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3 **12 April 2016**  
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6 **REVISED ARTICLE 3: THE FACULTY AND OFFICERS OF THE UNIVERSITY**  
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8 **SECTION 3.1. EDUCATIONAL SUBDIVISIONS OF THE UNIVERSITY**  
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10 SECTION 3.1.1. *Educational Organization; Colleges.* Until otherwise ordered by the Board, the  
11 University shall have seven colleges, each headed by a dean: Agriculture and Natural Resources;  
12 Arts and Sciences; the Lerner College of Business and Economics; Earth, Ocean, and Environment;  
13 Education and Human Development; Engineering; and Health Sciences.  
14

15 SECTION 3.1.2. *Changes to Educational Organization.* Recommended changes in the educational  
16 organization of the University shall come to the Board through the President of the University.  
17

18 **SECTION 3.2. THE FACULTY**  
19

20 SECTION 3.2.1. *Role of the Faculty.* Until otherwise ordered by the Board, **and to the extent**  
21 **provided in these Bylaws**, authority is hereby delegated to the University faculty to formulate  
22 and administer the academic and educational policies of the University in accordance with  
23 the Charter of the University ~~and these Bylaws~~.  
24

25 **SECTION 3.2.2. *Faculty Senate.* There exists a Faculty Senate, formed by the University faculty**  
26 **through their Constitution, which shall function as the standing executive committee of the faculty,**  
27 **and that shall, except during regular and special meetings of the University faculty, exercise all the**  
28 **powers vested in the faculty of the University of Delaware by the Board of Trustees, and that shall**  
29 **be empowered to determine the duties that it will delegate to the faculty committees. The Senate**  
30 **shall have the power to adopt and to amend Senate Bylaws governing its composition,**  
31 **organization, and procedures. The Senate Bylaws shall provide for such standing and special**  
32 **committees as may be needed.**  
33

34 **SECTION 3.2.2.1.** The Faculty Handbook shall contain the major academic and educational  
35 policies and regulations of the University and shall be maintained jointly by the Faculty  
36 Senate and the Provost's Office. Changes to the Faculty Handbook (excluding the section  
37 on Personnel Benefits) shall be initiated through the Faculty Senate and require approval  
38 of the Provost. Disapproval by the Provost should only occur for reasons communicated  
39 to the Faculty Senate. The Faculty Senate should then have the opportunity for further  
40 consideration. Conflicts between the Faculty Senate and the Provost, whether with  
41 respect to policies proposed by the Provost or originated by the Faculty Senate or  
42 University faculty, shall be resolved by the President after transmittal to the President by  
43 the Faculty Senate and the Provost of their respective views.  
44

45 SECTION 3.2.~~23~~. *Membership in the Faculty.*  
46

47 SECTION 3.2.~~23~~.1. The voting membership shall consist of the following: the President of  
48 the University; academic administrators holding a faculty rank; ~~the Provost, Vice Provosts,~~  
49 ~~Associate Provosts, and Assistant Provosts; the Vice Presidents, Associate Vice Presidents,~~  
50 ~~and Assistant Vice Presidents; the Academic Deans, Associate Deans, and Assistant Deans;~~  
51 ~~Directors of Educational Divisions;~~ full-time professors, associate professors, assistant  
52 professors, **and** instructors, ~~and lecturers~~; and such other members of the administrative  
53 and professional staff as may be approved by the Trustees.  
54

55 ~~SECTION 3.2.2.2. The following members of the University's administrative and professional~~  
56 ~~staff, not elsewhere so designated, are voting members of the University faculty: the~~  
57 ~~Directors of the Cooperative Extension Service, Libraries, Residence Life, and Housing and~~  
58 ~~Conference Services. Also included are the University Registrar, University Physicians, and~~  
59 ~~the full time staff of the Center for Counseling and Student Development.~~

60  
61 ~~SECTION 3.2.2.3. The University faculty may elect either to voting or non-voting~~  
62 ~~membership any other member of the University body whom it deems advisable.~~

63  
64 ~~SECTION 3.2.2.4. The University faculty may invite other members of the University body to~~  
65 ~~participate in its deliberations without voting privileges.~~

66  
67 SECTION 3.2.23.52. The University faculty may elect to honorary membership persons who  
68 have rendered meritorious service to the University.

69  
70 SECTION 3.2.3.3. The Faculty Senate may invite other members of the University body to  
71 participate in its deliberations without voting privileges.

72  
73 SECTION 3.2.34. *The President as Member of the Faculty.* The President of the University shall be  
74 the presiding officer of the University faculty.

75 SECTION 3.2.45. *Responsibilities of the Faculty.* The faculty, ordinarily acting through the Faculty  
76 Senate, except when the faculty act through a University faculty meeting (to be held upon call of  
77 the President of the University, a majority vote of the Faculty Senate, or a petition by fifteen  
78 percent of the voting members of the University faculty), shall:

79  
80 SECTION 3.2.45.1. ~~Formulate~~ Make recommendations on the rules and regulations for the  
81 government and discipline of the student body.

82  
83 SECTION 3.2.45..2. Provide for the establishment of the curricula and courses at the  
84 University.

85  
86 SECTION 3.2.45.3. ~~Provide for the establishment of a~~ Make recommendations for programs  
87 of extra-curricular education for students.

88  
89 SECTION 3.2.45.4. ~~Determine~~ Make recommendations on educational and academic policies  
90 of admission.

91  
92 SECTION 3.2.45.5. Determine the requirements for academic degrees and recommend  
93 candidates for diplomas, academic degrees and academic certificates, which shall be  
94 conferred by the President of the University under the authority of the Board.

95  
96 SECTION 3.2.45.6. Recommend policies concerning awards, prizes, and scholarships.

97  
98 SECTION 3.2.45.7. Recommend policies relating to the administration of the University  
99 Library.

100  
101 SECTION 3.2.45.8. Make recommendations for the conduct of formal academic exercises  
102 and public functions held under the auspices of the University.

103  
104 SECTION 3.2.45.9. Adopt regulations governing its own procedures with authority to enact,  
105 amend, and repeal ~~its Faculty Senate By~~laws.

107 SECTION 3.2.45.10. Determine the duties that it will delegate to Faculty Senate committees  
108 ~~and to the faculties of the several colleges and divisions of the University.~~

109  
110 SECTION 3.2.45.11. Make recommendations concerning the establishment of any degree  
111 program or the disestablishment of any degree program.

112  
113 SECTION 3.2.45.12. Consider and make recommendations for proposed changes in  
114 University organization. Changes in University organization shall include the  
115 establishment or abolition of academic departments, colleges or divisions; the transfer of  
116 a department or division from one college to another; and the establishment or abolition  
117 of administrative offices that are directly concerned with academic matters.

118  
119 SECTION 3.2.56. *Privileges of the Faculty.* It shall be the privilege of the faculty:

120  
121 SECTION 3.2.56.1. To consider matters of general interest to the University and make  
122 recommendations thereupon to the President for transmission to the Board.

123 SECTION 3.2.56.2. To make recommendations to the President, for transmission to the  
124 Board, concerning the formation of policies governing academic appointments, and faculty  
125 promotions, tenure, dismissals, and salaries.

126  
127 SECTION 3.2.56.3. To propose to the President, for transmission to the Board, amendments  
128 to these Bylaws, *provided that* any such proposed amendment is proposed in writing at  
129 the preceding regular meeting of the University Faculty.

130  
131 SECTION 3.2.67. *President and Faculty.* All matters of conflicting jurisdiction as to the exercise of  
132 powers by the several colleges and divisions shall be decided by the President of the University in  
133 his or her sole discretion.

### 134 135 136 SECTION 3.3. ADMINISTRATIVE OFFICERS OF THE UNIVERSITY

137  
138 SECTION 3.3.1. *Administrative Officers of the University.* The administrative officers of the  
139 University shall be the President of the University; the Provost; the Executive Vice President and  
140 Treasurer; the Vice President and University Secretary; and such University officers holding the  
141 rank of Vice President and such other administrative officers as the Board, by resolution, shall  
142 from time to time establish.

143  
144 SECTION 3.3.2. *President of the University.*

145  
146 SECTION 3.3.2.1. The President of the University is appointed by the Board and serves at  
147 the pleasure of the Board.

148  
149 SECTION 3.3.2.2. In the event of a prospective or existing vacancy in the office of President,  
150 the Chair of the Board shall appoint a special committee, the members of which need  
151 not all be Trustees, that, pursuant to policies and procedures adopted by the Board, shall  
152 seek and evaluate candidates for the office. To be elected, a nominee must receive the  
153 affirmative vote of at least a majority of the voting members of the Board then in office.

154  
155 SECTION 3.3.2.3. The President shall be removable from office only upon the affirmative  
156 vote of a majority of the voting members of the Board then in office.

157  
158 SECTION 3.3.2.4. The President, as the executive agent of the Board and the chief executive  
159 officer of the University shall have general supervision of the affairs of the University.

160  
161 SECTION 3.3.2.5. In the event of a vacancy in the office of the President, an Acting  
162 President shall be chosen by the Board to serve at the pleasure of the Board.

163  
164 SECTION 3.3.2.6. Subject to confirmation by the Board, the President shall appoint the  
165 Provost, the Executive Vice President and Treasurer, the Vice President and University  
166 Secretary, the Vice Presidents of the University, and other officers of the University; and  
167 subject to approval by the Provost and confirmation by the Trustees, the President shall  
168 appoint the Deans.  
169

170 SECTION 3.3.3. *The Provost.*

171  
172 SECTION 3.3.3.1. The Provost shall be the chief academic officer of the University next in  
173 authority to the President of the University. The Provost shall report to the President  
174 and, in addition to the powers and duties specified in this Bylaw, shall have such  
175 additional powers and duties as shall be assigned from time to time by the President. ~~be  
176 a member of all University-wide councils and agencies and perform such other duties  
177 and responsibilities as the President of the University may assign, having in all matters a  
178 general responsibility to the President of the University.~~

179  
180 SECTION 3.3.3.2. As chief academic officer, the Provost shall be responsible for proposing  
181 academic and educational policies to the Faculty Senate and for reviewing and  
182 approving, prior to implementation, all academic and educational policies of the  
183 University which originate in and are acted upon by the Faculty Senate or University  
184 faculty. Disapproval by the Provost of policies which originate in the Faculty Senate or  
185 University faculty should only occur for reasons communicated to the Faculty Senate.  
186 The Faculty Senate should then have the opportunity for further consideration. Conflicts  
187 between the Faculty Senate and the Provost, whether with respect to policies proposed  
188 by the Provost or originated by the Faculty Senate or University faculty, shall be resolved  
189 by the President after transmittal to the President by the Faculty Senate and the Provost  
190 of their respective views.

191  
192 SECTION 3.3.3.3. The Provost, subject to the authority of the President, shall have  
193 responsibility for overall academic and educational operation of the university, including  
194 the following: review and approve appointments and promotions of faculty; exercise  
195 strategic, academic, and budgetary oversight and authority for all colleges, departments,  
196 centers and other academic units; in partnership with the Executive Vice President and  
197 other responsible parties, develop and administer the university budget; develop and  
198 administer policies and operating procedures for enrollment services including  
199 admissions, registration, records, and scheduling; develop and administer services of the  
200 university libraries and other learning resources; and as the university's chief academic  
201 officer, coordinate all matters administratively assigned to the other vice presidents of  
202 the university that relate to the academic program of the university.

203  
204 SECTION 3.3.3.4. The Provost shall receive through Faculty Senate, or University faculty if  
205 convened as a whole, recommendations developed by the faculty and educational  
206 officers for consideration and recommendation to the President and Board of Trustees.  
207

208 SECTION 3.3.3.25. In case of a temporary absence or disability of the President, the Provost  
209 shall perform the duties of the President, ~~unless the Board of Trustees shall direct  
210 otherwise.~~  
211

212 SECTION 3.3.4. *The Executive Vice President and Treasurer.* Under the direction of the President,  
213 the Executive Vice President and Treasurer is the chief administrative and financial officer of the  
214 University. The Executive Vice President and Treasurer shall be responsible for the annual budget  
215 process and budget office, administration, information technologies, administrative services,  
216 facilities, facilities planning and construction, purchasing, occupational health and safety, and such  
217 other duties and responsibilities as the President of the University may assign.  
218

219 SECTION 3.3.5. *The Vice President and University Secretary.*  
220

221 SECTION 3.3.5.1. Under the direction of the President and the Board, the Vice President  
222 and University Secretary is responsible for the administration of matters related to the  
223 Board, its standing, special, and visiting committees, including the official record of  
224 actions considered and taken by the Board and its committees, and providing staff  
225 support for the Board and its committees. The Vice President and University Secretary is  
226 the liaison between the Board and the University administration.  
227

228 SECTION 3.3.5.2. The Vice President and University Secretary shall prepare the meeting  
229 booklet to be considered at regular meetings of the Board and meetings of the several  
230 standing, special, and visiting committees and shall forward such meeting booklet and  
231 supporting exhibits to each member of the committee three days before the scheduled  
232 meeting thereof. The meeting booklet for the semi-annual meetings of the Executive  
233 Committee shall include the semi-annual reports of the standing committees of the Board  
234 and the resolutions that are to be presented at the meeting of the Board immediately  
235 following; *provided, however,* that this section of these Bylaws shall not be applied so as to  
236 limit the consideration of any matter that may properly come before the Board or its  
237 Standing Committees.  
238

239 SECTION 3.3.5.3. The Vice President and University Secretary shall be responsible for the  
240 records management and archives operations, and such other duties and responsibilities  
241 as may be assigned.  
242

243 SECTION 3.3.5.4. The Vice President and University Secretary shall affix the seal of the  
244 University to such documents as may require it.  
245

246 **SECTION 3.4. ACADEMIC DEANS OF THE UNIVERSITY**  
247

248 SECTION 3.4.1. *Deans of Colleges.* Under the direction of the Provost, each of the University's  
249 colleges shall be managed and directed by a dean, who shall be appointed as provided in Section  
250 3.3.2.6.  
251

252 SECTION 3.4.2. *Duties of Deans.* The dean of any college, in addition to other duties, shall have  
253 ~~immediate charge of responsibility~~ for supervising and coordinating all research, instructional, and  
254 educational activities of that college.  
255

256 **SECTION 3.5. CHAIRS/DIRECTORS OF ACADEMIC DEPARTMENTS/SCHOOLS**  
257

258 SECTION 3.5.1. *Appointments of Chairs/Directors of Academic Departments/Schools.* Department  
259 chairs/School directors shall be appointed by the President of the University, upon the  
260 recommendation of the appropriate deans and the Provost, ~~for a term of five years subject to~~  
261 ~~renewal,~~ with the President having the authority to replace a department chair at any time within  
262 a five-year term if, in the opinion of the President, Provost, and the appropriate dean, such action  
263 shall be desirable.  
264

265 Section 3.5.2. ~~Academic Departments Eligible to Have Chairs. A Department chair may be~~

266 ~~appointed for those departments that have at least one associate or full professor and two other~~  
267 ~~full time faculty members.~~ *Duties of Chairs/Directors.* The chair/director of any  
268 department/school, in addition to other duties, shall have immediate charge of supervising and  
269 coordinating all research, instructional, and educational activities of that department/school.

270  
271