

# College of Arts & Letters Constitution

Approved by College Dean 11/26/2018

Approved by Council 10/30/2018

Approved by vote of college faculty 11/14/2018

## **Article I. Preamble, Mission**

Section 1. The faculty of the College of Arts & Letters asserts that the liberal arts are the basis of higher education and good citizenship. The college is dedicated to preserving standards of excellence and quality in all undergraduate and graduate programs of study and research, with the understanding that a great university serves the needs not only of the state and the nation but also, in this era of globalization, the world. The mission of the College of Arts & Letters is to prepare students for active global and local engagement through scholarly research, professional development, and experiential, problem-based learning.

Section 2. The purpose of this Constitution is to provide a framework and a set of guidelines for the faculty of the College of Arts & Letters at the University of Toledo.

Section 3. This Constitution is intended to be consistent with Federal and Ohio laws, the rules and regulations of the Ohio Department of Higher Education, and the collective bargaining agreements (CBA). The College of Arts & Letters shall institute a council consisting of an elected representational body of its faculty to participate in shared governance of the college. The purposes of this body may include: a) consideration of academic regulations and policies, curriculum, programs, and other issues of concern to the faculty of the college and its dean; and b) coordination of evaluations of all academic administrators in their college under the level of dean.

Section 4. The rights, privileges, and responsibilities of all faculty members are specified in appropriate sections of The University of Toledo policies and the collective bargaining agreement between the Board of Trustees for The University of Toledo and the American Association of University Professors, University of Toledo Chapter.

## **Article II. Shared Governance**

Section 1. The faculty of the college recognizes that its mission and goals can be achieved only through an acknowledgment of the principles of shared governance. Working relationships between administrators and faculty and among faculty within the academic units must be based on mutual respect, transparency, representative participation, and clarity of roles. The Constitution of the College of Arts & Letters aims to establish principles and operating procedures grounded in acceptance of mutual accountability and shared commitment.

Section 2. The authority for faculty shared governance derives from the University Faculty Senate Constitution Article XIII and the Appendix Article IV, and the Collective Bargaining Agreement Article 7. General authority comes from the national AAUP Statement on Government of Colleges and Universities of 1966.

### **Article III. Academic Freedom**

Section 1. Academic freedom is essential to search for truth and its free exposition in research and teaching. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. This is expressed in the AAUP 1940 Statement of Principles. The faculty of College of Arts & Letters will nurture the principle of academic freedom.

### **Article IV. Organization**

Section 1. **Faculty:** The faculty of the College of Arts & Letters shall consist of all members holding full time academic appointments as lecturers, instructors, assistant professors, associate professors, or professors in the departments, centers, or programs of the college.

Section 2. **Dean:** The Dean shall be the chief academic officer of the college and act as agent of the faculty for the execution of educational policy. The Dean fosters and participates in shared governance with the faculty of the college.

Section 3. **Associate and Assistant Deans:** The Dean is assisted by associate and assistant deans in administering college affairs.

Section 4. **Selection of the Dean:** The Dean is appointed by the President. College of Arts & Letters faculty and chairs will provide input into the selection process.

Section 5. **College Departments:** The department shall be the fundamental unit of academic and administrative organization within the college. The program(s) of a department shall be managed by the department faculty through a department chair, who shall have general responsibility for the activities of the department.

#### **Section 6. Chairs of Departments:**

(A) **Appointment:** The Dean shall appoint the chair of each department in the College of Arts & Letters only from the department's full-time tenured faculty or from an external hire eligible for tenure in that department, subject to the approval of the Provost, the President, and the Board of Trustees, as noted in the current collective bargaining agreement (CBA). The dean shall effectively consult with the full-time faculty of the department in the choice, removal, and renewal of appointment of the department chair, including conducting a vote of tenured, tenure-track, and lecturer faculty.

(B) **Vote of Confidence:**

i. **Timing:** During the fall semester preceding the end of the chair's term, faculty shall vote on the chair's continuation in that office.

ii. **Eligibility:** Participation in any vote of confidence shall be limited to those members of the tenured or tenure-track bargaining unit and lecturer bargaining unit who have been members of the department for at least one year.

iii. Notification: The Dean shall prepare a list of all eligible voters in the department and shall notify them, including those in absentia, of the impending vote in sufficient time to permit those unable to attend the meeting to cast absentee or email ballots. Absentee ballots shall be sent by the voter directly to the Dean and prior to the departmental election meeting.

iv. Voting: The Dean or a designee from the college office, not a member of the voting department, shall conduct the voting at a special meeting called for that purpose. Only the Dean or a designee and the eligible voters of the department may be present. The vote shall be taken by secret ballot and counted in the presence of those voting. The results announced shall include the votes of those who cast absentee ballots.

v. Lack of Confidence: If a majority of those eligible to vote cast no-confidence ballots, the Dean, in consultation with the department, should initiate the selection process outlined in Article IV.6 (A). A chair who fails to receive a vote of confidence should be removed from the position by the end of the current academic year.

vi. Early Vote of Confidence: One-half of the eligible voting faculty of a department, as defined in Article IV.6 (B).ii may in confidence petition the Dean for an early vote of confidence. No more than one such vote of confidence may be taken in any one academic year. The procedure for conducting an early vote of confidence shall be the same as that specified in Article IV.6 (B).

## **Article V. Meetings of the College Faculty**

### Section 1. Regular Meetings of the Faculty:

(A) Meetings of the entire college faculty shall be held at a frequency of at least once per academic year. These meetings will be called by the Dean, and the Chair of College Council will preside over these meetings.

(B) Each regular meeting will be scheduled prior to the start of the academic year and announced by the Dean, or her/his designee, at the first College Council meeting of the academic year and by email to all college faculty members no later than three business days prior to that semester's first College Council meeting.

(C) Meetings are to provide an opportunity for wider faculty involvement in developing and establishing college policy and the business of the college; the college faculty may also conduct these meetings to address extraordinary matters. Proposed business to be conducted must be specified as agenda item(s).

### Section 2. Special Meetings of the Faculty:

(A) Special meetings of the faculty may be called during the academic year by the Dean or by petition signed by 20% of college faculty members as defined by Article IV.1, or by 100 students enrolled as majors in the College of Arts & Letters, and presented to the Dean. The Chair of College Council will preside over such meetings.

(B) Special meetings called by petition shall be held no later than ten calendar days from the date of the filing of the petition with the Dean. College faculty shall receive written notice of the meeting at least three business days in advance of the meeting, and the notice shall cite as an agenda item(s) the

contents of the petition and the text of any proposals on which the faculty is expected to act. The Dean shall inform each college faculty member by e-mail about the nature of the meeting, its time and place, and its agenda.

(C) No business of the college or the college faculty may be approved during special meetings. Instead, any such business proposed at a special meeting will be referred to the Executive Committee of the College Council for inclusion as an agenda item at a subsequent College Council meeting.

Section 3. Agenda: The agenda for regular meetings shall be prepared by the Dean in consultation with the Executive Committee of the College Council, and shall be received by the faculty at least three days in advance of the meeting, together with the texts of any proposals on which the faculty is expected to consider. Any faculty member may request that an item be placed on the agenda by submitting a written request to the Dean.

Section 4. Limitations on Scheduling of Meetings: No regular or special meeting shall be held during the final examination period, or on scheduled holidays, fall break, Thanksgiving break, winter break, spring break or during the summer.

Section 5. Quorum: A quorum for any regular meeting of the entire college faculty shall consist of 51% of college faculty with voting privileges, as defined by Article IV.1. Establishing quorum is not required for special meetings of the college faculty because Article V.2(C) states that no business of the college or of the college faculty may be approved during a special meeting.

Section 6. Voting: Faculty with voting privileges, as defined by Article IV.1, can vote at regular meetings of the entire college faculty.

## **Article VI. College Committees**

Section 1. Standing College Committees:

(A)The College Committee on Academic Personnel includes members who shall be elected as provided for in collective bargaining agreements and bylaws of the College Council. Each division of the college, as identified in Article VII.3 (C), shall be entitled to two tenured representatives on the College Committee on Academic Personnel. These representatives serve staggered two-year terms.

i. The Chair of the College Committee on Academic Personnel shall be selected by members of that committee from amongst its elected members. Chair selection shall take place following annual April elections to the College Committee on Academic Personnel.

ii. In the event of a vacancy on the College Committee on Academic Personnel, the vacancy shall be filled from the same division by the next highest eligible runner up in the most recent election. This individual will serve the remainder of the vacated term.

iii. In the event that the next highest runner up cannot be identified, a new election shall take place under the direction of the Council Committee on College Elections. This individual will serve the remainder of the vacated term.

(B) Other standing college committees may be created with approval of the College Council with a 2/3rds majority vote.

(C). Standing committees may be abolished by the College Council with a 2/3rds majority vote.

#### Section 2. Special College Committees:

(A) The Dean may create a special college committee to examine an issue under the purview of the Dean and to make recommendations to the Dean on that issue. Special college committees shall neither consider nor make recommendations on any issue under the purview of an existing standing or temporary committee of the College of Arts & Letters Council unless it is with the assent of College Council. Membership of special college committees shall be comprised of faculty members in the College of Arts & Letters. The Dean, in consultation with the department chairs, will appoint members to special college committees.

(B) Prior to the first meeting of a special college committee, the Dean or his/her designee must announce to the College Council the formation of that committee, a description of its charge, its membership, and the tenure status of each member of the committee. In contrast to a standing college committee, a special college committee is expected to meet its charge within two consecutive semesters (including summer). Therefore, the duration of a special college committee shall not exceed that period, and new members must be selected if the committee is reconstituted after that period.

#### Section 3. Appointments to College Committees:

(A) Members of the College Committee on Academic Personnel shall be elected by tenured and tenure-track faculty in accordance with collective bargaining agreements, provisions of this document, and published College Council bylaws.

(B) Appointments to other standing college committees will be made by the Dean with advice from the Executive Committee of the Arts & Letters Council. There shall be equal membership among Arts, Humanities, and Social Sciences faculty members on all such committees. Appointments to standing college committees are restricted to College of Arts & Letters faculty members eligible to vote on college issues, as defined by Article IV.1.

(C) Appointments to special college committees will be made by the Dean with advice from department chairs. There shall be equal membership among Arts, Humanities, and Social Sciences faculty members on all such committees. Appointments to special college committees are restricted to College of Arts & Letters faculty members eligible to vote on college issues, as defined by Article IV.1.

### **Article VII. Arts & Letters Council**

Section 1. Powers and Authority: The Arts & Letters Council shall serve as the legislative branch of the College of Arts & Letters. It shall act on all matters related to the authority granted to the faculty in the bylaws of the Board of Trustees and by the Faculty Senate, including academic policies, curriculum, academic programs, academic standards, and degree requirements. Its actions shall be effective upon passage, unless otherwise specified by College Council, and written notice of such action must be given to the faculty within five days of the action. Such actions shall not prejudice the right of the entire

faculty to rescind such action under the provisions of Article 5. The College Council shall also review the annual report of all College of Arts & Letters standing committees.

(A) Committees: The Arts & Letters Council may establish standing and temporary committees and determine their areas of jurisdiction. Such committees report directly to College Council. Appointments to standing and temporary committees of the Arts & Letters Council are made by the Executive Committee of the College of Arts & Letters with consent of College Council. The term of office for all committee appointments shall be for the remainder of the Council year in which they are made. Attendance of at least 51% of voting committee members must be present at each council committee meeting to establish quorum and, thus, to conduct committee business.

i. Standing council committees are permanent ones, with committee membership selected each academic year. The list of standing committees and their areas of activity shall be specified in College Council bylaws. This list must at minimum include:

1. *Council Committee on College Elections* who shall administer and certify the results of all College and Council elections.

2. *Council Committee on Curriculum* who shall review (a) proposed creation or elimination of academic programs, (b) all proposed changes in, additions to, and assessment of curriculum and academic programs.

3. *Council Committee on Constitution and Bylaws* who shall study and report on proposals to amend the College Constitution and Council bylaws.

ii. Temporary Council Committees: These committees are created for special concerns that do not need continuing study. Their lifetimes shall not extend beyond the focused investigation on a specific issue that is expected to be completed within the academic year of appointment; if they are to continue, they shall require reauthorization by the next council. Reauthorized temporary committees have the possibility of new committee appointments.

Section 2. Executive Committee: The Council membership shall elect an Executive Committee to serve as College Council officers. The term of office of Executive Committee members shall be one year and shall commence upon election. The Executive Committee shall consist of a Chair, Vice-Chair, Secretary, three at-large Executive Committee members representing each division of the college as defined in Article VII.3(C), and the Past Chair of Council serving in an ex officio capacity. With the exception of Chair and Vice-Chair, officers may serve consecutive terms if so elected. The Executive Committee: shall prepare the agenda for council meetings; shall appoint members to the standing and temporary committees of the Council; shall instruct and supervise the work of temporary committees; and shall take other appropriate actions to further the work of the Council, as the latter shall from time to time direct or approve.

(A) Executive Committee elections occur at the first meeting of each year's College Council, held in the spring semester.

i. All members of Council are eligible to serve as Secretary and at-large members.

ii. Only members of the College Council with tenure are eligible to serve as Vice-Chair or Chair.

(B) Chair line of succession: The Council Vice-Chair will automatically ascend to Council's Chair role for the following College Council unless they are replaced by a majority vote of College Council at the end of their term as Vice-Chair.

(C) No individual may hold more than one position on the Executive Committee of Arts and Letters College Council.

(D) In the case of Executive Committee members elected at other times to serve as replacements for departing Executive Committee members, their terms will commence upon election and will end upon the spring semester election of the subsequent Executive Committee.

Section 3. Membership: The Arts & Letters Council shall have the following membership.

(A) As many as two full-time tenured or tenure-track faculty representatives from each department.

i. The list of Departments shall be limited to:

a) Long established academic programs administered by a department chair and comprised of additional tenured/tenure-track non-administrative faculty members, and

b). Interdisciplinary programs not otherwise affiliated with another department, with a designated administrator holding faculty rank, and comprised of additional tenured/tenure-track non-administrative faculty members not otherwise affiliated with another department.

ii. Each department may also elect up to two additional full-time member(s) of its faculty to serve as its alternate representative(s).

a) Alternate representatives serve on College Council during a department representative's absence, or serve out the remainder of a representative's term should the representative resign or is otherwise replaced.

b) The duties and responsibilities of alternative representatives are limited to consideration of issues and proposed actions before College Council. They do not extend to the department representative's committee assignments or to a position on the Executive Committee should the department representative have been elected to such a position.

(B) Two non-voting student representatives

i. One undergraduate student with a major in an Arts & Letters discipline, appointed by the President of Student Government;

ii. One graduate student in an Arts & Letters graduate program, appointed by the President of the Graduate Student Association

(C) Two at-large full-time tenured or tenure track representatives, each serving two-year terms, from each college division. Divisions are defined as:

i. Arts

- ii. Humanities
- iii. Social sciences

1) Departments defined under Article VII.3 (A) may determine to which college division they are aligned. Such determinations must be reported to the College Council Executive Committee in writing by February 1st in each year or the prior year's division affiliation will continue.

(D) The immediate past Chair will remain on the College Council for a period of one year with voting privileges.

(E) The Dean, associate deans, and directors are non-voting members of College Council. They may engage in debate.

(F) Three lecturer at-large representatives may be elected from the lecturer faculty.

(G) Two lecturer representatives from each college division, as determined under Article VII.3(C), may be elected.

Section 4. Elections: Faculty representatives under subsections Article VII.3 (A) shall be elected by the full-time tenured, tenure-track, and lecturer rank faculty members of the departments or academic units that they represent. Faculty representatives under subsection Article VII.3 (F) shall be elected by the full-time lecturer faculty members of the college. The full-time tenured or tenure-track members of the Arts, Humanities and Social Sciences divisions, as determined under Article VII.3 (C) voting at large, shall elect their at-large faculty representatives from full-time tenured or tenure-track members of their same division. Article VII.3 (G) shall be elected by the lecturer members of the Arts, Humanities and Social Sciences divisions, as determined under Article VII.3 (C), voting at-large for members of their same division. The Council Committee on College Elections shall supervise these and other at-large college or division elections.

(A) Prior to the end of the first week in April of each year, each department shall conduct its election of department and alternative representatives for the subsequent academic year. Within 5 business days, the department chair shall inform both the College Council Chair and the College Council Secretary of the result of these elections.

(B) The Council Committee on College Elections shall supervise at-large, lecturer, and other elections. At-large elections shall be conducted in April of each academic year.

i. Election to division-based, at-large membership positions in the college or to the College Council shall be determined by the candidate with the highest number of votes from eligible faculty within each division, voting separately.

ii. A department shall not have more than one of its tenure or tenure-track faculty members serving as an at-large member of College Council.

iii. Election to an at-large lecturer membership position shall be determined by the three candidates with the greatest number of votes from college lecturers.



Section 5. Vacancies: College Council bylaws shall establish procedures for filling vacancies in its membership.

Section 6. Terms of Office: The terms of office for all voting members of College Council shall be two years. The terms of those elected under subsection Article VII.3(C) and Article VII.3(F) above shall be staggered. Student representatives shall serve one-year terms, and are eligible for reappointment and reelection.

Section 7. Meetings and Procedures: In accordance with provisions in this document, the College Council shall establish and publish their bylaws that establish operating procedures, and meeting dates.

(A) Regular Meetings: Regular meetings of the Arts & Letters Council shall be scheduled at least once per month during the academic year. This shall be on a date and time that does not conflict with Faculty Senate meetings. Meetings may be canceled if the Chair determines that no items for discussion are proposed or pending from previous meetings, if a simple majority indicates inability to attend, if the university has cancelled classes due to a weather event, or by unanimous consent. Meetings of College Council shall not be scheduled during summer sessions, Thanksgiving break, winter break, fall break or spring break, or at other times when the university is not in session.

(B) Special Meetings: The Executive Committee or, in an emergency, the Chair shall have the authority to call special meetings. College Council itself may provide for holding additional meetings. In addition, five members of College Council may call special meetings by a petition submitted to the Secretary of Council. Special meetings called by petition shall be held no later than ten days from the date of the filing of the petition with the Secretary. Members of the faculty shall be given written notice of the meeting at least three days in advance of the meeting, and the notice shall cite the contents of the petition and the text of any proposals on which the faculty is expected to consider.

(C) Quorum: A quorum for College Council meetings shall consist of simple majority (51%) of elected members of the College Council for business to be conducted.

(D) Rules of Procedure: Except as otherwise provided herein, the bylaws of College Council shall follow basic rules of parliamentary procedure.

(E) Bylaw amendment procedure: The bylaws of College Council may be amended by a 2/3 vote of College Council and shall be effective immediately upon that affirmative vote.

i. Only council members who are not members of the Executive Committee may propose amendments to their bylaws. During a council meeting, the Executive Committee may request that a council member make such a proposal.

ii. For a proposal to be considered, specific language of the proposed amendment must be provided to College Council.

iii. No vote of approval shall take place during the council meeting when a proposed amendment is announced and presented to Council.

iv. Within three business days of announcement the proposed amendment presented to Council shall be distributed electronically to all college faculty members by the Executive Committee. The proposed amendment shall be considered at the next scheduled council meeting.

Section 8. Voting Privilege and Responsibility: Each department representative, at-large representative under Article VII.3 (C), and the immediate past Chair are eligible to vote on all matters considered by College Council. Alternate representative(s) have such voting privileges only when attending College Council in a representative's absence or when completing that department representative's term. Lecturer representatives under Article VII.3 (F) and Article VII.3 (G) are eligible to vote on all matters except those pertaining to tenure and tenure-track personnel issues.

(A) Tenure and tenure-track personnel issues are defined as teaching, professional activity, and service obligations that tenure and tenure-track faculty are evaluated on as part of the tenure and promotion process.

(B) The Chair of College Council shall make a determination when tenure and tenure-track personnel issues are stake. Such a determination may be overridden by a majority vote of College Council.

### **Article VIII. Adoption and Amendment**

Section 1. Adoption: This constitution shall be adopted by a vote of the college faculty, provided that at least two thirds of those voting favor it. The proposed constitution must be distributed to the faculty at least two weeks prior to the start of the voting period. The voting shall be by electronic ballot.

Section 2. Amendment:

(A) This constitution may be amended by a vote of the college faculty, provided that at least two thirds of those voting favor the amendment. Amendments must be proposed by the Council and distributed to the faculty at least two weeks prior to the voting. The voting may be electronic ballot or by a general meeting of the faculty, as determined by the Council.

(B) Amendments shall be effective upon written notice of approved changes, which are to be sent by the Chair of the College Council to all faculty members within two weeks of their approval.

Section 3. Transition: Individuals serving on Council at the time of constitution ratification may serve out the remainder of their term. During the 2018-2019 Council, the College Council shall adopt and publish new bylaws after ratification of the Constitution.