

UNIVERSITY OF DELAWARE
COLLEGE OF HEALTH SCIENCES
FACULTY CONSTITUTION AND BYLAWS
(12/16/2008 – Passed by Faculty Vote)

We, the members of the Faculty of the College of Health Sciences of the University of Delaware,

Dedicated to the continual improvement of the College, University, and community through the pursuit of excellence in teaching, research, technology, and service,

Convinced that it is the obligation and responsibility of each member of the Faculty to participate in the formulation and implementation of policies on curriculum, instruction, and operation of the programs of the College,

Do hereby establish the Faculty of the College of Health Sciences to constitute the official channel of faculty recommendation on all matters, which bear upon the academic and non-academic programs of the College.

CONSTITUTION
ARTICLE I
GENERAL POWERS

- A.** Consistent with the Charter of the University, Mission Statement for the University, Bylaws of the Board of Trustees of the University of Delaware, Constitution of the Faculty of the University of Delaware, and Bylaws and Regulations of the University Faculty Senate, the Faculty of the College of Health Sciences is empowered to develop, implement, and evaluate the academic and non-academic programs of the College.
- B.** The College Faculty has the following functions as delegated by the University Faculty through its Senate:
1. To seek the continual improvement of academic standards, programs, and achievements in the College.
 2. To take an active role in the planning and administration of the instructional, technology, research, and service activities of the College.
 3. To serve as the official channel for the expression of College Faculty opinion.
 4. To consider and make recommendations concerning policies governing all matters of faculty welfare. These may include but are not limited to appointments, leaves, sabbaticals, promotions, tenure, and dismissal of faculty members.
- C.** The College Faculty has the responsibility to initiate proposals and make recommendations regarding:
1. Curricula and academic standards for each academic program of the College.
 2. Policies relating to the administration of College programs.
 3. Requirements for admission to the College.
 4. Requirements for degrees and certifications.
 5. Conduct of formal exercises and public functions held under the auspices of the College.
 6. Appointments, promotion, tenure, reappointments and dismissals within the College.
- D.** Nothing in these bylaws shall annul any written provisions authorized by the Board of Trustees established prior to or after the adoption of these bylaws.

CONSTITUTION
ARTICLE II
MEMBERSHIP OF THE FACULTY

A. Faculty

The Faculty of the College of Health Sciences shall consist of the Dean, Associate Dean, Assistant Dean for Student Services, Department Chairpersons/School Director, Director of the Division of Special Programs, Academic Directors, Assistant Chairpersons, Professors, Associate Professors, Assistant Professors, Instructors, Lecturers, Professionals with assigned teaching workloads who hold full-time appointments in the College, and Clinical Educators. A faculty member on temporary leave shall retain his/her status and voting privileges. Only faculty appointed to fifty percent or more time in the College shall have voting privileges in College matters.

B. Dean

1. The Dean of the College, as chief representative and executive officer of the College shall have full administrative authority over College affairs. He/she shall exercise leadership in the formulation of policies, in the introduction of educational ideas and proposals, and in the stimulation of College discussions leading to the improvement of the educational programs of the College. His/her responsibilities shall include both strengthening the College and its programs, and interpreting these programs. The Dean will seek the advice of the appropriate faculty in these matters.
2. The Dean, as chief executive officer of the College, shall have final authority to make budgetary recommendations to the Provost for the College and its departments.

C. Chairpersons

Each department within the College shall be headed by a Chairperson (or Acting Chairperson) and each School shall be headed by a Director (or Acting Director). He/she will serve as the chief representative of the department, and shall have administrative authority over departmental affairs as outlined in the Policy Guide for Department Chairs and Academic Program Directors. He/she shall exercise leadership in the programs of the department. The Department Chairperson/School Director shall serve a term of five (5) years at which time a comprehensive review is initiated by the Dean who appoints a committee to evaluate his/her leadership and recommends reappointment or non-reappointment to the Dean. After discussion with the President and the Provost, the Dean makes the final reappointment or non-reappointment. (Policy Guide for Department Chairs and Academic Program Directors, Review and Evaluation)

D. College Executive Council

The Executive Council shall consist of the Dean, Associate Dean, Assistant Dean for Student Services, Department Chairpersons/School Director, Director of the Division of Special Programs, Financial Manager, and others as appointed by the Dean. The function of this group is to advise the Dean on College and departmental matters and to communicate information to the Department Chairpersons/School Director and College Faculty.

CONSTITUTION
ARTICLE III
AMENDMENT

This constitution may be amended only by a two-thirds vote of the total voting membership of the College Faculty. Written notice of intent to amend must be forwarded to all voting members by campus mail or electronic mail ten days prior to the meeting at which they will be discussed.

BYLAWS
ARTICLE I
ORGANIZATION AND PROCEDURE

A. Chairperson

The Dean of the College shall chair the College faculty meetings. The Dean's appointee shall preside in the absence of the Dean or when the Dean takes the floor.

B. Meetings

The College Faculty shall meet at least once a semester at times determined by the Dean with the advice of the College Governance Committee. The Dean shall submit written notification of the dates by the end of the first month of each academic semester. The meetings are open to professional and salaried staff. Special meetings of the faculty may be called by the Dean or by petition of 20% of the voting membership. Written notice of faculty meetings, including an agenda, shall be given to the faculty at least seventy-two (72) hours (excluding Saturdays, Sundays and University holidays) in advance of meetings. A seven-day notice is preferable.

C. Agenda

The agenda for the College meeting shall be prepared by the Dean and distributed to the College Faculty and staff at least seventy-two (72) hours (excluding Saturdays and Sundays) in advance of the meetings. Proposed agenda items must be submitted to the Dean's office at least seven days before the meeting. All items supported by 20% of the voting members of the College Faculty, as evidenced by a written petition submitted to the Dean of the College, will be placed on the agenda. Any resolution that is introduced from the floor which is not a part of an agenda item will be placed on the agenda of the next meeting at which time action can be taken.

D. Quorum

A simple majority of the voting membership of the College Faculty not on official leave shall constitute a quorum.

E. Conduct of Business

The order of business shall be: call to order, approval of minutes of previous meeting, approval of the agenda, announcements, committee reports, old business, new business, adjournment. The College Faculty shall abide by its own rules or procedures, but in cases where it has adopted no explicit rules or where applicability or interpretation of rules is in doubt, *Robert's Rules of Order, Newly Revised (Current Edition)* shall apply.

F. Parliamentarians

Two persons shall be designated by the Dean to act as parliamentarians.

G. College Meeting Recorder

A recorder for each College meeting shall be a secretary appointed by the Dean. The recorder shall be responsible for the recording of the minutes. Under the direction of the Dean's Secretary, a record of each College meeting shall be prepared and distributed to each faculty member within two weeks of the meeting. The minutes of the College meetings shall become the official record upon being submitted to and approved by the College Faculty at the first subsequent regular meeting of the College Faculty. A permanent copy of corrected College meeting minutes shall be signed by the recorder and filed in the Dean's office and in the Department Chairperson's/School Director's offices.

BYLAWS

ARTICLE II

GENERAL PROVISIONS OF COLLEGE COMMITTEES

A. General Functions

The functions of the Committees of the College are 1) to investigate, advise, and recommend regarding designated functions; 2) to carry out assigned duties; 3) to report to the College Faculty and the Dean; and 4) to provide summary annual reports.

B. Standing Committees

1. Eligibility

Only tenured or tenure-track College Faculty with at least two years experience in the University and non-tenure track faculty with a full-time administered load and at least five years experience in the University shall be eligible for membership with the power to vote on the standing committees: Committee of Governance and Curriculum Committee. Tenured faculty only shall be eligible for membership with the power to vote on the standing committee: Committee on Promotion and Tenure.

2. Election Procedures for College Committees

- a. Each department/school of the College will determine its own procedures for the election of College committee members and Faculty Senate nominations by April 15 of each year. Regular elections for committee members will be held by April 15 with responsibilities beginning on July 1.
- b. After elections are held and before May 30, each College committee will select a chairperson from the returning members on the committee.
- c. In the event that the departmental representative is unable to complete their committee assignment, then the Department Chairs/School Director will assign a representative to complete their term. Responsibilities begin immediately and continue the full length of the unexpired term.
- d. The committee chairperson will call the first meeting of the committees.

- e. The term of office for faculty members shall be for two years, once renewable, for all committees
 - f. The term of office for the at-large faculty members shall be for two years, once renewable at the discretion of the serving member. If the serving member declines a second term then a College election will be required.
- 3. Procedures for Standing Committee**
- a. A majority of committee members must be present for action to be taken. With the exception of the College Committee on Promotion and Tenure, all meetings will be open unless a majority of the committee members present vote to have a closed meeting.
 - b. All committee members, including the chairperson, shall have voting power.
 - c. All committees shall supply a summary of their activities to the Dean by June 20, and these summaries will be filed in the master committee notebook; committee action regarding policy statements should be included in committee minutes which shall be distributed to College Faculty, Department Chairpersons/School Director, and the Dean.
- 4. Committee Chairperson**
- a. The chairperson will be elected by the committee members.
 - b. The chairperson must be a returning member.
 - c. The term of the chairperson shall be for a period of one year, once renewable for all committees.

C. Ad Hoc Committees

Ad hoc committees may be formed by the Dean, Department Chairpersons/School Director, college committee chairpersons, and the College Faculty for a specific purpose. These committees shall be dissolved upon acceptance of a final report or by the organizer.

BYLAWS
ARTICLE III
COLLEGE COMMITTEES

A. Committee on Promotion and Tenure

1. Composition

- a. Two tenured faculty members each from the Department of Health, Nutrition, and Exercise Sciences and the School of Nursing and one tenured faculty member each from the Department of Medical Technology and the

Department of Physical Therapy, not currently serving on a Promotion and Tenure Committee at another level, will be elected by the departments/school. Administrators of the College are not eligible for membership on the College Committee on Promotion and Tenure.

- b. Faculty members serving on the College Committee on Promotion and Tenure may neither participate in the discussion of, nor vote on, candidates from their own department.
- c. The majority of the College Committee on Promotion and Tenure shall be at a rank higher than the candidate. It may be necessary to form ad hoc committees in certain cases to operate within these guidelines. Ad hoc committees will be appointed by the Dean with advice from the College Governance Committee.

2. Functions

- a. The College Committee on Promotion and Tenure will review departmental criteria to ensure reasonable uniformity.
- b. The College Committee on Promotion and Tenure will review dossiers and make recommendations to the Dean based upon departmental criteria.
- c. The results of the review by the College Committee on Promotion and Tenure shall be reported in writing to the candidate, chairperson of the Department/School Promotion and Tenure Committee, Department Chairperson/School Director, and be forwarded with the dossier to the Dean. Fairness to the candidate and department requires that the College Committee on Promotion and Tenure explain any disagreements with recommendations made at an earlier stage.

3. Appeals

- a. After receiving the College Committee on Promotion and Tenure's recommendations, the candidate may appeal in writing to the chairperson of the College Committee on Promotion and Tenure within five (5) working days.
- b. The College Committee on Promotion and Tenure will hold a hearing with the candidate within five (5) working days after receipt of a written appeal.
- c. The final decision of the College Committee on Promotion and Tenure will be forwarded in writing to the candidate, chairperson of the Department/School Promotion and Tenure Committee, Department Chairperson/School Director, and the Dean.

4. Review Schedule

March 15 - Candidate notifies the Department Chairperson/School Director of his/her intention to apply for promotion in writing. The request is forwarded to the chairperson of the Department/School Promotion and Tenure Committee.

September 1 – Candidate submits completed dossier to the chairperson of the Department/School Promotion and Tenure Committee.

- October 1** – The Department/School Promotion and Tenure Committee forwards its recommendation in writing to the candidate and Department Chairperson/School Director and forwards the recommendation and dossier to the Department Chairperson/School Director. The time for appeal is within five (5) working days of the Department/School Promotion and Tenure Committee’s decision and two (2) weeks for a hearing by the Department/School Promotion and Tenure Committee.
- October 15** – The Department Chairperson/School Director forwards his/her recommendation in writing to the candidate and the chairperson of the Department/School Promotion and Tenure Committee and forwards the recommendation and dossier to the College Committee on Promotion and Tenure.
- December 1** – The College Committee on Promotion and Tenure forwards its recommendation in writing to the candidate, the chairperson of the Department/School Promotion and Tenure Committee, and the Department Chairperson/School Director and forwards the recommendation and dossier to the Dean. The time for appeal is within five (5) working days of the candidate’s notification of the College Committee on Promotion and Tenure’s decision and two (2) weeks for a hearing by the College Committee on Promotion and Tenure.
- January 2** – The Dean sends his/her recommendation in writing to the candidate, the chairperson of the Department/School Promotion and Tenure Committee, Department Chairperson/School Director, and the chairperson of the College Committee on Promotion and Tenure, and forwards the recommendation and dossier to the University Committee on Promotions and Tenure.
- February 15** – The University Committee on Promotions and Tenure forwards the dossier and recommendation to the Provost with a copy of its recommendation to the candidate, the chairperson of the Department/School Promotion and Tenure Committee, the Department Chairperson/School Director, the chairperson of the College Committee on Promotion and Tenure, and the Dean.
- February 25** – The Provost forwards approved recommendations to the President for approval by the Board of Trustees with a copy of his/her recommendation to the candidate. Should the Provost fail to support an application for promotion, the reasons for the decision will be given to the candidate, the chairperson of the Department/School Promotion and Tenure Committee, the Department Chairperson/School Director, the chairperson of the College Committee on Promotion and Tenure, the Dean, and the University Committee on Promotions and Tenure.

B. Committee on Governance**1. Composition**

- a. One member of the faculty from each department/school of the College to be elected by the departments/school plus one at-large faculty member elected by the College Faculty.
- b. All committee members must consist of either tenured or tenure-track faculty with at least two years experience in the University or non-tenure track faculty with a full-time administered load and at least five years experience in the University.

2. Functions

- a. Conduct nominating and voting procedures designated by the University and College Bylaws. Notify faculty of election results as appropriate.
- b. Oversee College committees to ensure that committee functions are maintained and positions are filled. The departmental representative to the Committee on Governance will assume the responsibility of verifying their respective department membership, including the at-large positions, on all standing committees.
- c. Every three years review, revise, and recommend changes in the College of Health Sciences Faculty Constitution and Bylaws.

C. Curriculum Committee**1. Composition**

- a. One member of the faculty from each department/school of the College to be elected by the departments/school plus one at-large faculty member elected by the College Faculty.
- b. All committee members must consist of either tenured or tenure-track faculty with at least two years experience in the University or non-tenure track faculty with a full-time administered load and at least five years experience in the University.
- c. Associate Dean and Assistant Dean for Student Services shall serve as ex-officio members of the College Curriculum Committee.

2. Functions

- a. The Curriculum Committee chairperson will announce to College Faculty a deadline for submitting program and course changes at the start of each academic year.
- b. To review and recommend on departmental proposals to the Dean for changes within existing majors and for approval of new programs.
- c. To review and recommend to the Dean All proposals for the addition, change, or deletion of courses (100-899).
- d. To stimulate, review, and recommend changes to programs, including development of new interdisciplinary and interdepartmental programs.

- e. To act as the Academic Judgment, Student Complaints, and Grievance Committee for the processing of any student problems. Serves as the College appeal committee.

D. Center for Research Development Advisory Council

1. Composition (Members recommended by Department Chairs/School Director to the Dean, who makes final appointments.)

- a. The director of the Council will be the Associate Dean and shall serve as the Council's chair.
- b. Two faculty members each from the Department of Health, Nutrition, and Exercise Sciences and the School of Nursing.
- c. One faculty member each from the Department of Medical Technology and the Department of Physical Therapy.
- d. The Financial Manager of the College shall serve as an ex-officio member of the Council.

2. Primary Functions

- a. To stimulate involvement of all faculty in scholarship activities.
- b. To facilitate the scholarly activities of the faculty and academic professionals in the College through the coordination of resources and activities that support scholarship.

3. Additional Functions

- a. Serve as a point of contact for other University units, such as the Office of the Vice Provost for Research, and other external agencies.
- b. At the discretion of the Dean, the Council shall administer requests submitted to the College for matching funds, grants, and pilot studies.

E. Advisory Committee for Conflict of Interest (COI)

1. **Composition** (Members recommended by Department Chairs/School Director to the Dean, who makes the final appointments.)
 - a. At least three (3) faculty members, none of whom will come from the department of the individual about whom the committee is convened. If possible, the rank level of the committee members should be at or above the rank of the individual about whom the committee is convened.
2. **Functions**
 - a. The Dean of the College of Health Sciences shall convene the Committee when there is perceived conflict of interest involving a CHS faculty member which cannot be resolved with that person and the department/school's chair/director.
 - b. To receive and review evidence, including interviews, about a potential conflict of interest involving a CHS faculty member.
 - c. Make recommendations to the Dean in a timely manner and in keeping with university COI policies and guidelines (policy # 4-26 and 6-11)
 - d. The Dean may accept, reject or modify the committee's recommendations.

F. Health Services Administration Governance Committee

1. **Composition**
 - a. A chair of the committee, one member of the faculty from each department/school of the College, and one matriculated graduate student, all of whom are appointed by the Dean.
 - b. The Dean shall make the appointments at the recommendation of the Department Chairs/Directors.
 - c. The Chair of this committee shall be on the Graduate Education Committee in the School of Nursing.
2. **Functions**
 - a. Develop policies and procedures for the degree, make recommendations to the School of Nursing Committee for Graduate Education for admission of students to the program, and review curriculum to assure content comprehensiveness.
 - b. Curricular decisions made by the Health Services Governance Committee shall be brought to the School of Nursing Committee for Graduate Education.
 - c. Assure curricular components are consistent with the College of Health Sciences mission and philosophy.
 - d. Review and/or recommend changes in course objectives, content, focus, and credit allocation.
 - e. Make recommendations for the assignment of academic advisors to students.
 - f. Review progress and performance of students in the program and take appropriate action in cases of substandard performance.

- g. Review course syllabi and make decisions on course substitutions and transfer credits.
- h. Develop preceptor guidelines for practica.
- i. Develop guidelines for the Scholarly Project.

BYLAWS
ARTICLE IV
AMENDMENTS

These Bylaws may be amended only by a two-thirds vote of the total voting membership of the College Faculty. Written notice of intent to amend must be forwarded to all voting members by campus mail or electronic mail ten days prior to the meeting at which they will be discussed.