

BYLAWS
OF THE JUDITH HERB COLLEGE OF EDUCATION¹

Article I. College Administration

Section 1. Appointment of JHCOE Dean

- A) The Dean shall be appointed in a manner provided for by The University of Toledo policy.
- B) The Dean shall function in accordance with the rights, duties, and responsibilities specified in the appropriate sections of the current University of Toledo policies.

Section 2. Review of the Dean

- A) The full-time Faculty with either tenure eligible or open-ended, continuing contracts and full-time Staff of the College shall biennially review the Dean.
- B) The review of the Dean shall be administered by Faculty Senate.

Section 3. Votes of Confidence in the Dean

- A) The Provost may be petitioned for a special review of the Dean at any time by a vote of more than 50% of the full-time Faculty with either tenure eligible or open-ended, continuing contracts in the College.
- B) Such petitions by the Faculty shall be limited to one per academic year.
- C) Should a majority of the full-time Faculty with either tenure eligible or open-ended, continuing contracts in the College cast no confidence ballots, the Provost, in consultation with the College Faculty, shall initiate the review process based on approved University of Toledo policies.

Section 4. Appointment of Associate Deans, Director(s), Other College Administrators and Administrative Staff

- A) The Dean shall appoint Associate Deans, Director(s), other College Administrators, and Administrative Staff in a manner provided for by University policy;
- B) They shall perform the duties and responsibilities assigned by the Dean;
- C) They shall serve at the pleasure of the Dean;
- D) They shall be evaluated by the Dean with input based on Faculty review as outlined in Section 5 of this Article.

Section 5. Reviews of Associate Deans, Director(s) and Other College Administrators

- A) Associate Deans, Director(s) and Other College Administrators shall be biennially reviewed by the full-time Faculty who are either tenure eligible or with open-ended,

¹ Amended April 10, 2020

- continuing contracts and full-time Staff of the College or subunit of the College to which the Administrator is assigned, as determined by the Dean of the College;
- B) The Administrative Review Committee shall conduct these reviews as outlined below.

Section 6. Votes of Confidence in Associate Deans, Director(s) and Other College Administrators.

- A) The Dean may be petitioned for a special review of Associate Deans, Director(s) and Other College Administrators at any time by a vote of more than 50% of the full-time Faculty who are either tenure eligible or with open-ended, continuing contracts in the College or subunit of the College to which the Administrator is assigned.
- B) Such petitions shall be limited to one per academic year per administrator.
- C) Should a majority of the full-time Faculty who are either tenure eligible or with open-ended, continuing contracts in the College or subunit of the College to which the administrator is assigned cast no confidence ballots, the Dean, in consultation with the affected members, shall initiate the appropriate review process based on The University of Toledo policies.

Section 7. Appointment of Department Chairpersons

- A) The Dean shall appoint the Chairperson of each department. Faculty of affected departments shall be effectively consulted in the choice and renewal of appointment of their Department Chairpersons.
- B) The Department Chairperson shall preferably be a full-time tenured associate professor or professor.
- C) Department Chairpersons shall be appointed for five academic years, at which time a new Chairperson may be selected or the existing Chairperson may be reappointed. New appointments and re-appointments must be consistent with The University of Toledo policies.
- D) Department Chairpersons shall be evaluated by the Dean with input based on Faculty review as outlined in Section 8 of this Article.

Section 8. Review of Department Chairpersons

- A) Department Chairpersons serve at the pleasure of the Dean and may be removed by the Dean in a manner provided for by The University of Toledo policy;
- B) Department Chairpersons shall be evaluated by the Dean;
- C) This review shall be performed by the Administrative Review Committee as outlined below.

Section 9. Votes of Confidence in Department Chairpersons

- A) The Dean may be petitioned for a special review of a Department Chairperson at any time by a vote of more than 50% of the full-time faculty who are either tenure eligible or with open-ended, continuing contracts in that Chairperson's Department.
- B) Such petitions shall be limited to one per academic year per Department Chairperson.
- C) Should a majority of the regular full-time Faculty who are either tenure eligible or with open-ended, continuing contracts in the Department cast no confidence ballots, the Dean, in consultation with the Department, shall initiate the appropriate review process based on approved University of Toledo policies.

Article II College Meetings

Section 1. College Meetings

- A) The Dean of the JHCOE or a designee of the Dean, shall serve as the Chairperson of College meetings;
- B) College meetings shall be conducted in accordance with the guidelines set forth in the most recent version of *Robert's Rules of Order*;
- C) Motions shall be carried by simple majorities, unless otherwise specified by the most recent version of *Robert's Rules of Order*, the College Constitution, or the Bylaws of the College Constitution; In determining whether a sufficient percentage of votes have been cast in favor of any matter before the College, only those votes cast in favor or against the proposition shall be counted. Abstentions will, nevertheless, be considered to determine whether a quorum is present.
- D) There shall be at least one regularly scheduled College meeting for each of two semesters, Fall and Spring, during the academic year.

Section 2. Special Meetings

- A) The Dean may call Special Meetings when necessary to conduct urgent business of the College;
- B) When at least one-third of College Faculty or College Staff present a written petition to the Dean, the Dean shall call a Special Meeting with agenda items for which action is sought;
- C) The Dean of the JHCOE, or a designee of the Dean, shall serve as the Chairperson of Special Meetings;
- D) Special Meetings shall conform to the guidelines set forth in the most recent version of *Robert's Rules of Order*;
- E) Action at Special Meetings is restricted to announced agenda items only;
- F) The College Council may review Special Meeting actions that involve academic policies related to: curriculum, academic programs, academic standards, degree requirements; or the Constitution Amendment Committee of the College. The College Council may not review Special Meeting actions that involve the College Personnel Committee, the Appointment and Promotion Committee of the College,

the Faculty Affairs Committee of the College and the College Student Grievance and Hearing Committee.

- G) Bylaws governing Special Meetings of the College are not intended to restrict the Dean from meeting with any undefined group of individuals within the College.

Section 3. College Meeting Scheduling and Notification

- A) Without good cause, College Meetings shall not be scheduled during final examination periods, breaks, holidays, or summer;
- B) In the case of special meetings, as much advanced notice of the meeting agenda shall be provided to members of the college as soon as possible, given the circumstances surrounding the calling of the Special Meeting.

Section 4. College Meeting Agenda

- A) The Dean shall prepare an agenda for each College Meeting;
- B) The agenda shall be distributed at least four days before each College meeting;
- C) College Council shall have an agenda item for its report and activities;
- D) Any Faculty or Staff member or committee may request that an item be placed on the agenda by submitting a written request to the Dean at least seven days before a regularly scheduled College Meeting;
- E) Additional items for action may be added to the agenda at a regularly scheduled College Meeting by majority vote of eligible Faculty and Staff in attendance.

Section 5. Special Meeting Agenda

- A) The Dean shall prepare an agenda for each Special Meeting;
- B) The agenda shall be limited to only those items needing urgent attention of the College or membership group within the College;
- C) College Council shall receive the agenda in advance of all Special Meetings;
- D) College Council, Dean's Cabinet, any College Committee, or individual with the College may suggest an agenda for a Special Meeting, but authority for calling a Special Meeting and the agenda set for the Special Meeting shall reside solely with the Dean.

Section 6. Quorum

- A) A quorum for College or Special Meetings shall consist of a simple majority of those eligible to vote on the matter in question;
- B) The Dean, or Dean's designee, checks for the presence of a quorum at the beginning of each meeting;
- C) If quorum is called, quorum is lost at a meeting once attendance of those eligible to vote on a matter in question drops below a simple majority.

Section 7. Voting

- A) Members eligible to vote are detailed in the JHCOE Constitution, Article II, Sections 2 and 3.
- B) If quorum of voting members is lost, no vote shall be taken at that time.
- C) If an absent member sends a vote by proxy, their vote counts in the total but their attendance does not count towards quorum.

Article III. College Committees

Section 1. College Committee on Academic Personnel (CCAP) for Faculty covered by Collective Bargaining Agreement.

- A) The College Committee on Academic Personnel (CCAP) covered by the Collective Bargaining Agreement (CBA) (referred henceforth as: CCAP) will consist of two elected tenured professors or elected tenured associate professors who are covered by the CBA from each college department;
- B) Each elected member of the CCAP will serve a term of 3 years.
- C) If the number of departments changes, the length of the initial term of office for each CCAP member will be established at the initial meeting of CCAP in order to achieve staggered terms of office on the committee;
- D) Anyone eligible to serve on the CCAP may be reelected at the conclusion of each term of office;
- E) If an elected representative cannot complete his or her term of office a new departmental election must be held to identify a representative to serve for the remainder of the term;
- F) The members of the CCAP shall elect a Chairperson from their membership and determine procedures for committee operation;
- G) If a Department does not have a tenured faculty member of the appropriate rank to serve on the CCAP, a majority of the faculty of that Department must elect to: (1) not be represented on the CCAP, or (2) elect a tenured representative of appropriate rank from another department in the College;
- H) The CCAP shall have the following responsibilities:
 - i. Create a faculty development program to improve the quality of teaching, research, and service in the College;
 - ii. Make recommendations on individual faculty members' performance evaluations consistent with the CBA;
 - iii. Prepare recommendations on individual faculty members' applications for tenure consistent with the CBA;
 - iv. Prepare recommendations on individual faculty members' applications for promotion consistent with the CBA;
 - v. Review the College's elaboration for tenure and promotion;
 - vi. Advise the Dean on personnel matters relative to College Faculty covered under the CBA;
 - vii. Evaluate the functions of the CPC and recommend revisions.

- I) All recommendations passed by CCAP will be forwarded to the Dean's office. This committee has no reporting responsibility to the College Council.
- J) CCAP meetings will be scheduled as necessary but not less than once per academic year.

Section 2. Student Grievance and Hearing Committee

- A) The Student Grievance and Hearing Committee (SGHC) will consist of one full-time faculty member who is either tenure eligible or who has an open-ended, continuing contract from each department, elected by the department, and one full-time faculty member who is either tenure eligible or who has an open-ended, continuing contract as designated by the Dean.
- B) Each Department Chairperson is responsible for organizing the elections for the selection of a departmental representative to this committee.
 - i. The name of the department representative that will serve for the next academic year should be forwarded to the Dean.
 - ii. Faculty members from the same program in which the student is grieving are ineligible to vote on matters pertaining to that student but are eligible to be part of deliberations.
 - iii. Departments are responsible for electing a department representative should the current member be unable to serve.
- C) The SGHC shall have the following responsibilities:
 - i. Elect a Chairperson.
 - ii. Conduct a fact-finding hearing in closed session regarding non-grade grievances filed by the student; all matters will be handled in accordance with the Student Due Process procedures for The University of Toledo.
 - iii. Take minutes of the deliberations during all Committee meetings and maintain the minutes in a secure location.
 - iv. Provide recommendations for disposition of student grievances to the Dean.
- D) When activated, the Dean will call the first meeting of the SGHC at which time a committee chairperson shall be elected. The Dean's office will notify the SGHC of the new case, at which time the SGHC will complete the review of the case.

Section 3. Constitution Amendment Committee

- A) The Constitution Amendment Committee will consist of one full-time Faculty Member who is either tenure eligible or who has an open-ended, continuing contract, from each department, elected by the department; and one full-time College Staff member, elected from among the classified and unclassified staff.
- B) The CAC shall have the following responsibilities:
 - i. Elect a chairperson and determine procedures for committee operations

- ii. Provide a forum for college faculty and staff to address issues related to constitutional and college bylaw amendment;
 - iii. Deliberate to develop constitutional and bylaw amendment proposals, based upon on-going review of college procedures and committees;
 - iv. Forward constitutional and bylaw amendment proposals to the Dean for ratification vote by the College Membership;
 - v. Provide a written report of its activities once each semester (fall and spring) to the College Council.
 - vi. Ensure that all members of the committee are knowledgeable and current regarding college constitution, college bylaws and *Robert's Rules of Order*.
- C) Election and Convening the CAC: The Departmental Chairperson is responsible for organizing the elections for populating this committee with faculty. Upon receiving the departmental election results, the Dean or the Dean's designee will convene the initial meeting of the CAC in order to elect a chairperson.
- D) Term of Office: The Term of office for each member of CAC shall be 3 years.

Section 4. Diversity Committee

- A) The Diversity Committee (DC) will consist of one–full-time faculty member from each department, elected by the department; one staff member, elected by the staff of the College, and at least two students (preferably one graduate and one undergraduate) nominated by and appointed by the Diversity Committee by majority vote. The Dean or a designee who holds an academic administrative position will be a non-voting, ex-officio member of this committee.
- i. Each Department Chairperson is responsible for organizing the elections for the selection of a departmental representative to this committee.
 - ii. Faculty will serve two-year terms.
 - iii. Each Department shall also elect each year an additional full-time member of its faculty to serve as its Alternate Representatives. Alternate Representatives serve during a Department Representative's absence or serve out the remainder of a Representative's term should the Representative need to resign or need to be replaced by vote of no confidence.
 - iv. Staff of the JHCOE will elect each year one staff member to serve as its Alternate Representative. Alternate Representatives serve during a Representative's absence or serve out the remainder of a Representative's term should the Representative need to resign or need to be replaced by vote of no confidence.
 - v. Staff and student members will serve for a one-year term.
 - vi. The name of the department representative that will serve for the next academic year should be forwarded to the College Council Chairperson.
- B) The DC shall have the following responsibilities:
- i. Elect a Chairperson and determine procedures for committee operations.

- ii. Develop a College Diversity Plan in alignment with the University Diversity Plan and promote mechanisms to increase diversity that are consistent with both.
- iii. Collaborate and negotiate with committees within the University and the community in an effort to achieve goals.
- iv. Review and make recommendations for revisions to the College Diversity Plan.
- v. Perform other functions as assigned by the Dean.
- vi. Evaluate the functions of the DC and recommend revisions when appropriate.

Section 5. Administrative Review Committee

A) The Administrative Review Committee (ARC) will consist of:

- i. Two full-time Faculty members who are either tenure eligible or have an open-ended, continuing contract from each department, elected by each department; and one full-time College Staff member, elected from among the classified and unclassified staff;
- ii. Each Department Chairperson is responsible for organizing the elections for the selection of a departmental representative to this committee;
- iii. Each Department shall also elect each year a full-time member of its faculty to serve as its Alternate Representatives. Alternate Representatives serve during a Department Representative's absence or serve out the remainder of a Representative's term should the Representative need to resign or need to be replaced by vote of no confidence;
- iv. The name of the department representatives and alternates that will serve for the next academic year should be forwarded to the Dean.

B) The ARC shall have the following responsibilities:

- i. Elect a chairperson and determine procedures for committee operations;
- ii. Per CBA 7.5 which stipulates that "faculty of affected Departments shall be given an opportunity to give input prior to the selection or renewal of their Department Chair", develop and recommend an anonymous survey and procedures that ensure confidential reporting of the results, which can be used by members of the respective departments (all faculty and staff) to review Department Chairpersons. The purposes of this survey are to: (1) provide feedback to Department Chairpersons to facilitate growth, and (2) to share this feedback with the Dean;
- iii. Develop and recommend an anonymous survey and procedures that ensure confidential reporting of the results, which can be used to evaluate the Associate Deans, Director(s) and other administrators of the College. The purposes of this survey are to: (1) provide feedback to the Associate Deans, Director(s) and other administrators to facilitate growth, and (2) to share this feedback with the Dean;

- iv. These anonymous surveys will be based on the specific job duties as outlined in the letter or hire, job description, or other relevant documentation of the Department Chairperson, Associate Dean, Director(s), or other administrators.
- C) After an initial organizing meeting of the ARC, held each September for the purpose of electing a committee chairperson, the ARC shall stand in recess until activated. The Dean will notify the ARC chair of the need for a review (as stipulated in the letter of hire or, when not stipulated, every two years), at which time the ARC chair will activate the committee in order to complete the review.

Section 6. Ad Hoc College Committees

- A) Ad Hoc Committees are task specific in nature. The Dean appoints committees as deemed necessary by the Dean. The term of membership is limited to the time required to complete the task.
- B) The Dean shall provide each Ad Hoc Committee with a specific charge and a time frame for completion of the task at the time of appointment.
- C) Ad Hoc Committees report directly to the Dean. The Chairperson of each Ad-Hoc Committee shall provide an electronic report of the Committee's actions to the Dean seven business days prior to a College Meeting at which the Committee shall orally report its activities, actions and recommendations.
- D) At the conclusion of its task, each Ad Hoc Committee Chairperson shall provide an oral report of its activities, actions and recommendations to the College at the next College Meeting.