

## Graduate School of Education Bylaws

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### **PREAMBLE**

The Graduate School of Education (hereinafter referred to as School) affirms its commitment to collegiality as the basis upon which to manage its affairs and to maintain excellence in its scholarly enterprise. It is recognized that there is potential for conflict between the professional independence of the faculty member in the conduct of teaching, research, and scholarship, and the hierarchical nature of the corporate organization of which he or she is a part. Such potential is reduced, however, by the practice of collegiality in the administration of the School's affairs. The practice includes two primary norms:

1. The Dean of the School and the Chairs of Departments are full participating members of the community of independent scholars; and
2. in the conduct of their corporate functions, such administrators consult systematically and regularly with the faculty and rely on advice and assistance from the faculty.

The School endorses these norms, and intends that this statement serve as Preamble to, and part of, its Bylaws.

### **ARTICLE I**

#### *Application*

1. Provisions of these Bylaws, severally and in toto, are applicable when not in conflict with the Policies of the Board of Trustees, State University of New York, the Ordinances of the State University of New York at Buffalo, or the Bylaws of the Voting Faculty of the State University of New York at Buffalo.
2. Definitions used in the Policies of the Board of Trustees, State University of New York, apply to terms used in these Bylaws, unless otherwise specified.

## ARTICLE II

### *The Graduate School of Education*

1. **Composition.** The School shall consist of members of the voting faculty, other members of the academic staff and professional employees. A list of those persons comprising the School shall be distributed by the Office of the Dean at the beginning of each academic year.
2. **Voting Faculty.** All full-time faculty of the University duly appointed to academic rank, and clinical faculty, in the School shall be entitled to vote, including faculty with primary appointment to another division of the University who hold concurrent appointment to academic rank in the School. Non-voting members of the School may attend all School meetings and may address the meeting at the discretion of the chair.
3. **Clinical Faculty.** Clinical faculty shall mean the title of a full-time faculty person whose major emphasis is on teaching and service other than research. See Guidelines for Clinical Faculty for more detail.
4. **Officer.** The Dean of the School is empowered to call meetings of the School and its standing committees. The agenda of each meeting of these bodies shall provide opportunity to the Dean to present his or her report.
5. **Responsibility.** The voting faculty shall either initiate or approve all policies of the School regarding governance, personnel, instruction, research, and service by or in the faculty, which power may be delegated to offices and administrative units of the School and to committees or other such bodies established by the School.
6. **Appointment, Tenure and Promotion.**
  - a. Appointment, tenure, and promotion in rank shall be in recognition of merit and qualifications as defined by University policy, and the Graduate School of Education Appointment, Reappointment, and Promotion and Tenure Guidelines. The Dean shall act as recommending authority to the Provost after consultation with the Department Chair and with the Personnel Committee where required by these Bylaws.
  - b. There shall be no arbitrary assignment of optimum or maximum percentages among various ranks, nor shall promotion be considered to be automatic.
7. **Meetings.**
  - a. The School shall meet regularly a minimum of four times yearly. Regular meetings shall be those so designated by the Dean and called by him or her for that purpose.
  - b. Special meetings may be held for specified purposes, called by the Dean or by one-third the members of the School so indicating by signature. The call to a special meeting shall specify the business to be considered, and shall be published to the School not less than ten days prior to the meeting.
  - c. All meetings of the School shall be convened on days exclusive of academic holidays, weekends, and the period between the start of the University's final examinations calendar of the Spring semester and two weeks after the start of the Fall semester. Roberts Rules of Order shall govern

the conduct of all meetings of the School. The Dean (or his or her designee) shall be the presiding officer or, on motion passed by two-thirds of the voting faculty in attendance, another chair pro tem shall preside, elected by simple majority. One-third the voting faculty shall constitute a quorum for all action save adjournment (for which no minimum is required), and a simple majority of voting faculty in attendance shall suffice for all action save where otherwise specified.

- d. Minutes of all meetings of the School shall be recorded and maintained by the Dean's Office.

## ARTICLE III

### *Administrative Officers and Organization*

1. **The Dean.** The Dean shall be the chief administrative officer responsible for the accomplishment of educational objectives and the implementation of policies of the School. He or she shall serve as member *ex officio* of all committees of the School without vote. For any committee meeting, the Dean can designate someone to serve as the Dean's representative.
2. **Chairs of Departments.**
  - a. **Designation.** The chief administrative officer of a department shall be designated the Chair of the Department, which designation shall be in addition to his or her academic rank.
  - b. **Appointment and Term.** Department Chairs shall be appointed by the President upon the recommendation of the Provost who shall consult with appropriate faculty including the members of the Department concerned. The School recommendation to the Provost shall be made by the Dean. The terms of office of chairs shall be set in accordance with policies determined by the President.
  - c. **Termination of Appointment as Chair.** A Department Chair who relinquishes or is relieved of his or her appointment to the chair shall retain his or her appointment to academic rank.
  - d. **Responsibilities.** The chairs of departments shall, in consultation with their respective faculty, be responsible to the Dean, the Provost and the President for the supervision of the personnel and educational program of the departments for which they serve. They shall have such other powers, duties and responsibilities as may be assigned by the President and the Dean.
3. **Other Administrative Officers.** Other administrative officers of the School, duly appointed under University procedures, shall have those powers, duties and responsibilities assigned to them by the Dean to assist him or her in the Office's tasks. Faculty members appointed to such administrative duties will serve at the pleasure of the Dean.
4. **Faculty Administrative Organization.**
  - a. **Designation.** The Dean shall be responsible for the establishment of administrative structures and processes for the implementation of School policy, after full consultation with the School.
  - b. **Departments.** Within its academic area, each Department shall design and implement programs of instruction, study, research and/or service. The Department, through its Chair, shall report to the Dean and to the Executive Committee concerning such programs, and shall recommend action concerning appointments and promotions to the Dean and, where applicable, to the Personnel

Committee.

## ARTICLE IV

### *Standing Committees*

#### 1. **Executive Committee.**

##### a. **Functions.**

1. To advise the School and/or the Dean concerning academic affairs and to conduct such studies as are necessary to provide such advice.
2. To establish *ad hoc* committees to undertake assignments from the Executive Committee, and to receive and act on their reports and recommend appropriate action to the School.
3. To act for the School if time or circumstances prevent action by the School. Such action shall be deemed ratified unless expressly held to the contrary by the voting faculty at the next regular or special School meeting.

b. **Records.** The Executive Committee shall maintain minutes of all of its meetings, which shall be available in the Office of the Dean, abstracts of which shall be sent to the voting faculty of the School and the President of the State University of New York at Buffalo within seven days of each meeting.

c. **Membership.** The Executive Committee shall be comprised of eight members of the voting faculty. Up to four students, with one representative from each department, shall also serve as discussants in all matters save personnel.

d. **Elections.** Seven members of the Executive Committee shall be elected at large from among the voting faculty, excluding those serving as department chairs or associate deans. Nomination ballots for terms beginning with the subsequent academic year and for vacancies in unexpired terms shall be sent via e-mail to the voting faculty during the first week in April. From the returned nomination ballots, an election ballot shall be prepared containing at least one more nominee than the total number of vacancies but not more than twice the number of vacancies. The nominees shall be those qualified persons receiving the largest number of nominations who indicate a willingness to serve. The election ballot shall be sent to voting faculty via e-mail during the third full week of April and shall be returned no later than April 30. Persons shall be considered elected in order of the number of votes received (largest to smallest). The election processes shall be implemented by the Office of the Dean.

One member of the voting faculty shall be appointed by the Dean, who shall give priority in that appointment to correcting representational imbalances among the elected members.

The student members shall be selected under procedures established by the School's Graduate Student Associations' Executive Committee.

e. **Term of Office.** The term of office for elected faculty members shall be three years, staggered such that no more than three terms expire in any given year. The terms of office of the appointed and student members shall be one year.

- f. **Vacancies.** A vacancy due to resignation by an elected faculty member shall be filled at the discretion of the Executive Committee by a temporary appointment terminating at the next scheduled election when a replacement shall be elected to complete the unexpired term. Vacancies due to leaves of absence not longer than two semesters shall be filled by temporary appointment made by the Executive Committee; longer absences shall be treated as resignations. Other vacancies shall be filled at the discretion of the designating source.
- g. **Chair.** As early in the academic year as is practicable, the Executive Committee shall elect from among its elected faculty members one person to serve as Chair. The Chair shall preside over all meetings and shall coordinate the setting of the agenda. The term of the Chair shall be approximately one year and is renewable, commencing upon election and continuing until election of a successor in the year following next.

## 2. **Personnel Committee.**

- a. **Functions.** The Personnel Committee shall advise the Dean concerning all personnel decisions for academic staff including reappointments, promotions, awarding of tenure, and other changes in academic status. Any of these decisions may be proposed by the Department Chair or the Dean, or by individual faculty members if normal departmental channels have been exhausted.
- b. **Records.** The Personnel Committee will maintain detailed records of all of its meetings and these records shall be held in confidence in the Dean's office.
- c. **Membership.** The Personnel Committee shall be comprised of the Dean, ex-officio without vote, and full professors, two elected from each of the departments by its voting faculty. In the case where a department does not have enough eligible full professors, an associate professor from the department may be elected. Eligible faculty are individuals who are not currently serving as department chairs, associate deans, or as members of the PRB. For any committee meeting, the Dean can designate someone to serve as the Dean's representative.
- d. **Term of Office.** Departmental representatives will serve staggered two year terms and may be reelected.
- e. **Vacancies.** Vacancies will be filled by the departments involved by special elections. Faculty elected will serve the remainder of the vacated term. Vacancies of one semester or less need not be filled.
- f. **Elections.** Each department shall establish its own election procedures. The committee chairperson shall be elected by majority vote of the committee to a term of one year. The chairperson may be reelected.

## **ARTICLE V**

### *Student Participation*

Students in the School are encouraged to participate in a wide variety of School and departmental activities and programs. These should include representation on appropriate School and departmental committees. It is undesirable to structure rigidly mandatory memberships and participation. Effective relations can and should be developed in a climate of openness which encourages students to become as deeply involved as they wish, consistent with their interests and time available. Each department and committee of the School will develop with students how they can most effectively participate in these activities unless specified within these Bylaws.

## **ARTICLE VI**

### *Student Grievance Procedures*

A student pursuing an M.A., M.S. or Ph.D. degree shall follow the grievance procedures of the Graduate School when he or she believes that there is cause for grievance. All other graduate students in the School who believe that they have cause for grievance shall follow the grievance procedures of the School on file in the Dean's Office. Undergraduate students who believe that they have cause for grievance in this School shall follow the grievance procedures of the Division of Undergraduate Education.

## **ARTICLE VII**

### *Amendments*

Amendments to or revision of the Bylaws must be presented in writing at regular meetings of the School and must be voted upon at the next regular meeting. Amendments shall be passed by the concurring vote of two thirds of the voting faculty in attendance.

## **ARTICLE VIII**

### *Implementation*

1. These Bylaws shall be effective upon adoption.
2. All incumbents of offices, committees and similar bodies of the School extant at time of adoption and continue under these Bylaws, shall serve until reappointed, reelected or replaced under these provisions. Actions taken by such incumbents shall comply to the extent feasible with these Bylaws.
3. As early as is practicable, the Dean shall arrange for the appointment and election of persons to offices, committees and similar bodies of the School as required by these Bylaws, including in the arrangements appointments and/or elections to terms shortened once where necessary to effectuate staggered terms.

## **POLICIES OF THE BOARD OF TRUSTEES**

### **ARTICLE II**

#### *DEFINITIONS*

1. **Terms.** As used in these Policies, unless otherwise specified, the following terms shall mean:
  - a. "University." State University of New York.
  - b. "Board of Trustees." The Board of Trustees of State University of New York.
  - c. "Chancellor." The Chancellor of State University of New York.
  - d. "College." A State-operated institution of State University of New York.
  - e. "Contract College." A statutory or contract college of State University of New York.
  - f. "Community College." A locally-sponsored, two-year college established under Article 126 of the Education Law.
  - g. "Council." A council for a college as provided for by Section 356 of the Education Law.
  - h. "Chief administrative officer." The head of a college or contract college, as the case may be, whether called president, dean, provost, director or otherwise.

- i. "Academic staff." The staff comprised of those persons having academic rank or qualified academic rank.
- j. "Academic rank." Rank held by those members of the professional staff having the titles of professor, associate professor, assistant professor, instructor, and assistant instructor, including geographic full-time faculty members having such titles, and rank held by members of the professional staff having the titles of librarian, associate librarian, senior assistant librarian, and assistant librarian. A geographic full-time faculty member is a person serving on the faculty of a medical center who is not employed on a full-time basis for the purpose of fixing compensation payable by the State but all of whose professional services and activities are conducted at the medical center or its affiliated hospitals and are available to the State on a full-time basis for clinical and instructional purposes.
- k. "Qualified academic rank." Rank held by those members of the academic staff having titles of lecturer, or titles of academic rank preceded by the designations "clinical" or "visiting" or other similar designations.
- l. "Professional employee." Professional employees shall mean an employee in the Professional Services Negotiating Unit, other than an employee with academic or qualified academic rank.
- m. "Academic employee." Academic employee shall mean an employee in the Professional Services Negotiating Unit with academic or qualified academic rank.
- n. "Professional staff." All persons occupying positions designated by the Chancellor as being in the unclassified service.
- o. "Professional title." Professional title shall mean the title of a position in the Professional Services Negotiating Unit, other than a position of academic or qualified academic rank, as shown in the budget certificate for the position on file with the State Director of the Budget.