

9-22-2016

Minutes, All Faculty of Rollins College Meeting, Thursday, September 22, 2016

All Faculty
Rollins College

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ROLLINS

All the Faculty of Rollins College Meeting

September 22, 2016

Agenda

- I. Call to Order
- II. New Business
 - a. Motion to approve the revised Bylaws of All the Faculty of Rollins College
- III. Adjournment



ROLLINS
Meeting Minutes
September 22, 2016

Present

Agee, Sharon; Aggarwal, Vidhu; Almond, Joshua; Anderson, Julia; Anderson, Mark; Angell, Helena; Archard, Charles; Armenia, Amy; Arnold, Richard; Baranes, Avraham; Barnes, Melissa; Bernal, Pedro; Biery-Hamilton, Gay; Boguslawski, Alexander; Boles, William; Bommelje, Richard; Boniface, Dexter; Brown, Shan-Estelle; Brown, Victoria; Bruenner, Ines; Carnahan, Sharon; Carrington, Julie; Cavanaugh, Gregory; Cavanaugh, Jennifer; Certo, Samuel; Charles, David; Cohen, Edward; Conway Dato-on, Mary; Cook, Gloria; Cook, Thomas; Coyle, Whitney; Cornwell, Grant; Correa, Henrique; Crown, Deborah; Crozier, Daniel; Cummings, Denise; D'Amato, Mario; Davidson, Alice; Davison, Joan; Decker, Nancy; Deffler, Samantha; Dennis, Kimberly; DiQuattro, Marianne; Dunn, Stacey; Ewing, Hannah; Fadool, Margot; Fetscherin, Marc; Fokidis, Haralambos; Forsythe, Matthew; Freeman, Sarah; French, Todd; Frost, Carol; Garcia, Mattea; Gilmore, Zackary; Grau, John; Greenberg, Yudit; Griner, Angela; Gunter, Michael; Habgood, Laurel; Hammonds, Joshua; Harper, Fiona; Harris, Paul; Harwell, Jonathan; Heileman, Mark; Hewit, Scott; Homrich, Alicia; Hosburgh, Nathan; Houndonougbo, Ahiteme; Houston, John; Jackson, Karen; Johnson, James; Jones, Jill; Kincaid, Stephanie; Kistler, Ashley ; Kline, Nolan; Kodzi, Ivy; Kodzi, Philip; Kypraios, Harry; Libby, Susan; Lilienthal, Rachael; Lines, Lee; Luchner, Andrew; Mays, Dorothy; McClure, Amy; McInnis-Bowers, Cecilia; McLaren, Margaret; McLaughlin, James; Mesavage, Matilde; Mesbah, Hesham; Miller, Jonathan; Montgomery, Susan; Moore, Thomas; Morris, Richard; Morrison, John; Mourino, Edwin; Murdaugh, Anne; Musgrave, Ryan; Myers, Daniel; Newcomb, Rachel; Nichter, Matthew; Niles, Nancy; Nodine, Emily; Norbutus, Amanda; Norsworthy, Kathryn; O'Sullivan, Maurice; Ouellette, Thomas; Ozcan, Timucin; Painter, David; Paladino, Derrick; Park, Ellane; Patrone, James; Peng, Zhaochang; Pett, Timothy; Pieczynski, Jay; Poole, Leslie; Prieto-Calixto, Alberto; Queen, Jennifer; Ray, James; Reich, Paul; Richard, David; Riley, Kasandra; Roe, Dawn; Rogers, Donald; Roos, Joni; Rubarth, Scott; Russell, Emily; Ryan, MacKenzie; Sanabria, Samuel; Sardy, Marc; Schoen, Steven; Sharek, Julie; Simmons, Rachel; Simsek, Koray; Singaram, Ilayaraja; Singer, Susan; Smaw, Eric; St. John, Steven; Stephenson, Paul; Stone, Anne; Strom, Claire; Summet, Valerie; Svitavsky, William; Tatari, Eren; Teymuroglu, Zeynep; Tillmann, Lisa; Vander Poppen, Robert; Vidovic, Martina; Vitray, Richard; Voicu, Anca; Walsh, Susan; Warnecke, Tonia; Wei, Li; Wellman, Debra; Whittingham, Keith; Williams, April; Winet, Kristin; Winet, Ryan; Yao, Yusheng; Yellen, Jay; Yoho, Keenan; Yu, Jie; Zhang, Wenxian; Zimmermann, Anne; Zivot, Eric

Call to Order

President Grant Cornwell called the meeting to order at 12:39 pm.

Announcements

Cornwell: There are a buzz of strategic planning projects across campus, many of you are involved and I want to express my gratitude. Let me extend thanks to Toni Holbrook, Carol Lauer, and Lorrie Kyle for their leadership in the process, especially in bringing together the results of our recent SWOT analyses. Everyone here should have been involved in a project of elaborating our mission and how it relates to our academic programs. There will be a fulsome reporting of all this work.

I have nominated Emily Russell to serve as Secretary and Robert Vander Poppen to serve as Parliamentarian for this meeting.

Approval of the Bylaws

Dexter Boniface: Let me review our process of governance reform, including principles, process, and timeline to date.

Guiding Principles of Governance Reform

The system and structure of shared governance should be:

Be organized to **advance our mission**.

Be as **simple and efficient** as possible.

Be as **transparent** as possible.

Protect academic freedom and respect the authority of the disciplines to design and deliver their curriculum and pedagogy according to their best professional judgment while recognizing that all academic programs are accountable to the faculty as a whole.

Accord respect to all members of the faculty irrespective of rank or discipline, and provide mechanisms for the collegial airing of differences and adjudication of conflicts.

Process and Timeline to Date

AY 2015-2016: EC+ Governance Reform Process; The joint faculties of A&S and CPS voted in March to move forward with the reform as proposed to date with a 96% vote

May 24-26, 2016: EC+ Bylaws Retreat

Participants: Dexter Boniface, Grant Cornwell, Margot Fadool, Ashley Kistler, Lorrie Kyle, Don Rogers, Emily Russell and Anca Voicu.

June-July 2016: Readers

Participants: Rick Bommelje, Henrique Correa, Eric Smaw, College Attorney, Mario D'Amato, Joan Davison, Marc Fetscherin, Mattea Garcia, Carol Lauer, Jim McLaughlin, and Robert Vander Poppen.

August 16 (Faculty Retreat): Presentation; distribution of Draft Bylaws

September 6-8: Dialogue Sessions (X3) and Faculty Colloquium

September 15: Circulation of Revised Draft Bylaws

September 22: Faculty Meeting (Vote)

Amendments:

1. Introduces the name "College of Liberal Arts"

2. Clarifies voting role of the faculty in administrative searches; specifies election of faculty to search committees for administrative positions (Pres., VPs)
3. Clarifies selection of Parliamentarian and provides for taking and publishing minutes
4. Provides for electronic voting on routine matters, such as approving minutes
5. Provides for electronic voting in exceptional circumstances, with 2/3 decision of the elected members of the Executive Council
6. Clarifies what constitutes discrimination in line with current practices
7. Maintains All-Faculty Appeals Committee membership at 4 (3 from CLA, 1 from Crummer), requires Full Professor rank
8. Tasks President with communicating bylaws changes to the Board of Trustees

Boniface: I move that this body approve this package of amendments to the All Faculty Bylaws. (**Attachment #1**) **Ashley Kistler:** Seconded.

Jay Yellen: Is it “College of Liberal Arts” or “College of the Liberal Arts”? [references typo on the slideshow]

Boniface: It’s the “College of Liberal Arts.”

Joan Davison: I have a question about the composition of the Appeals Committee. With four members, I assume that means an appeal would pass with a $\frac{3}{4}$ vote. Moving to four members increases the standard to win an appeal from 66% to 75%. I think I could be convinced either way, but I think it’s important to highlight that we’ve raised the standard.

Ashley Kistler: It is a change from what we proposed, but it’s not actually a change from current practice.

Davison: But it is a change at the College of Liberal Arts level, where you’re eliminating the committee.

Jill Jones: This is just to put this in the air: what are exceptional circumstances? I do find the discussion of any issue in face-to-face meetings to be enlightening and they can change the vote. I worry about the practice of electronic voting becoming more common.

Boniface: We’ve been talking about this quite a bit. This has been more controversial than we had expected. There was only one time last year where this was called into effect, but we don’t have a provision in our Bylaws. We did an electronic vote to ratify the slate of the Provost Search Committee. We want to build into our Bylaws a mechanism to allow our faculty presidents to do what has already been done in the past. We’ve also built in a check and balance with a 2/3 vote of the Executive Committee or Council. Trust the people that you’ve elected. This is not an administrative prerogative; this is a capacity of your elected faculty leaders.

Tonia Warnecke: I assume there is no tie breaker in an Appeals Committee of 4.

Boniface: Correct. The appeal must pass by a majority of the committee and Joan’s characterization of those margins is correct.

Kim Dennis: After our recent meeting, I thought we had a consensus about a proposal that there could be a mechanism on an electronic vote that could include a chance for people to communicate that we did not want to vote that way.

Boniface: When the EC met to discuss the changes, there was no support from the group to include the suggestion. We found it to be unwieldy, were worried about nullification of votes after the fact, and thought the 2/3 vote of the Executive Committee or Council would be sufficient to check excesses.

Dennis: I'm concerned that the will of the faculty was overruled by the group of six.

Boniface: If this faculty voted in that way, I could see the objection that we had overwhelmed the mood of the faculty. The check was offered by a majority of the people present at that faculty meeting, but the meeting was to conduct straw polls to inform our continued revisions.

Fiona Harper: I want to second the adjustment recommended. With all due respect, I have not elected all the members of Executive Council, I have elected my division rep and the president.

Cornwell: We're in deliberative session right now, but you have a parliamentary action you can take to address changes. You can divide the question

Robert Vander Poppen: We don't need to divide the question in order to amend a piece of the package.

Jonathan Miller: I don't want to craft such an amendment. I like the compromise proposed by EC. I think Kim is overstating when she describes the discussion as "consensus."

Jim McLaughlin: This is an important point. We are all elected. I have to have faith in my colleagues in their votes, even if I didn't vote for those colleagues myself. Having said that, I think it's unwieldy. So, we have an elected faculty executive committee that uses this provision exceptionally, but then we have to get a majority of the faculty to weigh in on the question of whether the electronic voting mechanism is appropriate. What happens after that? It gets messy. If, over a period of time, faculty members of this body believe there are too many votes taken in this way, then we should bring it to the faculty and change it. Let's keep it simple. Let's trust in our colleagues. If there is a problem down the road, then we'll fix it.

Jones: I feel very differently. I would be able to vote for the Bylaws if the provision for electronic voting were stricken. I depend so much on the collective wisdom of my colleagues.

Margaret McLaren: I propose an amendment that we add a proviso to electronic voting in exceptional circumstances: electronic ballots should include a vote on whether an electronic mechanism is appropriate in that case.

Socky O'Sullivan: In our conversation last week—I agree it was not a majority, but it was the will of those assembled in the room.

Mario D'Amato: I find this provision unwieldy, unless it's infinitely regressive, which would at least make it philosophically interesting.

Lisa Tillmann: To clarify the process, we would vote on the issue and also vote on whether we approve the electronic mechanism.

Cornwell: What is recorded in the minutes? What is the language of the amendment?

Russell: Here is the proposed language: "in exceptional circumstances, the elected members of the Executive Council may decide to hold an electronic vote; such a vote must include the majority endorsement by the faculty of the voting mechanism."

Margaret McLaren accepts the language as read.

Eric Smaw: I'm concerned about time. It's 1:20, and we've spent the bulk of the meeting discussing this question without conducting a vote.

Eric Smaw call the question. Passed.

So you support the proposed amendment? No carries by 54% (81 votes). Yes 43% (62 votes), Abstain 2% (3 votes) 149 total votes cast.

Cornwell: The proposed amendment failed. The floor is now open for the whole package of changes.

Call the question. **Marc Fetscherin** seconded. Passed.

O'Sullivan: Are we voting on the amendments? Or the Bylaws?

Cornwell: We're voting on the package of amendments as a whole.

The motion passes with a vote of 94% (142), No 4% (7), Abstain 1% (2). 151 votes cast.

Adjournment

President Grant Cornwell adjourned the meeting at 1:25pm.

ALL FACULTY OF ROLLINS COLLEGE

SECTION III-BYLAWS

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BYLAWS OF ALL THE FACULTY OF ROLLINS COLLEGE

**References to
“Trustee” Bylaws,
CPS, and A&S
removed
throughout**

PREAMBLE

The Rollins College mission animates the bylaws of All the Faculty of Rollins College.

“Rollins College educates students for global citizenship and responsible leadership, empowering graduates to pursue meaningful lives and productive careers. We are committed to the liberal arts ethos and guided by its values and ideals. Our guiding principles are excellence, innovation, and community.

Rollins is a comprehensive liberal arts college. Rollins is nationally recognized for its distinctive undergraduate and selected graduate programs. We provide opportunities to explore diverse intellectual, spiritual, and aesthetic traditions. We are dedicated to scholarship, academic achievement, creative accomplishment, cultural enrichment, social responsibility, and environmental stewardship. We value excellence in teaching and rigorous, transformative education in a healthy, responsive, and inclusive environment.”

**College of Liberal
Arts added
throughout**

ARTICLE I GENERAL GOVERNANCE

Section 1. The Bylaws of All the Faculty of Rollins College

The Rollins College Bylaws, Article IV, state that the "faculty ... may adopt for its own government such principles and bylaws as shall seem desirable to promote efficiency and facilitate work, provided, however, that all such bylaws and principles shall be subject to the rules and regulations and requirements set out by the Board of Trustees.” These bylaws outline the manner in which the faculty has organized for these purposes. Among other responsibilities, Rollins College (Rollins College Bylaws, Article IV) entrusts All the Faculty of Rollins College with “all matters pertaining to the order, instruction, and academic discipline of the College, and [confers upon the Faculty] primary responsibility for the content, quality, and effectiveness of

**I.1) Current
Bylaws contain
outdated quotes
from College (aka
“Trustee”) Bylaws**

the curriculum of the College.”

Section 2. Authority of the Bylaws of All the Faculty of Rollins College

These bylaws reaffirm a commitment by all members of the institution to democratic and participatory shared governance and to consultation in which decisions that affect the academic operation of Rollins College must be made within the procedural framework outlined here.

The standards set forth by the American Association of University Professors as published in *AAUP Policy Documents and Reports*, 1990 (or most recent) edition, when not in conflict with the College Charter, the Rollins College Bylaws, and the All-Faculty Bylaws, shall be binding on matters of academic freedom, appointments, tenure, faculty responsibility, and accountability.

Section 3. All the Faculty of Rollins College

The Rollins College Bylaws (Article IV) define the faculty of Rollins College as consisting of "the President, the professors, and such other employees as may from time to time be designated by the Board of Trustees." These individuals collectively are designated as All the Faculty of Rollins College. This faculty is organized into two bodies: the faculty of the College of Liberal Arts and the faculty of the Roy E. Crummer Graduate School of Business (the Crummer School). Each faculty member of Rollins College is appointed to one of these faculties. A guiding principle of governance for Rollins College is that each of these bodies is more effective if each adopts bylaws appropriate to facilitating its work.

Section 4. Voting on Administrative Positions

Certain College business, such as the Board’s appointment of the President of the College or the appointment of the various vice-presidents, involves issues that benefit from broad consultation. Faculty members, as appointed by the respective faculties, will serve on the search committees for the President of the College and all vice presidents. Prior to the appointment of the Vice President of Academic Affairs and the Vice President of Student Affairs, the faculty shall approve candidates by majority vote. Faculty membership to administrative search committees shall be determined by the Executive Committee of the faculty of the College of Liberal Arts (as specified in the College of Liberal Arts Bylaws, Article VI, Section 2) and the faculty of the Crummer School.

I.4) Changes and clarifies voting role of the faculty in administrative searches to align with Board expectations and common practice

Section 5. Mechanisms for Addressing Issues of Broad Concern

Other College matters that are broader than the scope of any one faculty shall receive consideration from the Executive Council (see Article IV). Such matters may include, but are not limited to, extraordinary issues concerning

affirmative action, strategic educational planning, institutional financial priorities, and mediation of issues of academic import brought forth by any of the faculties or administrators, and academic support services. This mechanism is provided so that officers of administration of Rollins College can efficiently receive advice from a broad faculty group. It is recognized that these broad issues may also be addressed by other bodies, including Deans and students, as appropriate.

Section 6. Institutional Review Board

Rollins College has established the Institutional Review Board (IRB), endorsed by All the Faculty, to protect the rights of human participants and to promote professional research. The goal of the IRB is to enhance the validity of research by helping to ensure that projects involving human participants adhere to established ethical, moral, and legal standards. The IRB also serves to weigh any potential risk to research participants against the benefits that the proposed research may provide. Human research is any activity developed for the purpose of collecting and organizing data from human participants in such a manner as to test hypotheses, address research questions, or contribute to generalizable knowledge.

Membership of the IRB should include at least six members and a chair. The members will include at least two full-time faculty, an at-large member (from outside Rollins), a student affairs representative (staff), and two students (graduate & undergraduate). The terms of office should be staggered so that membership constantly rotates. All members should receive IRB training.

ARTICLE II

ROLLINS COLLEGE ALL-FACULTY

MEMBERSHIP AND SUFFRAGE

The following have the privilege of both voice and vote in meetings of the faculty of Rollins College: the President of Rollins College; administrators with faculty rank or holding tenure at the College; librarians, Directors, Vice Presidents, Deans with faculty rank; and the voting faculty members of the College of Liberal Arts and the Crummer School.

ARTICLE III
MEETINGS OF ALL THE FACULTY OF ROLLINS
COLLEGE

Section 1. Meetings of All the Faculty

All the Faculty of Rollins College shall hold regular meetings at least once a year, and may hold special meetings at any other time deemed necessary either by the President or by the Executive Council. At all such meetings, the President (or a designee of the Executive Council) shall preside as chair and appoint a Parliamentarian and a Secretary, who shall record minutes and post them to the College archives. On occasion, faculty may vote electronically on certain routine college business, including approving meeting minutes. In exceptional circumstances, the elected members of the Executive Council may decide by a two-thirds majority to hold an electronic vote on other matters.

A quorum for conducting business at meetings of All the Faculty of Rollins College shall consist of one half of the voting members of the faculty for any given term.

III.1) Clarifies the selection of Parliamentarian, adds a provision for taking minutes, and for electronic voting with two-thirds majority

III.1) Retains quorum of 1/2 of voting members (no change to existing bylaws)

Section 2. Roberts Rules of Order

Robert's Rules of Order, when not in conflict with these bylaws, shall be used as authority for the conduct of meetings of All the Faculty.

ARTICLE IV
EXECUTIVE COUNCIL OF THE FACULTY – MEMBERSHIP
AND DUTIES

Section 1. Membership

The membership consists of the President of the Crummer School, the voting members of the Executive Committee of the faculty of the College of Liberal Arts, the President of the College, and anyone invited by the President of the College as appropriate to the issue being considered.

IV.1) Changes membership of Executive Council

Section 2. Terms of Office

Terms of office for the faculty members of the council shall be determined by the members' respective governance bodies.

Section 3. Duties and Responsibilities

The Executive Council is an advisory committee to the President; it recommends rather than legislates. Legislative responsibilities belong to the individual faculties of the College of Liberal Arts and the Crummer School. The Executive Council will meet as needed to consider policy issues whose implications transcend the scope of any single faculty.

The Executive Council may convene at the request of the President, the Provost, or the Executive Committee of the faculty of the College of Liberal Arts or its equivalent of any faculty. The Executive Council is charged with interpreting these bylaws, with reviewing them periodically, and with proposing to the faculty any changes to these bylaws. In addition, when convened to mediate issues that are identified by the President, Provost, or a faculty's Executive Committee or equivalent, to be larger in scope than any one faculty, the Executive Council serves as a steering committee. It is initially charged with adjudicating whether the issue requires further deliberation among representatives from more than one faculty. If the issue is so adjudicated, the Executive Council is charged with determining the mechanism by which resolution of the issue will be pursued (e.g., a joint committee, an ad hoc committee, or any other appropriate mechanism), and the membership of any group which will pursue that resolution. If a resolution remains unattainable, then the Executive Council will submit to the President a report detailing its own recommendation as to a proposed course of action. The President will then make a decision. In its deliberations, the council may at any time seek the advice of the entire faculty of Rollins College by calling a special meeting of All the Faculty.

ARTICLE V

FACULTY EVALUATION

Section 1. Faculty Evaluation Committees

Every member of the faculty shall be subject to review by an evaluation committee that shall be responsible for assisting their professional development.

Section 2. Faculty Appointments

Initial faculty appointments shall be made by the President upon recommendation of the Provost and the appropriate Dean or, in the case of a library appointment,

V.2) Streamlines language of the second sentence

Director. No administrator shall recommend the appointment of a faculty member of whom a majority of the voting tenured and tenure-track faculty of a department or the faculty of the Crummer School does not approve. Timetables for faculty reappointment must be approved by All the Faculty of Rollins College, and shall appear in the Rollins College *Faculty Handbook*. The appointment letters are sent by the Provost on behalf of the President.

Section 3. Criteria for Evaluation

Each faculty shall develop criteria for faculty reappointment, promotion, and the granting of tenure. Each faculty shall determine how these criteria shall be used to evaluate and recommend whether a faculty member's work and professional contributions have been consonant with the requirements or expectations assumed contractually when joining the faculty, or afterward; such criteria likewise shall be used to evaluate the expected performance of normal workload activities, and the expected assumption of responsibilities in addition to the normal workload.

Section 4. Evaluation of Tenured Faculty

Faculty evaluation committees are charged with the responsibility of encouraging improved teaching and continued professional growth for all members of the faculty. Each faculty must specify and provide in their bylaws for the periodic evaluation of tenured faculty members. Should an evaluation committee detect significant deficiencies, or find that a tenured faculty member is in extraordinary need of assistance, it may initiate evaluation proceedings at any time.

Section 5. Tenure Policy for External Candidates for Administrative Positions

When the search committee has narrowed the pool of candidates for Provost or other administrative positions to those to be invited to campus, and if tenure consideration is appropriate, the candidates' dossiers will be sent to the relevant departments for review. During the candidate's campus visit, the candidate will meet with the department. Before a candidate is offered the position, the relevant department will forward its tenure recommendation to the appropriate tenure review committee. If the departmental recommendation is positive, the appropriate tenure review committee will make a recommendation to the President. If the candidate is recommended for tenure, the timing of the award of tenure will be at the discretion of the President and the Trustees, and the tenured position shall be an addition to the existing positions in the department.

Section 6. Appeals of Decisions on Reappointment, Tenure, and Promotion

Any candidate for reappointment, tenure, and/or promotion may appeal the final recommendation of the respective evaluation committee or the final recommendation of the Provost to the All-Faculty Appeals Committee (see Article VI). A candidate who appeals a tenure or promotion decision has until August 1 following the evaluation to file an appeal. Such appeals will be considered only in the event of the allegation of one or more of the following charges by the candidate: discrimination on the basis of race, national or ethnic origin, religion, sex, sexual orientation, gender identity or expression, age, disability or any other category protected by federal, state or local law; violations of academic freedom; and/or procedural violations. In appeals cases, the candidate must present convincing evidence to the Committee that the evaluation process was flawed for one or more of the aforementioned reasons.

V.6) Clarifies what constitutes discrimination (updated to conform with current anti-discrimination policy at Rollins)

ARTICLE VI

ALL-FACULTY APPEALS COMMITTEE

Section 1. Membership and Terms of Office

The All-Faculty Appeals Committee shall consist of four tenured, full professors, one from the Crummer School who shall be elected by the faculty of the Crummer School, and three from the College of Liberal Arts, who shall be elected by the faculty of the College of Liberal Arts. Committee members shall serve staggered terms of three years. Three alternates (one from the faculty of the Crummer School and two from the faculty of the College of Liberal Arts) shall be elected for the same terms. Members of the Committee may not participate in Committee deliberations or actions in cases dealing with their own individual appeals, nor may they participate in Committee actions or deliberations in appeal cases in which they participated as members of an evaluation committee. Members of the Committee may not participate in Committee deliberations or actions in grievance cases in which they are either petitioners or named in the grievance. In such circumstances, the member shall be replaced by a corresponding alternate.

VI.1) Retains existing membership of four (no change)

VI.1) Requires Full Professor rank

Section 2. Duties and Responsibilities in Appeals Cases

The Committee hears the appeals of candidates for tenure and/or promotion with regard to the recommendation of the evaluation committee or with regard to the recommendation of the Provost. The All-Faculty Appeals Committee initially reviews all requests for appeal to determine sufficient cause. If the All-Faculty Appeals Committee finds that sufficient cause does exist, a meeting for a full-scale review is convened.

VI.2) Clarifies procedure

Section 3. Recommendations and Authority in Appeals Cases

After reviewing the case, the All-Faculty Appeals Committee makes a recommendation to the President either to uphold the original decision or, in the event of a majority vote in favor of the appeal, to recommend a new evaluation. It does not rule on the substance of a case. To win an appeal, the candidate must demonstrate to the satisfaction of the Committee that the evaluation process has been flawed. In the absence of convincing evidence that the procedure has been flawed, the All-Faculty Appeals Committee affirms the original decision to deny tenure or promotion.

VI.3) Clarifies procedure

Section 4. Duties and Responsibilities in Grievance Cases

If any faculty member alleges cause for grievance in any matter not covered by the procedures described in these bylaws or in pertinent AAUP policy documents, the faculty member may petition the All-Faculty Appeals Committee for redress. The petition will set forth in detail the nature of the grievance and will state against whom the grievance is directed. It will contain any factual data that the petitioner deems pertinent to the case. The All-Faculty Appeals Committee will decide whether the facts merit a detailed investigation; if the faculty member succeeds in establishing a prima facie case, it is incumbent upon those named in the grievance to come forward with evidence in support of their position on the matter. Submission of a petition will not automatically entail investigation or detailed consideration thereof. The All-Faculty Appeals Committee may seek to bring about a settlement of the issue that is satisfactory to the parties. If in the opinion of the Committee such a settlement is not possible or appropriate, the Committee will report its findings and recommendations to the petitioner and to the President or the Provost, and the petitioner will, upon request, be provided an opportunity to present the grievance to the administrator.

VI.4) Clarifies language and procedure for Appeals process

Section 5. Tenured Faculty Dismissal Procedures: Hearing Committee

In cases concerning the fitness and possible dismissal of a tenured faculty member, the All-Faculty Appeals Committee shall follow the 1958 AAUP Statement on Procedural Standards in Faculty Dismissal Proceedings.

VI.5) Brings dismissal policy to the All-College level

VI.5) Refer question of dismissal policy, HR policies, and current best practices to Faculty Affairs Committee

ARTICLE VII

METHOD OF AMENDING BYLAWS

These bylaws, or any provisions thereof, may be abrogated or amended at any meeting of the faculty by a two-thirds vote of the faculty present and voting, provided that notice seven days prior to the meeting shall contain a copy of the proposed amendment or amendments. Amendments ultimately made need not be in the exact form in which they were sent to each member as above provided, but must deal with the same subject matter.

It shall be the responsibility of the President to communicate all revisions of these bylaws to the Board of Trustees.

AUTHORITY

These bylaws, except where specifically noted, supersede all faculty bylaws approved prior to September 2016. These bylaws must be reviewed by the Executive Council by October 1, 2019.

rev. 9-9-08

reviewed 7-17-09

revised 10-18-10

revised 10-13-11 to 11-01-11

rev. 5-2013

revised 9-2014

VII) Tasks the President with communicating bylaws changes to the board, eliminating regular duties from Executive Council