

**On April 13, 2021, the ASC voted to put the faculty governance bylaws below to a vote of the Faculty of Arts and Sciences**

**Proposed Bylaws for a New Structure of Faculty Governance in the College of Arts and Sciences**

**Preamble**

Faculty governance should be collaborative and deliberative. It should promote faculty engagement, foster inclusivity, and further the comprehensive educational and research missions of the College of Arts and Sciences. Guided by a democratic framework, effective faculty governance protects faculty prerogatives in decision-making areas in which the faculty takes the lead, and it requires meaningful consultation in those areas where the administration takes the lead. In this spirit, the Faculty of the College of Arts and Sciences at the University of Colorado at Boulder embraces its right and its responsibility to participate in the governance of the College in consonance with Regent Laws and Policies. Per those laws and policies, the faculty has the principal responsibility for decisions concerning, among other matters, pedagogy, curriculum, research, scholarly or creative work, academic ethics, and recommendations on the selection and evaluation of faculty members; and the faculty plays a significant role in decision-making about personnel-related policies, budgeting, and the selection and review of academic administrators, and, more generally, about policies affecting the academic welfare of the College.

**Article I. Name**

The Faculty of Arts & Sciences (FAS) normally exercises its authority through its representative bodies, which consist of a College-wide Arts & Sciences Faculty Senate (ASFS) and three division-specific bodies, the Social Sciences Divisional Council, the Natural Sciences Divisional Council, and the Arts and Humanities Divisional Council.

**Article II. The Faculty of Arts and Sciences**

The voting members of the FAS are faculty members of primary units in the College of Arts and Sciences (CAS). A primary unit is a department, program, or other academic unit that is home to two or more members with faculty appointments of at least 50% who are (a) Professors of any rank except 'adjunct' or 'of practice' or (b) Instructors of any rank.

**Article III. Meeting and Voting Procedures of the Faculty of Arts & Sciences**

1. The FAS meets at least once per semester during the regular academic year. A meeting of the FAS typically takes place in conjunction with a meeting of the ASFS.

2. Upon receipt of a petition signed by at least five percent of the FAS, the Chair of the ASFS will call a meeting of the FAS, to be held within ten working days. The petition must state the specific matter(s) to be considered at that meeting. The Chair of the ASFS will also call a meeting of the FAS at the request of the Dean of the College of Arts and Sciences (or the

College's Executive Dean, at which time that becomes applicable – let that be understood throughout this document).

3. In keeping with Regent Laws, the Dean of the College of Arts and Sciences serves as Chair of meetings of the FAS and thus will serve as co-Chair of joint meetings of the FAS and the ASFS, alongside the Chair of the ASFS.

4. Attendance by at least 10% of the members of the FAS, representing over 50% of the College's academic departments, constitutes a quorum for the conduct of business. Representation of over 60% of the academic departments and participation by at least 25% of the members of the FAS constitute a quorum for conduct of mail or email balloting.

5. On the assumption that the demands of a quorum are met, a simple majority of those present and voting at a meeting of the FAS (or of those participating in mail or email balloting) suffices for adoption of any measure, except where provisions of these bylaws state otherwise.

6. Votes of the FAS are ordinarily conducted by mail ballot or email ballot, initiated by an approved motion of the ASFS or by the procedure described in III.7.

7. In the case of in-person voting, at the request of one-third of the members present, a mail ballot or email ballot, to be submitted to all members of the FAS, will be ordered on any question, in place of the vote that would otherwise have been taken by those present.

8. Voting by the FAS shall be initiated and proceed in no way other than by the processes described in these bylaws.

#### **Article IV. The Arts & Sciences Faculty Senate (ASFS)**

##### **1. Membership**

The ASFS is composed of (a) one representative from each primary unit that houses a major, minor, or certificate and (b) all voting members of the Executive Committee not covered by (a) (see Article VIII, below). The former members are elected by their primary units. The latter are elected by their Divisional Councils. In addition, any unit that does not house a major, minor, or certificate but that plays a robust academic role in the College may petition the ASFS for the right to send a voting representative to the ASFS. Petitions are for a definite period and must be approved by a vote of the ASFS. (Approved petitions will be kept on file by the Program Assistant responsible for providing administrative support to the ASFS.) The Dean and all Divisional Deans of CAS, as well as the Chair of the Boulder Faculty Assembly, are *ex-officio*, non-voting members of the ASFS.

##### **2. Responsibilities of Members**

The normal responsibilities of a representative who is elected to serve on the ASFS (that is, who is not a member of the ASFS solely by virtue of sitting on its Executive Committee) are to

- a. attend meetings of the ASFS,
- b. participate in the work of an ASFS committee,
- c. distribute ASFS agendas and minutes to the faculty members they represent, and
- d. consult with members of their unit about matters being discussed or to be voted on by the ASFS.

Representatives who serve on the ASFS solely by virtue of membership on its Executive Committee are expected to attend meetings of the ASFS.

### 3. Senate Meetings

During the regular academic year, the ASFS meets four times per semester, at approximately one-month intervals. At its meetings, the ASFS initiates discussion about and decides matters of policy; makes recommendations on policy-related issues; and gathers and disseminates information potentially relevant to its deliberations, partly by hosting visiting administrators or representatives of other constituencies. Attendance by over 50% of the ASFS representatives constitutes a quorum for the conduct of business.

The final meeting of every fall and spring semester is held jointly with a meeting of the FAS. The ASFS reports on its activities, including the activities of its committees, to the FAS at least once per semester, typically at a joint meeting of the ASFS and the FAS.

### 4. Role of Deans

The Dean and Divisional Deans of CAS provide timely administrative updates and regularly explain policy-related decisions to the ASFS or its appropriate committees. The Dean collaborates with the ASFS in the making of College-level decisions that have a significant impact on faculty life and working conditions. The Dean and, where appropriate, the Divisional Deans meet regularly with the Chair of the ASFS and with the Executive Committee to coordinate efforts on significant policy initiatives in the College.

### 5. Terms and Vacancies

Representatives serve three-year terms. If a representative goes on leave or is otherwise indisposed during that term, the relevant unit or Divisional Council may elect a temporary replacement, allowing the representative in question to complete the term when that representative is once again available to serve; or the department may elect a new representative to begin a new three-year term. A representative may not serve more than two consecutive terms. After a two-year hiatus, a person may serve again. An ASFS representative may be replaced by that representative's home unit for reason of non-attendance or other good cause. Each primary unit is responsible for replacing its elected ASFS representative if the position falls vacant.

### 6. Officers and Staff

#### Chair

The Chair acts as the presiding officer of the ASFS and of its Executive Committee and is an ex

*officio* member of all ASFS committees. When an election is called for, the Executive Committee designates an ASFS representative, who may be a member of the Executive Committee, to oversee the election of a new ASFS Chair. That ASFS representative may not be a candidate for the chairship. At the next-to-last ASFS meeting in a given academic year, that representative solicits nominations, including self-nominations, for the position of Chair. The election is held at the final meeting of the academic year. Prior to the vote, candidates present themselves to the membership and describe their qualifications. The vote is held by ballot. The Chair serves a two-year term commencing with the start of the fiscal year following the election. The Chair may not serve more than two consecutive terms. In the event that the Chair is absent from a meeting of the ASFS, the Executive Committee designates one of its members to act as presiding officer.

The Chair of the ASFS can be removed and a new election initiated, by vote of a two-thirds majority (of ballots cast) of the ASFS, so long as a quorum is met.

#### Parliamentarian

The Executive Committee may appoint a Parliamentarian to assist the Chair in presiding over meetings of the ASFS and over meetings of the Faculty.

#### Program Assistant

The College agrees to allocate an appropriate percentage of a Program Assistant's work duties to support the operation of faculty governance. The Program Assistant takes notes during meetings of the ASFS; maintains the ASFS Web site; maintains an organized archive of faculty governance documents; and assists in other matters relevant to the workings of the ASFS, ASFS committees, and Divisional Councils.

#### 6. Minutes

The Program Assistant drafts minutes of ASFS meetings and distributes them electronically to ASFS representatives as soon as possible and no later than two weeks after a meeting. Representatives are asked to vote 'yes' (to approve), 'no' (and to provide corrections or other suggested changes), or 'abstain', within the next five working days. Representatives who do not vote within the five-day period are presumed to have voted to approve. If suggested changes or alterations are straightforward, an emended and final version of the minutes is distributed to representatives and posted online by the Program Assistant as expeditiously as possible prior to the next meeting of the ASFS. In the event that recommended changes are controversial or contentious, any representative of the ASFS can call for discussion of the minutes at the next meeting of the ASFS, in which case the emending of the minutes in question and a vote on a motion to approve them are delayed until after such discussion has taken place.

#### 7. Communication

The ASFS maintains a forum for the distribution of news to, and for discussion among, the FAS as well as other interested constituencies (e.g., Staff Advisory Committee and the BFA).

## Article V. Committees of the ASFS

1. The standing committees of the ASFS are Budget; Curriculum; Diversity, Equity, and Inclusion; Grievance and Professional Affairs; Personnel; and Planning. These committees participate in the administration of the College and, depending on the issue in question, make (a) determinative decisions, (b) strongly advisory recommendations (which are presumptively determinative), or (c) merely advisory recommendations. Each standing committee establishes and publishes its rules of procedure and reports at least annually to the ASFS. These committees are to be supplied in a timely manner with information from faculty and administration when such information is requested.

### 2. Functions of Standing Committees of the ASFS:

#### Budget Committee

This committee collaborates with and advises the Dean on budgetary matters.

#### Curriculum Committee

This committee makes recommendations to the ASFS about broad-ranging or fundamental, College-level curricular matters, for example, about the creation of new majors, changes in the general degree requirements of the College, or the role of online offerings in the College. This committee makes determinative decisions about a wide range of substantive but less sweeping or fundamental curricular matters that arise at the College level.

#### Committee on Diversity, Equity, and Inclusion

This committee makes recommendations and helps to develop College policy related to diversity, equity, and inclusiveness, as they affect the academic life of the College. It guides the implementation of College-level programs related to diversity, equity, and inclusion, such as hiring-related programs. The committee may solicit requests or proposals from units in CAS. The committee also maintains a diversity plan for the College. The Chair of the BFA's Committee on Diversity and Inclusion is an *ex officio*, non-voting member of this committee.

#### Grievance and Professional Affairs Committee

This committee makes recommendations to the Dean about career salary grievances and salary and non-salary grievances stemming from annual merit evaluations. It addresses issues pertaining to professionalism (in, for instance, faculty-staff relations) and professional rights and responsibilities of the faculty. It also considers the potential effects, including unintended consequences, of faculty governance decisions on other College constituencies, including staff.

#### Personnel

This committee advises the appropriate Dean on matters of re-appointment, tenure, promotion, and evaluation of faculty members, and the awarding of honorific titles such as College of Arts & Sciences Professor of Distinction. This committee also considers appeals filed with the Dean in cases of non-reappointment recommendations for Instructor-rank faculty.

## Planning

This committee addresses all aspects of planning for the College, with particular emphasis on initiatives that change the character, structure, or goals of CAS.

## 2. Membership

The membership of each ASFS committee includes at least three ASFS members. An ASFS committee may have as many more voting members drawn from the FAS as is needed to maintain the efficient functioning of the committee. No person except the ASFS Chair can serve on more than one ASFS standing committee.

Nomination of faculty members for service on an ASFS committee is a collaborative effort. It involves discussion among the ASFS Chair, other members of the Executive Committee (including Chairs of the standing committees), and membership of the standing committee in question; and it takes into account the preferences and willingness of potential nominees. Among other factors considered are the University's commitment to diversity and the appropriate representation of departments, academic divisions, and academic ranks. Under normal circumstances, all of the College's divisions are represented on each of the standing committees. The Executive Committee must confirm committee assignments.

Given the close working relationship that must exist between the relevant Deans (which may include Divisional Deans) and the Personnel Committee, the relevant Deans play an especially active role in identifying potential members of the Personnel Committee and recommending them to the Executive Committee for confirmation. The membership of Personnel will include at least three members from each division. All Personnel Committee members must hold the rank of Professor.

Members of the administration, even those with faculty appointments, may not serve as voting members on ASFS committees; but ASFS committees may invite administrators (as well as others – for example, members of staff) to serve as non-voting members, in virtue of their expertise or knowledge base, or as visitors to consult on specific issues.

## 3. Terms of Office

Unless otherwise indicated, committee members serve three-year terms, renewable once. After a two-year hiatus, a person may serve again.

## 4. Standing Committee Chairs

Standing committee chairs must be ASFS representatives and normally are tenured. With the exceptions noted herein, chairs of standing committees are elected by the voting members of those committees. They serve one-year terms and can be re-elected twice (for a total of three years of consecutive service as Chair). Whenever possible, committee elections take place in the spring semester, for the following academic year. As special cases, the chairs of the Budget and Personnel Committees are nominated by the Dean in consultation with the Executive Committee. The Executive Committee must confirm these appointments.

### 5. *Ad Hoc* Committees

The Executive Committee may propose the formation of an *ad hoc* committee of the ASFS tasked with analyzing or making recommendations about an important issue facing the CAS and its faculty. The creation of such a committee, as well as its specific charge, must be approved by a vote of the ASFS. The Executive Committee appoints the chair of such a committee as well as its members. If a non-ASFS representative is appointed as chair, that person thereby becomes a non-voting, *ex officio* member of the ASFS for the duration of that person's service as chair of the *ad hoc* committee in question.

*Ad hoc* committees are constituted for periods of either six months or one year. The Executive Committee may renew an *ad hoc* committee once. Further extensions must be approved by a vote of the ASFS.

## Article VI. Divisional Councils

Running parallel to and, where appropriate, working in collaboration with the ASFS are three Divisional Councils, one corresponding to each of the College's Divisions. Each Divisional Council, with respect to its home division, advises the College administration on budgetary matters, participates in the allocation of faculty lines, serves as a central planning body, has agenda-setting powers, and generates new proposals for strengthening and enhancing teaching and research or creative work.

### 1. Name

The three divisional faculty-governance bodies are the Arts and Humanities Divisional Council, the Natural Sciences Divisional Council, and the Social Sciences Divisional Council.

### 2. Membership

The membership of each council consists of the Chairs and Directors in the apposite division, as well as four departmental members and one at-large member. On each Council, the corresponding Divisional Dean serves as an *ex officio*, non-voting member.

#### a. Departmental Members

The four departmental members serve one-year terms and are elected by individual departments and programs, chosen by a system of turns, beginning with the first four departments or programs as they appear alphabetically on the College's list of departments and programs (currently at <https://www.colorado.edu/asfacultystaff/departmental-listing>), followed by the next four, and so on, or by a similar system that includes all programs and departments equitably and is agreed to by the chairs and directors of the division in question. Departmental members may be of either Professorial or Instructor rank.

#### b. At-large Members

The at-large member of each Divisional Council must hold an Instructor-rank appointment and is elected by the Divisional Council itself. The at-large member serves a two-year term and can serve no more than two consecutive terms, after which time that person must wait for at least two years before serving again on a Divisional Council (except in the unusual case in which that

person begins serving as a Chair or Director). If no instructor is nominated for a given at-large position, that position remains vacant until which time an Instructor is elected.

#### c. Executive Sessions

Meetings of Divisional Councils may sometimes cover personnel-related matters. Where such discussion is likely to reveal information that some members of the Divisional Council (typically, departmental and at-large members) should not have access to (as is determined by University policy), Chairs and Directors will hold a closed, executive session of the Divisional Council.

#### 3. Presiding Officer

In the spring, each Divisional Council elects one of its members as Chair, for a one-year term covering the following academic year. A Chair can serve no more than three consecutive terms. The Chair of a given Divisional Council serves as an *ex officio* member of all committees of that Divisional Council.

#### 4. Meetings

Frequency of meetings of a Divisional Council will be determined by a vote of the Council's membership. This decision should be driven by functional dimensions of the Council's work, sensitive to such considerations as the extent to which divisional budgetary and curricular matters are addressed by a committee of the whole or, instead, by distinct budget and curriculum committees (see Article VII). Nothing in these bylaws precludes a Divisional Dean from calling meetings of only the Divisional Chairs and Directors to discuss operational matters, but no changes to policy should be adopted at such meetings.

### **VII. Divisional Committees**

1. Each Divisional Council has a Divisional Budget Committee and a Divisional Curriculum Committee, members of which are proposed by the Chair of the Divisional Council and confirmed by the Divisional Council as a whole. By a vote of the Divisional Council, the functions of one or both of these committees may be served by the committee of the whole (and thus no distinct committees are formed, and no chairs are elected for those committees).

2. The chair of each Divisional Budget and each Divisional Curriculum Committee is elected by that committee's membership. Committee chairs serve one-year terms and can serve a maximum of three consecutive terms.

3. Each Divisional Budget Committee collaborates with and directly advises its Divisional Dean on budgetary matters pertaining specifically to its division.

4. Divisional Curriculum Committees act on behalf of the faculty in their division, as the decision-making bodies with respect to undergraduate curricular matters of a local nature, including, but not limited to the approval of

-revisions to existing major degree programs (unless interdivisional)



- new minor programs (unless interdivisional)
- revisions of existing minor programs (unless interdivisional)
- divisional teaching-related activities of centers, if departmental faculty oversight is otherwise lacking
- new course proposals, and
- revisions of existing courses

Each Divisional Curriculum Committee includes one member from the entity or collection of entities responsible for providing a first-year academic experience (FYAE) to students in CAS (for example, the Residential Academic Programs), who is to be nominated by the entity or collection of entities in question. This member need not also be a member of a Divisional Council, and membership on a Divisional Curriculum Committee does not confer membership on the relevant Divisional Council. In the event that a Divisional Council chooses not to form a distinct Curriculum Committee, the Chair of that Divisional Council will ensure that the FYAE-appointed member of Curriculum participates in discussion and voting on curricular matters in the Division.

5. Divisional Councils may form *ad hoc* divisional committees tasked with analyzing or making recommendations about important questions facing their Division. Each *ad hoc* committee includes at least three members of its parent Divisional Council and may have as many more members drawn from the FAS in its Division as is needed to maintain the efficient functioning of the committee. *Ad hoc* committee membership is approved by the Divisional Council as a whole, as is the selection of a chair. The chair of an *ad hoc* divisional committee must be a member of the faculty in the Division in question. An *ad hoc* committee chair who is not a member of the relevant Divisional Council thereby becomes a non-voting, *ex officio* member of that Divisional Council for the duration of that faculty member's time as chair of the *ad hoc* committee in question.

Ad hoc committees are constituted for periods of either six months or one year. Extensions must be approved by a vote of the Divisional Council.

6. Although Article VI and the preceding portions of Article VII are written in a common form, applicable to all Divisional Councils, it should be noted that Article XI, on the amendment of the bylaws, allows for Division-specific votes that tailor the structure, function, and constitution of Divisional Councils to the needs and interests of each individual division.

### **VIII. Faculty Governance Executive Committee**

The Faculty Governance Executive Committee is a hybrid entity. It unites members of the ASFS and Divisional Councils in one body, responsible for various forms of oversight and coordination.

#### **1. Membership**

The Executive Committee consists of the chairs of the six ASFS standing committees; two representatives from each of the Divisional Councils, each of whom must be either a Chair or

Director; and the Chair of the ASFS, who also chairs the Executive Committee. Divisional representatives on the Executive Committee are elected by their Divisional Councils and become *ex officio* members of the ASFS; they serve three-year terms and can serve a maximum of two consecutive terms, with a requisite gap of two years before returning to the Executive Committee. The Dean, the Divisional Deans, and the Chair of the BFA are non-voting, *ex officio* members of the Executive Committee.

## 2. Function

This committee plans the work of the ASFS; sets the agenda for meetings of the ASFS; coordinates the interaction between the ASFS, the Divisional Councils, and their respective Curriculum and Budget Committees; determines when a motion passed by a Divisional Council must also be considered by another Divisional Council or by the ASFS as a whole; facilitates communication between faculty governance bodies and the Deans of the College; and monitors the effects of faculty governance decisions on various stakeholders in the College, including staff. It also oversees any mail or online votes of the FAS, which can be called by the ASFS or the FAS in keeping with the procedures outlined in Article III.

### **Article IX. Relation to Non-ASFS Constituencies**

The ASFS cooperates with other faculty, staff, and student governance bodies at the University of Colorado at Boulder, including bodies within the CAS, in other schools and colleges, and at the campus level. Such cooperative efforts focus on, but are not limited to, bodies that perform tasks that have an impact on the workings of ASFS and on the academic well-being of the CAS.

The final ASFS meeting of each regular semester will include presentations from, and discussion with, representatives of one or more non-ASFS constituencies, for instance, the Staff Advisory Committee, the Graduate and Professional Student Government, or the CU-Boulder Student Government. Invitations will be extended to such groups, on a rotating basis, by the Executive Committee. Officers and representatives of the ASFS are encouraged to communicate consistently with campus constituencies beyond the FAS, and it is acknowledged that there may be a need for or interest in interaction with such constituencies at other faculty-governance sessions, in addition to the final session of each regular semester.

### Appeals Committee on Academic Rules and Policies (ACARP)

Acting as liaison between faculty governance and ACARP, the Assistant Dean of Academic and Curricular Affairs consults with the ASFS Curriculum Committee and the Divisional Curriculum Committees, as appropriate, concerning cases that come before ACARP.

### College Caucuses

A College Caucus is an independently formed group of faculty members who identify as having shared interests (e.g., a BIPOC Caucus, Union Caucus, or LGBTQ Caucus). College Caucuses may be among those bodies with which the ASFS collaborates and from which the ASFS solicits input. Upon request, such caucuses will be provided with as much administrative support as is consistent with the performance of the Program Assistant's other duties.

## **Article X. Parliamentary Procedures**

In all matters not specified in these bylaws, the proceedings and activities of the FAS, ASFS, and Divisional Councils are governed by the latest edition of Robert's Rules of Order, Newly Revised.

## **Article XI. Amendments to the Bylaws**

Questions about the amendment of bylaws take two forms, depending on whether they pertain to College-wide matters or to specific divisions.

### 1. Articles other than VI and VII

This case concerns the alteration of College-wide or overarching content

a. Proposals for amendments to the bylaws originate in the Executive Committee or an ASFS committee or by a motion made at a meeting of the FAS. At the next step, either the ASFS as a whole votes to recommend amendment (that is, the ASFS supports a proposal made by the Executive Committee or an ASFS committee) or the FAS votes in-person to recommend amendment. The final step is a vote of the FAS as a whole, electronically or by mail. A notice of motion must be sent to the FAS at least ten calendar days prior to the date on which voting of the FAS is to commence.

b. Amendments to the bylaws require support of a two-thirds majority of the FAS, where a two-thirds majority is relative to total votes cast, on the assumption that a quorum is met (as defined in Article III.4).

c. The process of making significant changes to the structure of faculty governance in CAS, such as replacing the ASFS with a new faculty governance body, must be overseen by the existing CAS faculty governance body and, ultimately, supported by a two-thirds vote of the FAS, by requirements parallel to those expressed in a. and b.

### 2. Articles VI and VII

Articles VI and VII concern Divisional Councils in particular. The faculty of each division has the authority to amend articles VI and VII as these articles apply to that faculty's home division. It is thus possible that Articles VI and VII consist of three major subsections each of which describes the faculty governance structure for one of the divisions, with differing content from one division to the next.

a. Proposals for amendments to articles VI and VII originate with the individual Divisional Councils. If a Divisional Council votes to place such a proposal before its Divisional Faculty, a notice of motion must be sent to members of the Divisional Faculty at least ten calendar days prior to the date on which voting of Divisional Faculty is to commence. Such a vote will be held electronically or by mail.

b. Amendments to these articles require support of a two-thirds majority of the Divisional Faculty, where a two-thirds majority is relative to total votes cast. A successful vote also requires that a quorum be met, that is, that there be representation of over 60% of the

Division's academic departments and participation by at least 25% of the members of the Divisional Faculty.