

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

EXH	MOTION	Taylor
	SECOND	Richard
	ACTION	APPROVED BY THE REGENTS
NOTE:		JUL 21 2005

ACTION REQUEST

SUBJECT: University of Michigan-Dearborn By-Laws

ACTION REQUESTED: Approval of Revised University of Michigan-Dearborn By-Laws

EFFECTIVE DATE: August 1, 2005

I have reviewed the proposed changes to the UM-Dearborn By-Laws as drafted by the University of Michigan-Dearborn Faculty Congress. These revisions incorporate a small number of technical changes, including the role of the Faculty Senate Recording Secretary, minor revision of voting procedures, and explicit provision of eligibility for UM-Dearborn librarians to serve as representatives of the University of Michigan-Dearborn in the Senate Assembly. I am satisfied that they bring the By-Laws into accord with the current needs and practices of the campus.

These revisions have received a favorable vote by the University of Michigan-Dearborn Faculty Congress. They have been reviewed by Provost Robert Simpson and Daniel Sharporn, from the Office of General Counsel.

I recommend them to you for adoption.

Recommended by:



Daniel Little, Chancellor
University of Michigan-Dearborn

JULY 2005

THE UNIVERSITY OF MICHIGAN-DEARBORN

CAMPUS BY-LAWS

PROPOSED REVISIONS

Changes Included

APPROVED BY THE FACULTY CONGRESS

April 20, 2004



To Be Approved by the U of M Board of Regents

Amended by the Senate Council May 2, 2005 to conform to the University Senate Rules and the University Bylaws
Subsequent corrections made per General Counsel Sharphorn June 20, 2005

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ARTICLE I

DEFINITIONS

The definitions used within these By-laws are essentially those adopted in the By-laws of the Board of Regents of the University of Michigan, Chap. V, Sec. 5.01, and Chap. VI Sec. 6.05 (1973), and Chap. V, Sec. 5.01 (3) (1979), and are not to be construed to contradict them.

- I.1 Academic Unit. The term academic unit shall be construed to mean an administrative unit created for instructional and research purposes, namely, a college or a school.
- I.2 Faculty. The term faculty shall include members of the teaching and research staff together with the principal administrative officers; the directors of various teaching, research, and library units; research associates; curators; and persons with similar duties.
- I.3 Professorial Staff. The term professorial staff shall include professors, associate professors, and assistant professors.
- I.4 Governing Faculty. The term governing faculty when used in connection with an academic unit shall include those members of it who are professors, associate professors, assistant professors, and instructors and lecturers, who hold appointments of one-half time or more; provided, however, that such instructors and lecturers may vote at faculty meetings only if they have held appointments for one or more years and are authorized to vote by a majority vote of the professorial staff of the appropriate academic unit.
- I.5 Teaching Staff. The term teaching staff shall include professors, associate professors, assistant professors, instructors, lecturers, and teaching fellows. The teaching staff may have regular, visiting, or adjunct appointments.
- I.6 Teaching Fellows. The term teaching fellow and its variants -- teaching associate, teaching assistant, student assistant, research assistant, technical assistant, laboratory assistant, and assistant -- shall be used to designate junior appointees who participate in the processes of teaching and research but do not possess faculty rank. Students in these classifications shall have student status.
- I.7 University Year. The term university year, as used in connection with appointments of members of the faculty and other personnel, contains any two full terms in the calendar (i.e., Fall, Winter, or Spring/Summer), as defined for the year in question. Faculty members are expected to participate in orientation, registration, and commencement.

ARTICLE II

THE INSTRUCTIONAL AND PROGRAMMATIC UNITS

II.1. Schools and Colleges. The faculties offering degree programs may be organized into schools and colleges for the purpose of (1) providing instruction; (2) conducting scholarly investigations and research in those branches of knowledge that form the basis of modern culture, professional practice, and leadership in education, business, and industry; and (3) applying this knowledge to the solutions of problems of our society. [cf. RB 5.06]

II.2. Governing Bodies. The governance of the affairs of the academic units, subject to Regental approval, is placed in the governing faculties and executive committees. The Faculty of each academic unit shall adopt rules and by-laws for its own internal governance and shall appoint a secretary, define his/her duties, and keep a record of faculty action. Such by-laws shall be consonant with Campus by-laws, shall be filed with the ~~Faculty Congress Secretary~~, **Faculty Senate Office**, and shall be made generally available to all members of the unit's faculty.

In the absence of specific rules to the contrary, the rules of parliamentary procedure as described in the most recent edition of Robert's Rules of Order shall be followed by the faculties, committees, boards, and other deliberative bodies.

II.3. Departments. Subdivisions of an academic unit under an administrative head maintained for the purpose of conducting a curriculum or curricula in a specified array of disciplines may be organized into departments. Each department shall be organized in a manner to provide general participation by faculty members in the governance of departmental affairs.

II.4. Faculty Communications to the Board of Regents. If a faculty unit or the Faculty Senate wishes to communicate with the Board of Regents, it should submit such communications in writing to the Chancellor and to the President of the University. They shall, in turn, convey the communications to the Board of Regents. Unit Faculty should also submit their communications through the dean. [RB5.05]

ARTICLE III

THE FACULTY CONGRESS

III.1. Constitution of the Faculty Congress.

The University of Michigan-Dearborn shall have a Faculty Congress which shall be composed of the members of the governing faculties of the schools and colleges, as well as those administrators who are empowered to make decisions affecting campus-wide policies or concerns and who are specified in Article III.3 below and Article ~~II.1~~ **I.2** above.

III.2. Powers and Duties of the Faculty Congress.

2.a. Authority.

The Faculty Congress is authorized to consider any subject pertaining to the interests of the Campus, and to make recommendations to the Chancellor and to the Board of Regents in regard thereto. Decisions of the Faculty Congress with respect to matters within its jurisdiction shall constitute the binding action of the Campus faculties. Jurisdiction over academic policies shall reside in the faculties of the various schools and colleges, but insofar as action by the several faculties affect Campus policy as a whole, or schools and colleges other than the one in which they originate, they shall be brought before the Faculty Senate. ~~[RB 4.0]~~

2.b. Governance.

The Faculty Congress may adopt rules concerning its own governance and procedures, and concerning its officers and committees.

III.3. Membership of the Faculty Congress.

The Faculty Congress shall consist of all members of the faculty as defined in Article I.2 above, professional librarians and curators, the Senior Officers of the Campus, and the Deans of the schools and colleges.

III.4. Officers of the Faculty Congress.

4.a. Chair.

The Chair of the Faculty Senate shall preside at meetings of the Faculty Congress.

4.b. Secretary.

~~The Faculty Congress shall have an official Secretary who shall be elected by the members of the Faculty Congress and shall be called the Faculty Secretary~~ ***Faculty Congress Secretary***. Any member of the Faculty Congress shall be eligible for this position. ~~The Faculty Secretary~~ ***The Faculty Senate Recording Secretary shall perform the duties*** of the Faculty Congress Secretary.

b. (1) Duties.

The ~~Faculty Secretary~~ ***Faculty Senate Recording Secretary*** shall act as secretary for all meetings of the Faculty Congress and shall conduct campus-wide elections required by these By-laws. The ~~Secretary~~ ***Faculty Senate Recording Secretary*** shall be responsible for all arrangements for these meetings, including notices; consultation with the Chair of the Faculty Senate; preparation and distribution of agendas; taking and distributing minutes; and maintaining an up-to-date record of those statements concerning the organization and governance of the faculty which have been adopted by the Board of Regents or by the Faculty Congress and its various committees. In connection with the latter, the ~~Faculty Secretary~~ ***Faculty Senate Recording Secretary*** shall be responsible for the format, solicitation, publication, and distribution of the annual reports of the Faculty Senate committees.

b. (2) ~~Elections.~~

~~The Faculty Congress shall elect the Faculty Secretary for a two year term, beginning January 1st. In the event of an in term vacancy of the office, an election shall be held as soon as is practicable to complete the unexpired term, and the person elected shall assume office immediately. Responsibility for conducting the election shall be that of the Faculty Senate.~~

~~In regular elections for the Faculty Secretary, the current Faculty Secretary shall solicit nominations and present a slate with a minimum of two nominees. If the Faculty Secretary is a candidate, responsibility in the matter shall devolve upon the Faculty Senate. Additional nominations may be made from the floor. The vote shall be made by secret written ballot, and the nominee who first receives a majority of the votes of those present and voting shall be elected.~~

III.5. Meetings of the Faculty Congress.

A regular meeting of the Faculty Congress shall be held at least once during each academic year. Other meetings of the Faculty Congress may be called by the Chair or by written petition to the ~~Faculty Secretary~~ **Faculty Senate Recording Secretary** signed by not less than 20 percent of its members. Such a petition shall state the specific items which the petitioners wish to have declared as the items of business. Other items may be added during the meeting but only with the consent of two-thirds of the members present. No specified number of members shall be required for the Faculty Congress to meet and conduct any business not requiring a vote. For quorums required for voting, see Article III.5.b.(3)(a). Other rules governing the meetings are as follows:

- 5.a. Notice of Meetings. A notice of the calling of a meeting of the Faculty Congress shall be distributed to members by the ~~Faculty Secretary~~ **Faculty Senate Recording Secretary** at least two weeks prior to the meeting day. The deadline for distribution of the notice may be reduced to three working days if twenty percent of the members sign the petition and ask for early scheduling. Along with the notice shall be a call to the members for agenda items. These shall be submitted in writing at least seven days before the meeting to the ~~Faculty Secretary~~, **Faculty Senate Recording Secretary**, who shall place the items on the agenda. The complete agenda shall be prepared by the ~~Faculty Secretary~~ **Faculty Senate Recording Secretary** in consultation with the Chair. ~~The Faculty Secretary~~ **Faculty Senate Recording Secretary** shall distribute the agenda to the members at least three days before the meeting.
- 5.b. Rules of Procedure.
- (1) Parliamentary Procedure. The Faculty Congress may appoint such committees as it deems necessary and adopt rules concerning its organizations and procedures. Such rules must be approved by a two-thirds majority of those present and voting, a quorum being present. In all cases not covered by rules adopted by the Congress, the procedures in the latest edition of Robert's Rules of Order shall be followed.
 - (2) Motions. Except for motions of a procedural nature, all motions or resolutions to be considered by the Faculty Congress shall be submitted in writing, to the ~~Faculty Secretary~~ **Faculty Senate Recording Secretary** in time for distribution with the agenda. Any member of the Faculty Congress may submit a motion or resolution provided it bears his/her signature and those of two supporting members. Chairs of Campus Committees acting on their behalf may submit

motions without further support.

(3) Voting.

- (a) Quorums. Thirty members of the Faculty Congress shall constitute a quorum for conducting business.
- (b) Forms of Vote. Normally, all matters placed before the Faculty Congress for a vote shall be decided by the majority vote of those present and voting, a quorum being present. Voting shall ordinarily be by voice, but in those cases of doubt, any member may ask for a hand-count vote or a vote by secret written ballot. A majority of the members present may request a mail ballot. Mail ballots shall be conducted by the ~~Faculty Secretary~~ **Faculty Senate Recording Secretary.**

ARTICLE IV

THE FACULTY SENATE

IV.1. Power and Duties of the Faculty Senate.

- 1.1. There shall be a Faculty Senate of the Faculty Congress. The Faculty Senate [hereafter referred to as the Senate] shall serve as the legislative arm of the Faculty Congress. An action of the Senate shall have the effect of an action of the Congress unless and until it is revoked by the Congress.
- 1.2. The Senate is authorized to consider any subject pertaining to the interests of the Campus, and to make recommendations to the Chancellor and the Provost, or to the Board of Regents in regard thereto. Decisions of the Senate with respect to matters within its jurisdiction shall constitute the binding action of the Campus faculties. Jurisdiction over academic policies shall reside in the faculties of the various schools and colleges, but insofar as actions by the several faculties affect Campus policy as a whole, or schools or colleges other than the one in which they originate, they shall be brought before the Senate. ~~{Sec. 401, Regents By-laws}~~
- 1.3. The Senate shall advise and consult with the Chancellor and Provost on any matters of campus policy which they may place before it, or which the Senate itself may raise, and, unless overruled by the Faculty Congress, shall speak authoritatively for the faculty.
- 1.4. The Senate may request information from any member of the campus staff, and may invite any such person to sit with it for the purpose of consultation and advice.
- 1.5. The Senate shall communicate its opinions and recommendations to the Faculty Congress from time to time, and, at a meeting of the Congress in each academic year, shall present a formal report of its activities.
- 1.6. The Senate shall have the power to make whatever additional rules that are appropriate to the performance of its functions and that are consistent with this document. In all cases not covered by rules adopted by the Senate, the procedures in the latest edition of Robert's Rules of Order shall be followed.
- 1.7. ~~The Senate, in its first meeting of each year, shall choose its officers and the Senate Council from its membership.~~

The newly-elected Senate members shall join the standing Senate for its final meeting. At that meeting the new Senate (newly-elected members and the returning members) shall nominate and elect their Officers and Council from their membership for the new year.

IV.2. Membership of the Faculty Senate.

2.1. Elected Members.

2.1.a. Voting Members. The Senate shall consist of 19 voting members elected from the voting membership of the governing faculty. For purposes of this section, the governing faculty entitled to vote shall be professors, associate professors, assistant professors; professional librarians and curators; and full-time instructors and lecturers; provided, however, that such instructors and lecturers have held appointments for one or more years and have been authorized to vote by a majority vote of the professorial staff of the appropriate academic unit.

2.1.b. Terms of Office. The elected members of the Senate shall serve [~~one~~ a] three year term. The terms of office shall be so adjusted that one-third of the terms shall expire each year. The terms of office shall begin September 1. ~~A member who has served one term will not be eligible for reelection for a period of one year from the expiration of the member's term of office.~~

2.1.c. Apportionment of Voting Members. Each academic unit shall have the following number of voting members in the Senate: Education, three members; Management, three members; Engineering, three members; and CAS&L, nine members. In addition, there shall be one at-large seat selected in the manner specified in section IV.2.3 below.

2.1.d. Reapportionment. The Senate may be reapportioned at any time by the amendment of the Campus By-laws.

2.2. Ex-Officio Members.

The Chancellor, Provost, and campus University Senate Assembly Members shall serve as ex-officio, non-voting members of the Senate with full rights of participation in the discussions of the Senate. The Senate, however, may meet in executive session without the presence of ex-officio members.

2.3. Election of Faculty Senate Members.

The governing faculty of each school or college shall elect their Senate representatives at large. In the case of CAS&L, however, each department shall elect one representative; the four remaining representatives shall be elected by the College at large.

One representative shall be elected at-large from the campus as a whole. Any member of the governing faculty, or professional librarian or curator shall be eligible for this seat.

Faculty members holding administrative appointments of ~~more than~~ **50% or more** are ineligible to serve in the Senate as elected faculty representatives.

2.4. Alternates for Elected Senate Members.

The Senate shall designate the manner of selecting alternates and the conditions of their tenure.

2.5. Senate Liaison With Schools, Colleges, or Departments.

Each school, college, or department represented in the Faculty Senate shall designate an elected Senate member from their unit to act as a liaison between the Senate and the unit's Executive Committee, **and shall attend the unit's Executive Committee meetings.** The Senate liaison may be a voting or non-voting member of the unit's Executive Committee. Each unit shall be responsible for taking necessary action to implement an effective system of liaison between the units and the Senate.

IV.3. Officers of the Faculty Senate.

The officers of the Senate shall be the Chair, Vice-Chair, ~~Secretary~~, and such other officers as shall be decided upon by the Senate. The officers shall be elected by the Faculty Senate.

Officers shall be elected for a term of one year and are eligible for reelection.

IV.4. Meetings of the Faculty Senate.

Meetings of the Senate shall be held at such times as the Senate shall determine, but ordinarily once each month throughout the calendar year, with the exception of July and August.

4.a. Who May Call Meetings.

A meeting of the Senate may be called by the Chair, by the Senate Council, by any five voting members of the Senate, by the Chancellor or Provost, or by vote of the Senate in a prior meeting.

4.b. Notice of Meetings.

Each meeting shall be announced in a timely fashion by [~~the Recording Secretary, via email a notice in writing addressed~~] to each member. The notice shall state the hour and the place. The agenda of the meeting shall be made available in a timely fashion. Notice of an emergency meeting must state the business of the meeting.

4.c. Who May Attend.

The Senate meetings shall be open to all Faculty Congress members. The Senate meetings shall also be open to the public except when the Senate deems an executive session necessary.

4.d. Quorum.

A quorum shall be ten members.

IV.5. Committees of the Faculty Senate.

There shall be a permanent standing Promotion and Tenure Committee to advise the Provost on promotion and tenure matters.

The Senate may create other standing or special committees to assist it with its work. It may define the qualifications for membership of such committees, provide for the number of members thereof, provide how they are to be appointed and determine their terms of office, and define their duties and obligations.

At least one member of standing or special committees shall be a member of the Senate.

IV.6. Voting.

The Senate shall decide issues by a simple majority vote, a quorum being present.

ARTICLE V

THE SENATE COUNCIL

V.1. Powers and Duties.

1.1. Authority.

There shall be a Senate Council [hereafter referred to as the Council] of the Faculty Senate.

The Council shall act as the liaison between the Senate and the Chancellor and Provost; it shall meet with the Chancellor and/or Provost; and it shall be an agent of the Senate.

The Senate Council, although an agent of the Senate, may not act for the Senate and may only advise the Chancellor and Provost on an interim basis until a matter requiring Senate action can be placed before the Senate or Faculty Congress.

The duties of the Council shall include *executing the decisions of the Senate*; scheduling appropriate meetings; planning Senate meetings and agendas; implementing the decisions of the Senate; and exchanging information and views regularly with the Chancellor and Provost when appropriate to the performance of the above-mentioned functions.

V.2. Membership of the Senate Council.

2.1. Elected Members.

In addition to the Chair, there shall be five members and five alternates of the Council elected by the Senate from among its members. Each school or college shall be represented by a minimum of one representative.

2.2. Ex Officio Members.

The Chancellor and the Provost shall be ex-officio, non-voting members of the Council. The Chair, with the concurrence of the Council, may, when appropriate, schedule regular sessions without the presence of ex-officio members.

2.3. Terms of Office.

The Council members shall be elected annually for a term of one year. Members may be eligible for reelection.

V.3. Officers of the Senate Council.

The Chair of the Senate shall also be the Chair of the Council.

ARTICLE VI

THE CAMPUS FORUM

There shall be a Campus Forum comprised of the Faculty Senate Council and the Staff Senate Council members, which meets once each term.

~~VI.1. Authority:~~

~~—The Faculty Senate shall establish and convene a Campus Forum composed of faculty, administrators, and staff to discuss matters of mutual interest and to advise the Senate.~~

~~VI.2. Purpose:~~

~~—The Campus Forum shall be a body to exchange views among employees of UM-D in a formal and recognized setting. It shall provide communication to all units and offices on the campus, provide a systematic venue for the exchange of points of view between all members of the campus community, and offer critical input to the Senate on any and all campus matters.~~

~~VI.3. Membership:~~

~~—The membership, apportionment, and method of election will be determined by the Senate in consultation with the representatives from the professional and administrative, office, and technical staff members.~~

ARTICLE VII

UM-D UNIVERSITY SENATE ASSEMBLY MEMBERS

VII.1. Organizational Context.

In the University of Michigan system the University Senate is the only three-campus organization administered by and for the faculty, whose members must all be from among the three professorial ranks. All faculty of Senate rank are automatically members of the University Senate; they may attend and participate in all of its meetings.

Since the Senate is too large and unwieldy an organization for the effective conduct of its affairs, a smaller, elective body has been created to serve as the continuing voice of the Senate. Comprised of elected representatives from certain Ann Arbor academic units and from the two [~~separate~~ **regional**] campuses at Dearborn and at Flint, the Senate Assembly meets once each month throughout the calendar year, with the exception of July and August.

Serving as the Executive Committee of the Senate Assembly is the Senate Advisory Committee on University Affairs (SACUA), which consists of members chosen from among and by the members of the Senate Assembly.

VII.2. UM-D University Senate Assembly Members.

2.a. Number. Memberships in the Senate Assembly are related to the size of the faculties in the various academic units and campuses. The specific number is determined during the

triennial apportioning process of the Assembly.

- 2.b. Terms of Office. Members of the Senate Assembly serve three-year terms, to which they may be re-elected. Terms begin with the April meeting.
- 2.c. Qualifications for UM-D Members. Representatives of the UM-D in the Senate Assembly must, like all members, hold one of the three professorial ranks, *or be a librarian as accepted under current University Senate Rules.* In addition, they must hold appointments at least fifty percent of which are performed at the UM-D. These Senate Assembly Members represent the Campus as a whole; no positions have been allocated to specific academic units.
- 2.d. Nominations and Elections. In any year in which the term of office of any UM-D member in the Senate Assembly is to expire, ~~the Secretary of the Assembly informs the Chancellor of the need to elect the required number of representatives. The latter calls on the Faculty Secretary~~ *the Faculty Senate Recording Secretary will be required to solicit nominations and to conduct an election.*
- Candidates may be self-nominated or be nominated by others, who must obtain the nominee's prior approval to do so. ~~At least two nominees must be obtained for each vacancy.~~ Any kind of preferential voting which is approved by the Senate may be used. ~~For each elected candidate there shall be an alternate.~~ In the case of a one-position election, the runner-up shall be declared the alternate. In the event of elections involving two or more positions, the ~~Senate Secretary~~ *Faculty Senate Recording Secretary* and the ~~tellers~~ will be guided by the preferences of the voters in determining the relative priorities of the alternates.
- 2.e. Alternates. A formally declared alternate shall be authorized to take the place of his/her elected colleague at meetings of the Assembly on an ad hoc or permanent basis. In the ad hoc circumstance, the alternate shall inform the Assembly Secretary before the meeting of his/her presence and indicate the name of the Assembly member being replaced. If the elected members cannot serve to the end of his/her term, the alternate automatically fills the position. If he/she is unable to do so, an election shall be conducted to choose a member for the remainder of the term.
- 2.f. Duties. A UM-D University Senate Assembly Member shall be expected to become informed about issues to be discussed and acted on by the Assembly; to represent the Dearborn Campus on these issues; and to inform appropriate UM-D administrators (e.g., the Chancellor and Vice- Chancellors) and/or the Senate Council or Senate of significant developments, issues, and/or votes which might have serious implications for the UM-D. From time to time UM-D University Senate Assembly Members may be asked to report to the Faculty Senate on recent meetings and decisions.

ARTICLE VIII
FACULTY RULES

VIII. Sales to Students.

To prevent conflicts of interest, no members of the teaching staff shall have direct dealings with students in the sales of books, instruments, lecture notes, software, or any materials which bring economic profits.

ARTICLE IX
RECALL OF A FACULTY MEMBER FROM THE FACULTY SENATE

IX. Procedure for Recall.

Any faculty member elected to the Faculty Senate may be recalled from his/her post by a two-thirds majority of his/her constituency voting at a plenary meeting, provided that a quorum be present.

ARTICLE X
AMENDMENTS TO THE CAMPUS BY-LAWS

X.1. Submission of Proposed Amendments.

Any member of the Faculty Congress may propose an amendment to these By-laws provided that the amendment is supported by two other members. The proposed amendment shall be submitted to the ~~Faculty Congress Secretary~~ **Faculty Senate Recording Secretary** in writing at least fourteen days prior to the meeting at which it is to be considered. The Secretary shall provide each member of the Congress with a copy of the proposed amendment at least one week prior to the meeting.

X.2. Voting.

The By-laws may be amended by a two-thirds vote at any meeting of the Faculty Congress, a quorum being present, or by a two-thirds majority of the members of the Faculty Congress ~~voting~~ **in a responding to a vote by mail or email** ballot.

ARTICLE XI
REGENTAL BY-LAWS AND THE CAMPUS BY-LAWS.

Nothing in these Campus By-laws are intended to conflict with the By-laws of the Regents of the University of Michigan or to conflict with the appropriate rights and responsibilities of administrators and faculty guaranteed in those By-laws.