

12 April 2016

REVISED ARTICLE 3: THE FACULTY AND OFFICERS OF THE UNIVERSITY

SECTION 3.1. EDUCATIONAL SUBDIVISIONS OF THE UNIVERSITY

SECTION 3.1.1. *Educational Organization; Colleges.* Until otherwise ordered by the Board, the University shall have seven colleges, each headed by a dean: Agriculture and Natural Resources; Arts and Sciences; the Lerner College of Business and Economics; Earth, Ocean, and Environment; Education and Human Development; Engineering; and Health Sciences.

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

SECTION 3.2. THE FACULTY

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

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

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

SECTION 3.2.23. *Membership in the Faculty.*

SECTION 3.2.23.1. The voting membership shall consist of the following: the President of the University; academic administrators holding a faculty rank; ~~the Provost, Vice Provosts, Associate Provosts, and Assistant Provosts; the Vice Presidents, Associate Vice Presidents, and Assistant Vice Presidents; the Academic Deans, Associate Deans, and Assistant Deans; Directors of Educational Divisions;~~ full-time professors, associate professors, assistant professors, **and** instructors, ~~and lecturers~~; and such other members of the administrative and professional staff as may be approved by the Trustees.

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

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

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

SECTION 3.2.~~23~~.52. The University faculty may elect to honorary membership persons who have rendered meritorious service to the University.

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

SECTION 3.2.~~34~~. The President as Member of the Faculty. The President of the University shall be the presiding officer of the University faculty.

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

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

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

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

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

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

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

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

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

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

SECTION 3.2.~~45~~.10. Determine the duties that it will delegate to ~~F~~faculty Senate committees and to the faculties of the several colleges and divisions of the University.

SECTION 3.2.~~45~~.11. Make recommendations concerning the establishment of any degree program or the disestablishment of any degree program.

SECTION 3.2.~~45~~.12. Consider and make recommendations for proposed changes in University organization. Changes in University organization shall include the establishment or abolition of academic departments, colleges or divisions; the transfer of a department or division from one college to another; and the establishment or abolition of administrative offices that are directly concerned with academic matters.

SECTION 3.2.~~56~~. *Privileges of the Faculty*. It shall be the privilege of the faculty:

SECTION 3.2.~~56~~.1. To consider matters of general interest to the University and make recommendations thereupon to the President for transmission to the Board.

SECTION 3.2.~~56~~.2. To make recommendations to the President, for transmission to the Board, concerning the formation of policies governing academic appointments, and faculty promotions, tenure, dismissals, and salaries.

SECTION 3.2.~~56~~.3. To propose to the President, for transmission to the Board, amendments to these Bylaws, *provided that* any such proposed amendment is proposed in writing at the preceding regular meeting of the University Faculty.

SECTION 3.2.~~67~~. *President and Faculty*. All matters of conflicting jurisdiction as to the exercise of powers by the several colleges and divisions shall be decided by the President of the University in his or her sole discretion.

SECTION 3.3. ADMINISTRATIVE OFFICERS OF THE UNIVERSITY

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

SECTION 3.3.2. *President of the University*.

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

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

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

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

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

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

SECTION 3.3.3. *The Provost.*

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

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

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

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

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

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

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

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

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

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

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

SECTION 3.4. ACADEMIC DEANS OF THE UNIVERSITY

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

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

SECTION 3.5. CHAIRS/~~DIRECTORS~~ OF ACADEMIC DEPARTMENTS/~~SCHOOLS~~

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

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.
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