for the tenured and tenure-track
members of the committee; only P&A appointees eligible for election to the
committee and contract faculty members are eligible to vote for P&A and contract
faculty members of the committee. The tenured and tenure-track faculty in each
department will determine the method they will use to elect their representative to
the committee.

For the contract faculty and P&A positions on the Faculty Consultative
Committee, the Secretary to the College will solicit nominations and volunteers
from the contract faculty and eligible P&A appointees carrying out faculty
responsibilities to be candidates for election to the committee. The dean's office
is responsible for identifying those eligible to stand for election and will conduct
the election.

b. Members of the Faculty Consultative Committee serve three-year terms and
may be re-elected once to a consecutive term. Members of the Faculty
Consultative Committee who miss three consecutive meetings, including from
spring to fall semesters but not including summer meetings, will be considered to
have vacated their seat on the committee and will be replaced.
c. The Faculty Consultative Committee will elect a chair from among its members.
d. The Faculty Consultative Committee will meet at the call of the chair or at the request of the dean. The committee sets its own agenda and determines who its guests will be.\textsuperscript{32}
e. Issues and concerns may be brought to the Faculty Consultative Committee from any source.
f. Faculty members and P&A appointees with faculty responsibilities who are representatives to the Faculty and University Senate will report to the Faculty Consultative Committee following each Faculty and University Senate meeting. The reports may be written.

4. Professional and Administrative Council

a. The Professional and Administrative Council consists of one representative from each department and center in the college and one from the college administration. P&A employees in the following classifications are represented by the council and may vote in council unit representative elections but are not eligible to be council unit representatives or alternates if they are:

- Tenured or tenure-track faculty
- P&A employees appointed for less than 50\% time for 9 months
- department Chairs or Heads
- collegiate deans or associate or assistant deans appointed for over 25\% time

b. Elections to the council will be held no later than the 15th day of May each year for terms that begin the following July 1. Selection of members will be determined within each unit. P&A representatives will serve for a period of three years with no more than one-third of the representatives eligible for turnover per year. A representative may serve no more than two consecutive terms. If a representative is unable to attend a council meeting, an alternate should attend in place of the representative.

\textsuperscript{32} Constitutional commentary: it is assumed that the Faculty Consultative Committee and the dean will meet a number of times during an academic year, but these bylaws do not presume to set a prescribed number or schedule of such meetings.
representative. If a representative resigns, an alternate determined within the unit will fulfill the responsibility for that year. A new representative will be determined by the unit during the next election cycle held during the spring of each year.

The dean may appoint a non-voting liaison from her/his office to meet regularly with the Council.

c. The council will elect co-chairs, on a staggered basis, and will elect a new co-chair annually following elections. Co-chairs serve two-year terms. During the second year of service, a co-chair will be considered to be the senior co-chair. When serving as co-chair, one may also simultaneously hold status as the representative from one’s unit.

d. The council will prescribe the manner in which the college representatives to the P&A Senate will be elected. The dean’s office will conduct the election.

e. The college representatives to the P&A Senate are ex officio members of the council and are expected to attend council meetings. The P&A representatives on the College Consultative Committee are ex-officio members of the council and are expected to attend council meetings.

f. College Consultative Committee representatives will be elected by the Professional and Administrative Council from among its members. If a College Consultative Committee or P&A Senate representative resigns, an alternate selected by the council will fulfill the responsibility for that year. A new representative will be elected during the next election cycle held during the spring of each year. College Consultative Committee and P&A Senate representatives may serve no more than two consecutive terms and may not simultaneously serve on both the College Consultative Committee and the P&A Senate.

g. The council will determine its own agenda and guests and its own schedule of meetings but will meet at least twice per year. Meetings with the dean or designee will occur at least twice per year.

h. P&A representatives to the P&A Senate will report to the council following each P&A and University Senate meeting. The reports may be written.

5. Staff Council
a. The Council consists of CS/BU volunteers from across units in the college. Each spring the Council will evaluate its current membership and invite new members to join. Throughout the year, any CS/BU employee in the College who is interested in being on the Council may contact the chair or a current member. All CS/BU staff members are invited to participate for two-year terms.

b. The council will elect a chair from among its members. The council may elect a vice chair and a treasurer.

c. College Consultative Committee representatives will be elected by the Staff Council from among its members. If a College Consultative Committee or Civil Service Senate representative resigns, an alternate will fulfill the responsibility for that year. A new representative will be elected during the next election cycle held during the spring of each year. College Consultative Committee and Civil Service Senate representatives may serve no more than two consecutive terms and may not simultaneously serve on both the College Consultative Committee and the Civil Service Senate.

d. The council will determine its own agendas and guests and its own schedule of meetings.

e. Civil Service representatives to the Civil Service Senate will report to the council following each Civil Service and University Senate meeting. The reports may be written.

6. Constitution Committee

The Constitution Committee consists of three faculty members (at least two of whom will be tenured faculty) nominated by the Faculty Consultative Committee, one P&A staff member nominated by the Professional and Administrative Council, and one CS/BU staff member nominated by the Staff Council; all five nominees must be approved by the dean. The Secretary to the College serves as an ex officio non-voting member. The members of the Constitution Committee will choose a chair from among its members. The committee will meet at the call of the chair, whenever a question about the meaning of the language of the constitution is raised by a member of the college community.

7. Promotion and Tenure Committee
The Promotion and Tenure Committee consists of eleven tenured (full) professors. The dean will appoint three members and will designate one of them as the chair. The other eight members will be elected from departments in proportion to the number of tenured and tenure-track faculty in each, but every department will have at least one representative on the committee.

The Promotion and Tenure Committee will meet as frequently as needed during fall semester in order to review dossiers of faculty members being considered for promotion or tenure or both and to submit its annual recommendations regarding each candidate to the dean no later than December 31. In extraordinary instances, and with the consent of the dean, the recommendations in whole or in part may be delayed until early in spring semester. The chair may convene the committee at any time to deal with issues that arise that fall within the purview of the committee or to make promotion and tenure recommendations that may come up at other times during the year.

8. Curriculum Council

a. The Curriculum Council consists of the directors of undergraduate studies and directors of graduate studies or appropriate representatives from each department, two student services members appointed by the student services director, one graduate student, one undergraduate student, and two ex officio CS/BU representatives appointed by the dean, one with expertise in graduate education and one with expertise in undergraduate education. The dean may appoint a non-voting liaison.

b. The chair will be appointed by the dean from among the members of the committee, after consultation with the Faculty Consultative Committee. The chair must be a tenured faculty member. The Curriculum Council may establish subcommittees as it deems appropriate; any member of the Council is eligible to serve as the chair of a subcommittee.

c. The Curriculum Council will meet as needed, at the call of the chair.

9. Student Scholastic Standing Committee (SSSC)

a. SCC consists of one faculty or staff representative from each department and up to three representatives from student services. Members serve indefinite terms. SCC may establish subcommittees as needed.
b. The chair will be appointed by the dean or her/his designee from among the committee members, after consultation with the College Consultative Committee.

c. The committee will determine its own meeting schedule.

10. Educator Preparation Policy Council

a. Each department and unit in the College and in other colleges in the University that have programs in which educator preparation leads to a license will have one representative on the Educator Preparation Policy Council. The following units and departments appoint a tenured or tenure-track faculty member: Curriculum and Instruction, Educational Psychology, Family Social Sciences, Institute for Child Development, Kinesiology, Organizational Leadership and Policy Development, Social Work, the College of Food, Agricultural and Natural Resource Sciences, and the College of Liberal Arts. Other departments and units that will appoint a member are Career Services and Student Services (in the College). Other members are the Director of the Office of Teacher Education, a school partner (one person from a group that rotates attending meetings), and a representative designated by the Associate Dean for Graduate and Professional programs. The Associate Dean for Graduate and Professional programs serves as an ex officio member. Members from the departments and units will be nominated based on unit-level procedures and will be appointed by the dean or his or her designee.

b. The chair of the Council will be a tenured or tenure-track faculty member and will be designated by the dean or his or her designee. The chair will serve a three-year term that may be renewed at the discretion of the Dean or his or her designee. No one may serve more than two consecutive terms as chair.

c. The Council will meet monthly during the academic year.

d. Members serve three-year terms. Inaugural appointments will be staggered so that approximately one-third of the members either rotate off or are reappointed each year.

e. The chair, in collaboration with the dean or his or her designee, will establish the annual goals for the council and agendas for meetings.
f. All proposed policies will be voted on by the council members and require an affirmative vote by an absolute majority of the Council. Absentee votes will be permitted and processes for casting them will be determined by the Council.

g. All decisions of the Council will be broadly disseminated and archived.

h. Support for the Council will be provided by a 25%-time graduate assistant to be supported in a manner determined by the dean.

i. The work of the Council will include but not be limited to:

1. Review and provide vision on the current state of college educator preparation programs and the potential for new initiatives;

2. Review and approve curricular changes to licensure programs;

3. Review and approve the development of new licensure programs;

4. Communicate new and existing policies and procedures to program faculty and school partners in a systematic way, including the provision of updates and reports to department chairs at least once per semester;

5. Conduct biannual reviews of common content and common assessments required in the initial teacher licensure programs;

6. Make recommendations to the dean about new initiatives and programs in the college;

7. Make recommendations to the college community about research questions and areas of inquiry in educator preparation;

8. Monitor aggregate candidate performance across program areas and make recommendations to programs for areas of needed improvement;

9. Review policies related to educator preparation including, but not limited to recruitment of candidates, enrollment management, admissions, scholarship distribution, common content curriculum, common assessment administration and data collection practices, licensure award processes, clinical experience requirements, supervisory training, candidate support procedures, district and school partnership development, assessment system design and implementation, data reporting (local, state, and national accreditation), and college representation in professional organizations (e.g., MACTE, AACTE);
10. Establish task groups as necessary to conduct reviews and create proposals for long-term development and strategic planning related to educator preparation and licensing;

11. Contribute to agenda and planning for annual School Partner Network Meetings and Curriculum Summits by making recommendations and offering feedback to planning committees;

12. Ensure adequate number of Licensure Officers in the college through nomination, preparation, and assurance that they have state approval;

13. Manage the college membership in the AACTE and representation in MACTE leadership and events; and

14. Provide leadership and support during the preparation and enactment of accreditation visits.

In addition, the Council will:

j. Establish policies and provide vision, leadership and guidance on educational issues related to programs that lead to a license to work in a school-based setting;

k. Review and approve proposed courses and programs related to educator preparation and licensing programs with attention to alignment with state and national standards, accreditation requirements, enrollment management, and college curricular policies;

l. Conduct reviews of educator preparation curricula and academic programs as required or appropriate, alone or in conjunction with external reviews (e.g., accreditation agencies), University reviews, and as determined by the College;

m. Create and support a policy infrastructure for data protection, management, research and evaluation, and reporting related to educator preparation programs;

n. Support the engagement of the faculty and staff of educator preparation programs in ongoing professional learning and research activities regarding educator development and college-based initiatives; and

o. Provide leadership for and during accreditation reviews.

11. Schedules, Agendas, and Minutes
The College Consultative Committee, the Faculty Consultative Committee, and the Curriculum Council must publish and distribute widely within the College their schedule of meetings, agendas, and minutes. "Distribute" may consist of providing a link to a website.

12. Amendments

The manner of amending the bylaws is prescribed in the constitution.