

# **CONSTITUTION AND BYLAWS OF THE COLLEGE OF ENGINEERING**

The Constitution and Bylaws of the College of Engineering does not supersede University of Toledo (UT) Board of Trustees bylaws, UT policies or the terms of the Collective Bargaining Agreement between the UT Board of Trustees and the AAUP.



**COLLEGE OF ENGINEERING**

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THE UNIVERSITY OF TOLEDO

**Adopted: April 14, 1997**  
**Bylaws Revisions Approved: December 12, 2002,**  
**February 19, 2019 and May 1, 2020**  
**Constitutional Amendment Approved: March 16, 2011**  
**and February 19, 2019**  
**Redistributed: September 25, 2020**

## The University of Toledo College of Engineering Constitution

### Article I: Organization

#### Section A. Members of the Engineering Faculty and instructional staff

1. The faculty of the University of Toledo College of Engineering, hereinafter designated as the Engineering Faculty, shall consist of only continuing, full-time members of the Engineering Faculty, including tenured faculty, tenure-track faculty, and lecturers. Such persons shall not include faculty emeriti or faculty with visiting, adjunct, or non-renewable term appointments.
2. The instructional staff of the College of Engineering shall consist of all persons including the Engineering Faculty; faculty emeriti or faculty with visiting, adjunct, or non-renewable term appointments.

#### Section B. Voting Privileges

1. Voting privileges may be extended for stated periods of time regarding specific issues or classes of issues to all members or subgroups of the instructional staff by the affirmative vote of a majority of the voting Engineering Faculty members.

#### Section C. Governmental Duties of the Engineering Faculty

1. The Engineering Faculty, as a faculty body of the whole, shall participate in the shared governance of the College. The Engineering Faculty shall have authority over academic matters for the College of Engineering subject to the rules of the general University Faculty, the University of Toledo Board of Trustees, the Ohio Department of Higher Education, and any other entity that has legal authority over the College of Engineering. Academic matters are defined to be those factors that affect the quality and nature of instruction and/or research conducted in the College of Engineering. Specific factors may be declared to be academic or not academic matters by so stating in the *Bylaws*.
2. The Engineering Faculty, subject to policies of the University of Toledo Board of Trustees, and acting according to the procedures herein stated, shall have authority to establish its *Bylaws*, to amend these *Bylaws*, and to amend the *Constitution* of the College of Engineering.

#### Section D. Officers of the Engineering Faculty

The Officers of the Engineering Faculty shall consist of a Chair, Vice Chair, Secretary, and Dean of the College (ex-officio), who shall constitute the Executive Committee of the Engineering Faculty. The Chair, Vice Chair, and Secretary shall be elected from the membership of the Engineering Faculty. Notwithstanding the ex-officio role, the Dean shall remain eligible for election to one of the three elected offices.

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The elected Officers of the Engineering Faculty shall serve three-year staggered terms on the Executive Committee. The Officers of the Engineering Faculty shall be elected via a ballot of the Engineering Faculty conducted by the Constitution and Bylaws Committee. Election of one Officer each year will take place during the spring term of the preceding academic year. Term of service begins with the fall term and ends at the conclusion of the third summer term. Each Officer will serve as Secretary the first year, Vice Chair the second year and Chair the third year of their term. Any member of the Engineering Faculty may nominate a member of the Engineering Faculty for election.

### Section E. Duties of the Officers of the Engineering Faculty

The duties of the officers of the Engineering Faculty shall be as follows:

1. The Chair shall preside at the meetings of the Engineering Faculty.
2. The Vice Chair shall assume the duties and authority of the Chair at the request of the Chair and in the Chair's absence or inability to perform these duties.
3. The Secretary of the Engineering Faculty shall keep accurate and complete records and minutes of the meetings of the Engineering Faculty, and shall, as soon as practicable after each meeting of the Engineering Faculty, transmit to each member of the Engineering Faculty a copy of the record of the meeting. The Secretary shall receive, record and transmit to the Executive Committee of the Engineering Faculty for appropriate action petitions for special meetings, suggestions for agenda or other communications pertinent to the meetings of the Engineering Faculty, and shall, upon the advice of the Chair, give notice to the members of the Engineering Faculty of all meetings of the Engineering Faculty.
4. The Executive Committee of the Engineering Faculty shall have the authority to create committees of the Engineering Faculty not expressly provided for otherwise herein.

## **Article II: Meetings**

### Section A. Regular Meetings of the Engineering Faculty

Meetings of the Engineering Faculty shall normally be held not less than once during each term of the academic year.

### Section B. Special Meetings of the Engineering Faculty

Special meetings may be called during the academic year by the University President, Chair or by petition signed by one-third of the Engineering Faculty and presented to the Secretary. 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 Secretary. Written notice of the special meeting shall be delivered by means of campus mail or campus E-mail to the Engineering Faculty at least three days in advance of the meeting and the notice shall cite the context of the petition and the text of any proposals on which the Engineering Faculty is expected to confer.

### Section C. Agenda

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The agenda for regular meetings shall be prepared by the Chair and shall be received by means of campus mail or campus E-mail by the Engineering Faculty at least three days in advance of the meeting, together with the text of any proposals on which the Engineering Faculty is expected to act. An item may be placed on the agenda when a petition signed by ten Engineering Faculty members is submitted to the Secretary at least five days prior to the meeting. Agenda items shall be considered in order of submission. Agenda items not considered at a meeting shall be placed on the agenda of the next regular meeting.

### Section D. Limitations on Scheduling of Meetings

Regular and special meetings shall be held only during academic year work periods.

### Section E. Quorum

A quorum shall consist of a simple majority of the Engineering Faculty excluding faculty on sabbatical.

### Section F. Rules of Procedure

Except as may otherwise be provided herein or in the *Bylaws*, the rules of parliamentary procedure contained in *Robert's Rules of Order, Revised* shall apply to the conduct of business. A parliamentarian shall be appointed by the Chair.

## **Article III: Amendments**

### Section A. Constitution

This *Constitution* may be amended by the affirmative vote of two thirds of the Engineering Faculty who cast ballots, excluding abstentions. A vote to amend must be initiated by an appropriate motion at any regular or special meeting of the Engineering Faculty. Advance notice of the amendment shall be delivered by means of campus mail or campus E-mail to each Engineering Faculty member at least one month prior to the vote on the amendment. The Constitution and Bylaws Committee will determine the voting method and will oversee the voting process. Amendments to the Constitution are subject to approval by the University of Toledo Board of Trustees.

### Section B. Bylaws

The *Bylaws* of the College of Engineering may be amended by the affirmative vote of more than 50% of the Engineering Faculty who cast ballots, excluding abstentions. A vote to amend must be initiated by an appropriate motion at any regular or special meeting of the Engineering Faculty. Advance notice of the amendment shall be delivered by means of campus mail or campus E-mail to each Engineering Faculty member at least one month prior to the vote on the amendment. This notification requirement may be suspended by the affirmative vote of at least two-thirds of the Engineering Faculty, in which case the motion to amend shall be in

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order. The Constitution and Bylaws Committee will determine the voting method and will oversee the voting process. Amendments to the Bylaws are subject to approval by the University of Toledo Board of Trustees.

### **Article IV: Committees**

#### Section A. Authority to Create or Discharge Committees

The Engineering Faculty shall have the authority to create committees as are required to assist with the function of the College of Engineering. The Engineering Faculty shall also have the authority to discharge committees that were formed by the Engineering Faculty.

#### Section B. Method of Creating or Discharging Committees

Standing committees shall be created or discharged upon the adoption or deletion of *Bylaws* pertaining thereto. Ad hoc committees shall be created by the adoption of a motion, by the Engineering Faculty, pertaining thereto.

#### Section C. Committee Regulations

The regulations governing committees shall be as provided for in the *Bylaws*.

## **The University of Toledo College of Engineering Bylaws**

### **1.0. Review of Administrative Faculty**

#### **1.1 Associate and Assistant Deans of the College of Engineering**

##### 1.1.1 Review

1.1.1.1 Associate and Assistant Deans serve at the discretion of the University but must enjoy the confidence of the Engineering Faculty and the administration. The Associate or Assistant Deans of the College of Engineering shall be subject to a review by the Dean and the Engineering Faculty. The Dean shall conduct this review and report the results to the Engineering Faculty.

1.1.1.2 This review will be conducted by the Dean of the College during the Fall semester of the fifth full year of the Associate or Assistant Dean's current term of office. Reviews may be conducted more frequently at the Dean's discretion.

1.1.1.3 The instrument(s) to review Associate and Assistant Deans shall be drafted by the Constitution and Bylaws Committee in consultation with the Dean and approved by the majority of the Engineering Faculty.

#### **1.2 Department Chairs**

##### 1.2.1 Appointment

1.2.1.1 After consultation with the Engineering Faculty of the department, the Dean of the College shall recommend appointment of a Chair to the Provost. While holding the office, the Chair shall not be a member of the faculty collective bargaining unit.

##### 1.2.2 Term of Office

1.2.2.1 Appointments as department Chair shall be for a period of five years and can be renewed for additional five-year terms at the discretion of the Dean after consultation with the Engineering Faculty of the department.

##### 1.2.3 Review

1.2.3.1 Chairs serve at the discretion of the University but must enjoy the confidence of the Engineering Faculty and the administration. The Chair shall be subject to a review by the Dean and the faculty of their department. The Dean shall conduct this review and report the results of the review to the faculty of the Chair's department.

1.2.3.2 Review of a Department Chair's performance will be conducted by the Dean of the College no less than annually for new Chairs who have held the position for less than two years and no less than every five years for all other Chairs. The result of this

review will be shared with the Provost. Reviews may be conducted more frequently at the Dean's discretion.

1.2.3.3 The instrument(s) to review Chairs shall be drafted by the Department Personnel Committee (DPC) in consultation with the Dean and approved by the majority of the faculty of the Chair's department.

## **2.0 Committees**

### **2.1 Committee Member Selection**

#### **2.1.1 College Wide Elections**

2.1.1.1 For those College and University Committees that select their membership through college wide election, the following procedure will be used. When a college wide election is needed, the Constitution and Bylaws Committee will serve as the election committee, determine the voting method and will oversee the election. For each vacant position in which its faculty could serve, each department will be asked to nominate 2 eligible faculty to be placed on the college wide election ballot. The department should verify that each nominee is willing to serve if elected. (If only one faculty member is eligible and willing to serve that will be the only nominee from that department.) The department may choose its nominees by a method left to the discretion of the department. The election committee constructs a ballot that includes the departmental nominees. The ballot is sent to those eligible to vote by campus mail or campus E-mail with a designated date (not less than 5 working days after the ballot is distributed) and procedure for voting. The election committee counts the ballots, notifies the faculty of the results and stores the ballots in a designated location for at least one calendar year. (Tie votes will be decided by lot.)

For purposes of departmental representation on committees, each faculty member will have one and only one home department. In cases of joint appointments in more than one department, a faculty member will be primarily associated with the department in which their salary line resides.

2.1.1.2 A college-wide election will be held in the spring term to fill vacant elective positions on college committees. College wide elections may be called by the Dean to fill vacancies occurring during the year. Individuals elected to fill unexpired term vacancies will serve to the conclusion of the original term.

### **2.2 Restrictions on Committee Membership**

2.2.1 A faculty member may serve concurrently on not more than two standing college committees.

### **2.3 Notification of Engineering Faculty**

Following the spring college wide election, the Dean's office shall circulate a membership list of the college's standing committees.

### **2.4 Standing Committees**

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### *2.4.1 Engineering Committee on Academic Personnel (ENCAP)*

#### 2.4.1.1 Duties and Responsibilities

2.4.1.1.1 ENCAP will act as the College Committee on Academic Personnel for the purpose of providing peer review at the college level in evaluating faculty of the College of Engineering.

2.4.1.1.2 The committee will receive and review dossiers of faculty members after the faculty member's dossiers have been reviewed by the Department Chair.

#### 2.4.1.2 Membership

2.4.1.2.1 The committee shall consist of one full-time tenured bargaining unit faculty member from each department that has a candidate eligible for committee membership. Members shall be selected by the procedure described in 2.1.1.1. All tenured and tenure-track Engineering Faculty are eligible to vote.

2.4.1.2.2 The committee members shall be elected for staggered three-year terms that will begin in the Fall term. Members from the Mechanical, Industrial and Manufacturing Engineering and Engineering Technology departments shall be elected in 2020 and every three years thereafter; members from the Chemical Engineering and Electrical Engineering and Computer Science departments shall be elected in 2021 and every three years thereafter; and members from the Civil and Environmental Engineering and Bioengineering departments shall be elected in 2022 and every three years thereafter.

#### 2.4.1.3 Committee Rules

2.4.1.3.1 The committee shall elect a chair from among its members at the first committee meeting following the regular election of a new member to the committee.

2.4.1.3.2 A quorum shall consist of not less than two-thirds of the committee membership.

2.4.1.3.3 No committee member shall be present for discussion or vote on matters concerning themselves.

### *2.4.2 Undergraduate Committee*

#### 2.4.2.1 Curriculum Duties and Responsibilities

2.4.2.1.1 The committee shall review, evaluate, and make recommendations on undergraduate curricula matters for all engineering science programs in the College. Primary responsibility of the curriculum in each program rests with the faculty responsible for that program. Thus, the Undergraduate Committee functions only in an advisory capacity and the Engineering Faculty does not have authority over the curricula of individual programs. The committee does have authority over



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interdepartmental curriculum issues, i.e., for subjects common to more than one department.

2.4.2.1.2 Nothing in the statement of duties and responsibilities of the Undergraduate Committee shall abridge the traditional academic freedom that allows a faculty member to offer aspects of any course in their area of competence as they wish.

2.4.2.1.3 Nothing in the statement of duties and responsibilities of the Undergraduate Committee shall abridge the right of any department to define the curricula offered by that department in a manner it deems appropriate. Control of the curriculum in individual programs resides with the faculty primarily responsible for that program, as required by ABET accreditation criteria.

### 2.4.2.2 Student Discipline

2.4.2.2.1 At the request of the Dean, Associate Dean of Undergraduate Studies, Department Chair, faculty or student, members of the Undergraduate Committee and Engineering Technology Committee (see section 2.4.3) shall conduct a hearing to evaluate the validity of allegations of academic dishonesty by undergraduate students in engineering science programs. The members of these committees may also be asked to make recommendations on appropriate penalty for academic dishonesty and/or to evaluate petitions by students to have a penalty for academic dishonesty reduced or rescinded. The Associate Dean of Undergraduate Studies will maintain records of academic dishonesty allegations made against undergraduate students in engineering science programs and will provide a summary to the Engineering Faculty of academic dishonesty allegations and penalties issued during the previous academic year.

### 2.4.2.3 Membership

2.4.2.3.1 The Undergraduate Committee shall consist of undergraduate program directors from each engineering science program and the Associate Dean of Undergraduate Studies. Program directors the Associate Dean of Undergraduate Studies serve at the discretion of the University.

### 2.4.2.4 Committee Rules

2.4.2.4.1 The Associate Dean of Undergraduate Studies shall serve as the chair of the committee.

2.4.2.4.2 A quorum shall consist of not less than two-thirds of committee membership.

## 2.4.3 *Engineering Technology Committee*

### 2.4.3.1 Curriculum Duties and Responsibilities

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2.4.3.1.1 The committee shall review, evaluate, and make recommendations on undergraduate curricula matters for all engineering technology programs in the College. Primary responsibility of the curriculum in each program rests with the faculty responsible for that program. Thus, the Engineering Technology Committee functions only in an advisory capacity and the Engineering Faculty does not have authority over the curricula of individual programs. The committee does have authority over curriculum issues that involve more than one program, i.e., for subjects common to more than one program.

2.4.3.1.2 Nothing in the statement of duties and responsibilities of the Engineering Technology Committee shall abridge the traditional academic freedom that allows a faculty member to offer aspects of any course in their area of competence as they wish.

2.4.3.1.3 Nothing in the statement of duties and responsibilities of the Engineering Technology committee shall abridge the right of any department or program to define the curricula offered by that department in a manner it deems appropriate. Control of the curriculum in individual programs resides with the faculty primarily responsible for that program as required by ABET accreditation criteria.

### 2.4.3.2 Student Discipline

2.4.3.2.1 At the request of the Dean, Associate Dean of Undergraduate Studies, Department Chair, faculty or student, members of the Engineering Technology Committee and Undergraduate Committee (see section 2.4.2) shall conduct a hearing to evaluate the validity of allegations of academic dishonesty by undergraduate students in engineering technology programs. The members of these committees may also be asked to make recommendations on appropriate penalty for academic dishonesty and/or to evaluate petitions by students to have a penalty for academic dishonesty reduced or rescinded. The Associate Dean of Undergraduate Studies will maintain records of academic dishonesty allegations made against engineering technology students and will provide a summary to the Engineering Faculty of misconduct allegations and penalties issued during the previous academic year.

### 2.4.3.3 Membership

2.4.3.3.1 The Engineering Technology Committee shall consist of undergraduate program directors from each engineering technology program and the Engineering Technology Chair, or representative of the Chair. Program directors and the Department Chair serve at the discretion of the University.

### 2.4.3.4 Committee Rules

2.4.3.4.1 The Engineering Technology Chair or designated representative shall serve as the chair of the committee.

2.4.3.4.2 A quorum shall consist of not less than two-thirds of committee membership.

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### *2.4.4 Graduate Committee*

#### 2.4.4.1 Curriculum Duties and Responsibilities

2.4.4.1.1 The committee shall review, evaluate, and make recommendations on graduate curricula matters in all the graduate programs in the College. However, primary responsibility of the curriculum in each program rests with the faculty responsible for that program. Thus, the Graduate Committee functions only in an advisory capacity and the Engineering Faculty does not have authority over the curricula of individual programs. The committee does have authority over curriculum issues that involve more than one program, i.e., for subjects common to more than one program.

2.4.4.1.2 The Graduate Committee shall review the following matters: (a) proposals for new graduate programs, (b) proposed changes in graduate program requirements, such as admission, course and degree requirements, and (c) proposed changes in courses that affect other graduate programs.

#### 2.4.4.2 Student Discipline

2.4.4.2.1 At the request of the Dean, Associate Dean of Graduate Studies, Department Chair, faculty or student, the Graduate Committee shall conduct a hearing to evaluate the validity of allegations of academic dishonesty by graduate students in engineering programs. This committee may also be asked to make recommendations on appropriate penalty for academic dishonesty and/or to evaluate petitions by students to have a penalty for academic dishonesty reduced or rescinded. The Associate Dean of Graduate Studies will maintain records of academic dishonesty allegations made against graduate students and will provide a summary of academic dishonesty allegations and penalties issued during the previous academic year.

#### 2.4.4.3 Membership

2.4.4.3.1 The Graduate Committee shall consist of a graduate program director from each department and the Associate Dean of Graduate Studies. Program directors and the Associate Dean of Graduate Studies serves at the discretion of the University.

#### 2.4.4.4 Committee Rules

2.4.4.4.1 The Associate Dean of Graduate Studies shall serve as the chair of the committee.

2.4.4.4.2 A quorum shall consist of not less than two-thirds of the voting membership.

### *2.4.5 Constitution and Bylaws Committee*

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### 2.4.5.1 Duties and Responsibilities

2.4.5.1.1 The Constitution and Bylaws Committee shall periodically review the constitution and bylaws of the College of Engineering and shall propose amendments to the constitution and bylaws when deemed necessary.

2.4.5.1.2 Amendments to the constitution or bylaws that are proposed by a member of the Engineering Faculty shall be reviewed by the Constitution and Bylaws Committee before being presented to the Engineering Faculty.

2.4.5.1.3 The Constitution and Bylaws Committee shall resolve conflicts over the interpretation of the constitution and bylaws.

2.4.5.1.4 The Constitution and Bylaws Committee shall determine voting methods and oversee elections.

### 2.4.5.2 Membership

2.4.5.2.1 The Constitution and Bylaws Committee shall consist of three members of the Engineering Faculty each of whom shall be from a different department.

2.4.5.2.2 The Constitution and Bylaws Committee members shall be elected to three-year staggered terms. Regular elections will be conducted with the college wide election during the Spring semester; regular terms will begin with the Fall semester.

2.4.5.2.3 A member of the Constitution and Bylaws Committee may not serve successive terms.

### 2.4.5.3 Committee Rules

2.4.5.3.1 The chair will be selected as the member of the committee in the third year of their three-year term.

2.4.5.3.2 A quorum shall consist of not less than two-thirds of the committee membership.