

CAL COUNCIL BYLAWS

History

- Article VIII Section 3 of CAL Constitution (2018) stated "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."
- Initial bylaws proposal 12/11/18
- Revised bylaws proposal 1/22/19
- Amendment 1 (Egan) offered minor technical changes and was passed on 1/22/19.
- Amendment 2 (floor) offered minor technical changes and was passed on 3/19/19.
- Bylaws adopted by unanimous vote of CAL Council on 3/19/19.
- Section 6, Item D adopted by unanimous vote of CAL Council on 10/29/2019.
- Section 1, Item C amended by unanimous vote of CAL Council on 9/7/2021.
- Section 5, Items C, D, and E amended by CAL Council on 11/8/2022.

Council Bylaws

Authorization for Arts & Letters Council is found in Article VII of the College of Arts and Letters Constitution. The following provides a brief summary of the most relevant sections:

- Section 1: Powers and Authority of Council-specifies powers and establishes certain Council committees.
- Section 2: Executive Committee make-up and their election.
- Section 3: Membership-specifies membership requirements for Council.
- Section 4: Elections-specifies rules for elections.
- Section 5: Vacancies-notes that council bylaws will establish rules.
- Section 6: Terms of Office: 2-year terms and staggering of at-large representatives.
- Section 7. Meetings and Procedures-sets forth limitations on Council bylaws and provides the amendment process for council bylaws.
- Section 8: Voting Privilege and Responsibility-clarifies who may vote on which issues.

Section 1: Scheduling of Regular Meetings.

As denoted in CAL Constitution Article VII Section 7(A): "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."

(A). The Council Chair shall schedule regular council meetings and disseminate to the faculty of the college the dates and locations of such meetings prior to the start of the academic year.

(B). Regular meetings of the Arts & Letters Council shall be scheduled on at least one Tuesday per month at 4:00 P.M. during the academic year.

(C). Council meetings may only be held on Main Campus or via video conference.

Section 2: Meeting agenda

(A). On behalf of the Executive Committee, the Chair shall prepare the agenda for Council meetings and distribute it to all College Faculty, together with the minutes from the prior meeting, and the text of any proposals upon which Council is expected to consider, at least one business day prior to the meeting. The Executive Committee may assign a proposed agenda item directly to a committee before it is placed on the agenda.

(B). Any member of the Faculty shall be entitled to place an item on the College Council agenda, if it is presented in writing to the Chair at least three business days prior to a regular meeting and if it pertains to the business of the College.

1. Proposals to amend the college curriculum's distributional requirements or proposals that seek to establish, abolish or significantly revise majors or minors, require written feedback from the Director of Student Services prior to any vote of the Council, Council Committee on Curriculum, or Regular Meeting of the College Faculty. The Director of Student Services shall respond to such a proposal within four weeks.

(C). The agenda for regular meetings of Council shall use the following template:

1. Roll call
2. Approval of the minutes
3. Executive committee report
4. Faculty Senate report
5. Graduate Council report
6. Administrator reports
7. Old business
8. New business
9. Announcements

Section 3: Meeting Procedures

A quorum must be present for Council to conduct business. As denoted in CAL Constitution Article VII Section 7(C): "A quorum for College Council meetings shall consist of a simple majority (51%) of elected members of the College Council for business to be conducted." As denoted in Article VII Section 7(D): "Except as otherwise provided herein, the bylaws of College Council shall follow basic rules of parliamentary procedure."

(A). The Chair shall preside over meetings and have the power to recognize speakers, advise Council, provide reports and speak on Council matters.

(B). The Secretary shall take the minutes of the meeting and electronically distribute them to the Council and any other individuals who were invited to speak before Council within seven days. Recipients may suggest corrections to the Secretary for a period of three days. The Secretary may revise the minutes after this three-day period and redistribute the minutes to the Council and invited speakers no later than the day prior to the next Council meeting. After approval of the minutes by Council, the Secretary shall publish the minutes on the Council's website.

(C). The immediate past Chair of Council shall serve as the parliamentarian to address questions about the College Constitution or Council Bylaws. In the absence of the past Chair, the Vice Chair shall serve as parliamentarian.

(D). A motion to change the established agenda shall be in order at any time and may be adopted by majority vote of College Council.

(E). The Chair may institute time limits for agenda items when the Council has pressing old or new business. These may be overridden by a majority vote of the College Council.

Section 4: Voting on Council Matters

(A). Voting in all College Council shall be by voice vote, roll call vote, show of hands, electronic vote, or by secret ballot. A voice vote, roll call vote, show of hands, or an electronic vote may be used on all matters unless a request is made for a secret ballot. Each Council Member's response in a roll call vote shall be recorded in the Minutes of that meeting.

(B). Any member of College Council may request a secret ballot or a roll call vote on any motion before College Council and that request must be honored. In the event of opposing requests for roll call votes or secret ballot procedure requests, secret ballot shall be used. When secret ballot procedures are used, the Secretary shall distribute ballot forms to each voting member of Council and count secret ballot votes in the presence of College Council.

(C). When the voting form is not a roll call vote or secret ballot vote, only the result of a vote on a motion before College Council or an election to the Executive Committee shall be announced and recorded in the meeting minutes. If a roll call vote or secret ballot vote occurs, the count of votes on the motion or election shall be recorded in the meeting minutes.

(D). Cloture: A motion to limit or close debate shall require an affirmative vote of a simple majority.

(E) Test vote: The Chair of College Council may test the sentiment of College Council by asking for a voice vote or a show of hands on a proposal or question without calling for an official vote on a pending motion.

(F) Unless by unanimous consent of College Council, items introduced under new business shall not be voted upon in the same council meeting at which it is introduced.

1. Except for substantive changes to the college's distributional requirements in its curriculum, curriculum items are not considered new business once they have been considered by the curriculum committee. Action may be taken on these items under old business.
2. Election of the Council Executive Committee, staffing of Council Committees, or filling vacancies are not considered new business. Action may be taken on these items under old business.

(G) Faculty vote: When the CAL College faculty must vote on an election, non-votes will be counted as abstentions.

Section 5: Council Committees

Article VII Section 1 of the College Constitution provides for standing and temporary standing 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."

(A). Designation: With the exception of the Executive Committee of Arts and Letters College Council, the designation for all committees created under the auspices of this council shall be that of "Arts & Letters College Council Committee on _____"

(B). Reporting: Council Committees shall report directly to College Council.

(C). The following committee is established per College Constitution Article VII Section 1(A)i: "Council Committee on College Elections shall administer and certify the results of all College and Council elections."

1. Committee membership shall consist of one member from each division of the college. At least one of these members shall be a member of the Executive Committee.
2. The chair of this committee shall be tenured.

3. The Council Committee on College Elections shall establish an elections handbook and this handbook shall be published to the Council's website. This handbook shall specify procedures for voting, notification, establishing the appropriate electorate as identified by the College Constitution, and transmitting the results.

(D). The following committee is established per College Constitution Article VII Section 1(A)i: "Council Committee on Curriculum shall review (a) proposed creation or elimination of academic programs, (b) all proposed changes in addition to and assessment of curriculum and academic programs."

1. Committee membership shall consist of two members from each division of the college. At least one of these members shall be a member of the Executive Committee.

2. The chair of this committee shall be tenured.

3. The Director of Student Services of the College shall serve as a non-voting, ex-officio member.

4. During the week following the first Council meeting of each semester, the Curriculum Committee Chair shall provide the Executive Committee of the meeting schedule for the Curriculum Committee. The Curriculum Committee Chair should also notify a proposal's contact person of when and where their proposal will be reviewed so that the individual may attend the curriculum committee meeting. During the Spring semester, this notification shall denote the last meeting to complete curriculum changes for the academic term. The Curriculum Committee Chair will determine that through discussion with Faculty Senate.

(E). The following committee is established per College Constitution Article VII Section 1(A)i "Council Committee on Constitution and Bylaws who shall study and report on proposals to amend the College Constitution and Council bylaws."

1. Committee membership shall consist of one representative from each division of the college. At least one of these members shall be a member of the Executive Committee.

2. The chair of this committee shall be tenured.

(F): Appointments to Council Committees: As noted in Article VII Section 1, "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."

1. The Executive Committee shall give appointment preference to Council members and deviation from this principle is subject to Council approval.

2. If appointed to either a Standing or Temporary Committee, faculty-administrators holding an administrative rank above that of a department chair shall be a non-voting member of the committee and shall not participate in preparing the final report of the committee.

3. The chair of a Council committee is selected by the Executive Committee.
4. Individuals outside of a committee's membership may be invited to meet with a committee or to give testimony, advice, or recommendations to a committee, but may not vote or participate in preparing the final report of the committee.

(G). Committee Reports: Committees report to Council. They may provide:

1. Progress Reports: Council committees may be asked to present progress reports at the discretion of either the Council or the Executive Committee, or by a formal request of the college faculty at a regular meeting of the college faculty. By notifying the Executive Committee, any Council Member may request a progress report from a Council Committee on the issue(s) being considered by that committee. Within 10 business days of receiving that request from the Executive Committee, the committee chair shall deliver the progress report to the Executive Committee. The Executive Committee shall distribute the progress report to council members prior to the next College Council meeting.

2. Formal Reports: The Executive Committee shall distribute formal reports by council committees to all council members, the Dean, and Associate Deans. That distribution shall occur when the agenda for the council meeting at which the reports will be considered by council is distributed to college faculty members. Formal reports shall consist of (1) the committee's recommendations for substantive action (when applicable), and (2) an explanation for that recommendation (when applicable).

- a. The final report shall include a statement indicating the number of sessions the committee held, and list the non-committee members who assisted the committee in any manner.
- b. The committee chair must record and report to Council each date the committee met to discuss the issue(s) submitted, as well as whether quorum was established prior to each discussion.
- c. If the discussion of an issue took place via electronic communication, such as email, the committee chair must record and report to Council the period of time the discussion took place, and whether quorum was established through the number of committee members participating in that electronic communication.
- d. Explanation of Reports: The explanation shall summarize the data compiled and analyzed, the issues that arose during deliberations, and the manner in which each issue was resolved. The explanation should be so presented as to enable Council members to understand the basis of the committee recommendations. The list of the full committee membership shall be included in the final report submitted to College Council, and the identity of those supporting the majority and minority reports shall be provided when applicable. The report shall include a statement indicating the number of sessions the committee held, and list the non-committee members who assisted the committee in any manner.

e. **Minority Reports:** Committee members who do not support the committee recommendations may submit minority reports, either individually or collectively. Minority reports likewise shall be distributed with the majority report, and in all respects shall follow the form prescribed for formal reports and shall be distributed accordingly.

(H). The College of Arts and Letters participates in Writing Across the Curriculum (WAC). Member representation on the WAC committee consists of one college faculty representative (voting) and one college Associate Dean (non-voting).

(I). **Executive Committee.** The council executive committee and its membership is established by Article VII Section 2 of the College Constitution.

1. The Chair shall convene the Executive Committee on a regular basis.

2. The Executive Committee may choose to have electronic deliberations and all members of the committee must be included in such communications.

(J). Upon the advice of the Executive Committee, the College Council may, by a simple majority, vote to discharge any item from any committee of college council.

Section 6: Vacancies.

If a council member resigns, or is absent from more than 50% of College Council meetings in one semester, that member's seat shall be declared vacant. The Secretary shall determine absence related vacancies and notify the appropriate department chairs and the Executive Committee prior to the last Council meeting of the Fall and Spring semesters. In the event of a vacancy, department representatives shall be replaced through election in accordance with College Constitution Article VII Section 4. However, departments may choose to leave the seat vacant at their discretion. At-large representatives will be replaced by the Executive Committee with the next eligible runner-up from the most recent election. In the event such a runner-up cannot be established, the Council Committee on College Elections shall hold a new election.

(A). All vacancy replacements serve the remainder of the original term.

(B). Vacancy replacements do not extend to executive, standing or temporary committee appointments.

(C) The Council Executive Committee may declare that a vacancy exists on a committee when there is nonperformance of duties by a faculty member. Such a ruling may be overridden by vote of a simple majority of council.

(D) Absences due to documented conflicts (e.g., teaching, jury duty, medical emergencies, or other appropriate professional obligation) will be excused absences that are not counted against

the council member's attendance record provided that an appropriate substitute or department alternative attends the relevant council meeting in their stead.

1. Use of substitutes does not extend to executive, standing, or ad hoc committee appointments.
2. Substitutes may only be selected from the constituency that elected the council member as defined in Article VII Section 3 of the CAL Constitution.
3. The council member who will miss a meeting shall notify the Council Secretary and Council Chair via email prior to a substitute or alternate representative taking their place.

Section 7: Procedures for Regular Meetings of the College Faculty

As denoted in Article V of the college constitution, regular meetings of the college faculty are subject to the following rules:

"Section 1 (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 of the college faculty 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 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

1. 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."

(A). Any agenda item voted on and approved in a regular meeting of the college faculty may be referred to a committee of the Council and/or the Council if such a referral is needed to comply with requirements of the college constitution, bylaws, or university guidelines and procedures. Such referrals are made by the Chair of College Council. Any such referral may not overturn the result of the regular meeting of the college faculty. However, a new regular meeting of the college faculty may be called by the Dean after a report is issued to the college faculty to address

issues related to implementation, non-compliance with university policy or other issues deemed serious by the Chair of College Council.

(B). Certain items approved in a regular meeting of college faculty may require assent from the Dean or other administrators. The Chair of College Council shall submit approved items to the appropriate administrator within 3 business days of the meeting. In the event that administrative approval is not forthcoming, the Dean shall call a new regular meeting of college faculty after a report is issued to the college faculty. The Dean shall present the administration's view at this meeting. The college faculty may choose to revise the proposal, or create a similar one.

(C). The Chair of College Council shall determine whether a particular vote in a regular meeting of college faculty shall be by a show of hands, voice vote, roll call or secret ballot. The Chair may be overruled by a majority vote of the faculty in attendance. If the Chair is overruled, the choice of vote on the item in question shall be secret ballot. In the event of a secret ballot vote, the Secretary shall distribute ballot forms to each voting member of the faculty and count secret ballot votes in the presence of the Executive Committee.

(D). The Secretary shall perform a roll call and take the minutes at regular meetings of college faculty. Such minutes shall be electronically submitted to the faculty within 7 days. Corrections to the minutes shall be allowed for 7 days. Subsequently, the minutes from regular meetings of college faculty shall be submitted to the College Council for approval. If accepted the Secretary shall publish the minutes on the Council's website.

(E). The immediate past council chair shall act as parliamentarian at regular meetings of the college faculty.

(F). Regular meetings of college faculty agenda items requiring action by the faculty shall have undergone requisite analysis and written comment by appropriate departmental or college administrative offices as determined by the Chair of College Council in consultation with the Dean. Any curriculum items on the regular meeting of college faculty agenda shall be reviewed consistent with Section 2 (B)1 of this document. Any proposal failing these requirements may be tabled and a report issued to College Council within 7 business days. The Chair's determination to table or not may be appealed to the Executive Committee by the Dean or the individuals offering the proposal. The Chair's determination may be overturned by a 2/3 vote of the Executive Committee.

(G). A vote shall be taken to accept the agenda as presented at the regular meeting of college faculty. Items may be added or subtracted from the agenda by a majority vote of faculty in attendance. Items added to the agenda may be discussed but shall have no action taken on them.

(H) In the event that quorum is not established at a regular meeting of the college faculty, those in attendance may discuss items but cannot take any action on them.

Section 8: College Committee on Academic Personnel (CCAP)

Article VII Section 4(B) of the college constitution states that "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." Article VI Section 1 (A)1 of the college constitution states "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."

The chair of CCAP shall be chosen prior to the last day of exam week in the spring semester. CCAP must meet in the first week of the fall semester to determine a set schedule of meetings for the rest of the year. These meetings must be scheduled in close consultation with the Academic Personnel Calendar, keeping in mind that according to CBA 9.2.3.6 that CCAP's letter must be distributed to the faculty member at least five days prior to the transmittal to the next higher level in the review process. The CCAP Chair shall share the meeting schedule with the Council President and also the Dean of the College.

At the first meeting of CCAP, the Chair should provide an orientation to new CCAP members that includes but is not limited to the following:

- Overview of basic description of committee and its charge
- Review of timeline and confirmation of schedule for the academic year
- Review of university- and college-level elaborations and criteria
- Discussion of the best practice conventions for CCAP written reports for use in faculty reviews, including typical format and length for all the different reviews the committee is charged with (tenure and promotion versus five-year reviews, for example). It is typical for the committee to offer substantive written evaluations of pre-tenure candidates particularly in years 3, 5, and 6. Similarly, written evaluations of candidates for promotion to the rank of Professor are usually quite substantive, citing evidence from the candidate's materials, including external review letters.
- Discussion of committee processes, including how the committee members typically share the job of writing the evaluations
- Discussion of pertinent sections of the CBA
- Review of recusal and conflict of interest policies
- Review of confidentiality policies
- Discussion of any other pertinent issues

The CCAP chair should keep a file in the Dean's office containing sample documents related to CCAP: for example, sample memos, a report template, and sample review reports.