

BYLAWS FOR ACADEMIC GOVERNANCE
DEPARTMENT OF FISHERIES AND WILDLIFE
MICHIGAN STATE UNIVERSITY
Spring 2004

1. The Faculty

1.1 Composition of the Faculty

- 1.1.1 Any tenure-stream faculty and academic specialists within the continuing appointment system, or fixed-term faculty and academic specialists who have at least 60 full-time equivalent service months shall, for the purposes of these bylaws, be designated as members of the core faculty of the Department, if any of that person's assignment is within the Department of Fisheries and Wildlife.
- 1.1.2 The Department chairperson and associate chairperson shall be considered members of the core faculty.
- 1.1.3 Faculty members of other MSU departments, faculty members of other universities, or other fisheries and wildlife professionals may become adjunct members of the departmental faculty.
- 1.1.4 Persons designated as Lecturers, Distinguished Lecturers, Visiting Professors, Adjunct Faculty, Emeritus Faculty or other honorary rank in the Department shall have courtesy faculty status but shall not be considered as core faculty members and shall not have voting privileges (see 1.1.1 and 1.2.1).

1.2 Voting Faculty

- 1.2.1 The voting faculty of the Department of Fisheries and Wildlife shall consist of all core faculty members.

1.3 Modes of Participation

- 1.3.1 Consultation – A body of faculty and/or students that discusses with and informs the administrator with authority and responsibility for decision. Such a body is not a deliberative body; there is no vote. Rather, the members express their views to inform an administrator's decision.
- 1.3.2 Advisory – A deliberative body of faculty and/or students recommends policies to an administrator who is authorized to make

decisions. The administrator is not bound by the recommendation and accepts responsibility for the decision.

1.3.3 Shared Responsibility – A deliberative body of faculty and/or students makes recommendations to an administrator authorized to make decisions. If the administrator and deliberative body cannot agree and action must be taken, the recommendations of the administrator and the deliberative body will be submitted in writing to the next higher administrative level for resolution.

1.3.4 Delegated Authority – A deliberative body of faculty and/or students is authorized to make decisions on specified matters. Such decisions are subject to administrative review, but will be altered only in exceptional circumstances.

1.4 Faculty Meetings

1.4.1 Regular meetings of the faculty shall be held a minimum of three times each term, excluding summer term.

1.4.2 Other meetings of the faculty may be called by the Department chairperson or by a group of at least three members of the voting faculty.

1.4.3 The chairperson shall preside at faculty meetings, or in that person's absence, the associate chairperson, or the chairperson of the Department advisory committee in the absence of both the chairperson and the associate chairperson.

1.4.4. In general, faculty meetings shall be conducted in accordance with Robert's Rules of Order, Revised, and shall be conducted in detail at any meeting where two members of the voting faculty so request.

1.4.5. One representative of the undergraduate and one representative of the graduate constituencies of the Department shall participate in meetings of the faculty, except that at discretion of the Chairperson, Associate Chairperson or the Department Advisory Committee, faculty meetings may be closed to all but the voting faculty of the Department.

1.4.6. On issues of Department policy, the mode of participation in faculty meetings by the body of faculty and student representatives shall be as a delegated authority.

- 1.4.7 Participation of student representatives shall be in the same mode as faculty participation, except as reserved. Matters reserved to the faculty are:
 - 1.4.7.1 Policy concerning salary, leaves, insurance, retirement, and fringe benefits of faculty.
 - 1.4.7.2 Decisions concerning the appointment, salary, reappointment, promotion, tenure or dismissal of individual faculty members.
 - 1.4.7.2.1 Evidence from students regarding the teaching performance of faculty shall be considered in decisions concerning the above matters.
 - 1.4.7.3 Matters affecting the professional responsibility of the faculty to establish and maintain the intellectual authority of the University.
- 1.4.8. A member of the voting faculty (cf. 1.2.1) shall be appointed by the Department chairperson as secretary of the faculty. This person shall keep minutes of the faculty meetings, record votes, and file copies of minutes of meetings.
- 1.4.9 Notices of occurrence of faculty meetings and the agenda for meetings shall be made available to all faculty and the student representatives at least two days in advance.
- 1.4.10 Action for the meeting body may be taken by a majority of the qualified voting members present and voting at a meeting for which an agenda has been distributed in advance.

2. Students

- 2.1 The student constituency of the Department shall include currently registered undergraduate and graduate students who have been admitted as majors in the Department through the normal University admittance procedures.
- 2.2 The undergraduate and graduate students shall be separate constituencies for the purpose of participation in decision making processes.
- 2.3 The students of the undergraduate and graduate constituencies shall be responsible for selecting, according to patterns of their own choice, their representatives to meetings of the faculty and departmental committees to which they are parties.

- 2.4 In addition to faculty meetings (cf. 1.4.5), representatives of undergraduate and graduate constituencies shall participate in the work of the Department Advisory, Graduate and Curriculum Committees. One representative from each constituency, or alternates in those persons' absence, may sit with these groups.
- 2.5 The terms of office for student representatives to departmental committees shall be one year, except that a selected representative may request that the selecting body provide a replacement to complete a term in office. A student may serve a maximum of two consecutive terms in a particular office.
- 2.6 Membership in a committee shall in all cases carry with it, for student representatives, the right to vote on all matters that fall within the purview of the committee, except for matters that are reserved to the faculty (cf. 1.4.7).
- 2.7 When substantive issues are in the process of being formed regarding appointment, salary, reappointment, promotion, tenure or dismissal of individual faculty members, the undergraduate and graduate constituencies may request that the Department Advisory Committee hear their representatives. The chairman of the Department Advisory Committee shall announce a meeting of that group forthwith, and the student representatives may present information solicited from within or without their constituency to be considered along with other evidence.

3. Department Organization

3.1 Department Chairperson

- 3.1.1 The duties, responsibilities and term of office of the Department chairperson are specified in Bylaws for Academic Governance of the College of Agriculture and Natural Resources and the University.
- 3.1.2 When it becomes necessary to select a Department Chairperson, a committee of five (four if there is no sitting Associate Chairperson) will be established: the chairperson of the Department Advisory Committee, the Associate Chairperson of the Department and three members from the voting faculty (cf. 1.2.1). This committee shall be chaired by the chairperson of the Department Advisory Committee and shall participate in a consultation mode with the Dean in the selection process of the new Department Chairperson. The faculty shall form this committee by electing three from the core faculty to serve with and under the direction of the chairperson

of the Department Advisory Committee. The Department Chairperson Selection Committee shall represent the departmental faculty during the process of search, screening and selection.

3.1.2.1 If the Associate Chairperson becomes a candidate for Department Chairperson, then the Associate Chairperson shall no longer serve on the Department Chairperson Selection Committee.

3.1.3 The Department Advisory Committee shall conduct the business of electing three members to the committee. The names of six persons from the list of the Department voting faculty shall be placed in nomination for these positions. Election shall be by mail ballot. Those three persons receiving the largest number of votes from the Department voting faculty will sit with the chairperson of the Department Advisory Committee.

3.1.3.1 Any member of the Department Advisory Committee who becomes a candidate for Department Chairperson must vacate the Department Advisory Committee position. In such a case, the voting faculty will hold an election to select one of their members to re-fill the Department Advisory Committee vacancy.

3.1.4 Being mutually consultative to the Dean and the departmental faculty during the search, screening and selection processes, the committee shall:

3.1.6.1 Establish criteria for the position to be filled in accord with the aims and goals of the Department.

3.1.6.2 Establish a time schedule.

3.1.6.3 Solicit nominations for the position from professional colleagues from within and outside of the Department and from the Dean of the College.

3.1.6.4 Develop biographical information on nominees and provide this information to the faculty and administrative officers involved in the selection process.

3.1.6.5 Assist the Dean in ranking candidates for the position.

3.1.6.6 Issue an invitation to members of the departmental faculty and student body to communicate with the Dean

regarding individual preferences and reasons for preferences among the candidates.

3.1.6.7 Assist the administration in planning for visits to the campus by off-campus candidates.

3.1.6.8 Consult with the Dean in the final selection of the chairperson of the Department.

3.2 Department Associate Chairperson

3.2.1 Choosing an Associate Chairperson

3.2.1.1 If the Department Chairperson deems it essential to the proper, efficient and effective management of departmental affairs to have an Associate Chairperson, then the Department Chairperson may select from the core faculty a faculty member who mutually agrees to serve as an Associate Chairperson. A core faculty member cannot simultaneously serve as both Associate Chairperson and as a faculty-elected Department Advisory Committee member. Should a Department Advisory Committee member be selected to serve as Associate Chairperson, the faculty, through proper election procedures, must fill the newly vacated Department Advisory Committee seat.

3.2.1.2 If the need, as perceived by the Department Chairperson in consultation with the Department Advisory Committee, does not exist for an Associate Chairperson, then an Associate Chairperson need not be selected.

3.2.1.3 The term of service as Associate Chairperson shall be at the discretion of the Department Chairperson.

3.2.1.4 If the Department Chairperson position becomes vacated, the Associate Chairperson will remain as Associate Chairperson and will fulfill all duties of the Department Chairperson until an interim Department Chairperson or permanent Department Chairperson is selected.

3.2.1.4.1 If the Associate Chairperson is selected as interim Department Chairperson, then the new interim Department Chairperson can select a new Associate Chairperson (cf 3.2.1.1) who would serve on the Department Chairperson Selection Committee (cf 3.1.2).

3.2.1.4.2 The Associate Chairperson may or may not be retained by the new Department Chairperson.

3.2.2 Duties and responsibilities of the Associate Chairperson

3.2.2.1 The Associate Chairperson shall chair all department meetings in the absence of the Department Chairperson.

3.2.2.2 The Associate Chairperson shall have the authority to represent, with voting rights if needed, the best interests of the department at all meetings, conferences, events or discussions that the Department Chairperson deems necessary for the Associate Chairperson to attend.

3.2.2.3 The Associate Chairperson shall have the same authority and responsibility for proper fiscal and personnel management of the department and departmental affairs as the Department Chairperson during the Department Chairperson's absence. Such transactions shall be made in close consultation, agreement, and concurrence with the Department Chairperson's decisions.

3.2.2.4 Additional duties of the Associate Chairperson shall include:

3.2.2.4.1 Assist the Department Chairperson in overseeing the general undergraduate program, including supervision of the Undergraduate Advisor, coordination of undergraduate advising, recruitment, curriculum development, and student activities.

3.2.2.4.2 Assist the Department Chairperson in overseeing the graduate program, including coordination of recruitment, admission, scholarship, fellowship, and assistantship administration.

3.2.2.4.3 Assist the Department Chairperson in academic personnel matters such as annual review, reappointment, promotion and tenure.

3.2.2.4.4 Assist the Department Chairperson in alumni and development activities and programs.

3.2.2.4.5 Assist the Department Chairperson in departmental planning, including academic, staff development, faculty and budget planning.

3.2.2.4.6 Represent the Department Chairperson when he/she cannot attend meetings and events; provide administrative approvals in the absence of the Department Chairperson.

3.2.2.4.7 Participate as a member of the Department Chairperson Selection Committee (cf 3.1.2).

3.3 Committees

3.3.1 Committees, with the exception of the Department Advisory Committee, shall be appointed by the Departmental chairperson with faculty approval. Except as provided hereinafter, they shall have a minimum of three faculty members, each to serve an overlapping term of three years unless designated to fill the unexpired term of former members. Unless provided otherwise hereinafter, the senior member in longevity on the committee shall be its chairperson. Terms of office shall begin on the 1st day of Fall Term.

3.3.2 Standing Committees

3.3.2.1 Department Advisory Committee

3.3.2.1.1 The Advisory Committee is intended to serve as an open channel of communication between the Department and the chairperson. Its functions are two-fold: to assist the chairperson in the discharge of that person's responsibilities by a direct representation of opinion, and to provide liaison with the College Advisory Council.

3.3.2.1.2 The Advisory Committee shall consist of three members elected from the voting faculty (cf. 1.2.1), and one representative each from the graduate and undergraduate constituencies of the Department. Faculty will serve an overlapping term of three years unless designated by faculty consensus to fill the unexpired term of a former member. Unless provided otherwise hereinafter, the senior member in longevity on the committee shall be its chairperson. The Department chairperson and associate chairperson will not serve on this

committee. The secretary of the Department faculty (cf. 1.4.8) shall solicit nominations from the voting faculty. Election will be conducted by closed ballot. The nominee receiving the largest number of votes shall constitute the new faculty member to the committee replacing the faculty who had served for the previous 3 years.

3.3.2.1.3 This committee shall, at a minimum, meet quarterly to advise the departmental chairperson regarding current problems in education, research and service programs, budgetary matters, physical facilities, and personnel matters in the chairperson's jurisdiction. Should a matter of concern to the faculty arise in these areas such that timing of a scheduled meeting of the committee does not serve the best interest of the faculty, the Department chairperson and the chairperson of the Advisory Committee shall arrange for a special meeting.

3.3.2.1.4 The Advisory Committee is charged with the responsibility to work with the Dean to establish criteria and procedures for filling the position of departmental chairperson as that position becomes vacant (cf. 3.1.2 and 3.1.3).

3.3.2.1.5 Regarding matters of appointment, salary, reappointment, promotion, tenure, or dismissal of individual faculty members, the Advisory Committee shall arrange to have faculty opinion presented to the Department chairperson. In these regards, the Advisory Committee shall appoint subcommittees. If core faculty members do not hold academic rank, then they shall not vote on promotion or reappointment matters of tenure stream faculty. If core faculty members are not tenured, then they shall not vote on tenure matters. The subcommittee for tenure stream faculty reappointment shall consist of all tenured departmental core faculty. The subcommittee for tenure shall consist of all tenured departmental core faculty. The subcommittee for promotion to Assistant Professor shall consist of all departmental core faculty with the rank of Assistant Professor, Associate Professor or Professor. The

subcommittee for promotion to Associate Professor shall consist of all department core faculty with the rank of Associate Professor or Professor. The subcommittee for promotion to Professor shall consist of all department core faculty with the rank of Professor. The subcommittee for reappointment of Continuing Appointment Academic Specialists shall consist of all tenure stream core faculty and all Academic Specialists who have 60 or more full-time equivalent service months within the Department.

3.3.2.1.6 When reappointment, tenure or promotion of individual faculty members is under consideration in the Department, the Promotion and Tenure Subcommittee shall provide the opportunity for the affected faculty members to confer with this committee before a decision is made regarding their case.

3.3.2.1.7 When appointment, salary, reappointment, promotion, tenure, or dismissal of individual faculty members are under consideration in the Department, the Advisory Committee shall hear representatives of student constituencies of the Department as provided in section 2.7.

3.3.2.1.8 This committee shall nominate, with faculty approval, candidates for the College Advisory Council, College Standing Committees, Academic Council and the University Standing Committees.

3.3.2.1.9 The chairperson of the Advisory Committee shall provide liaison with the College Advisory Council in the conduct of elections and other College matters.

3.3.2.2 The Graduate Committee

3.3.2.2.1 The Graduate Committee shall be concerned with the admission of graduate students to the Department and the evaluation of their academic progress after admission.

3.3.2.2.2 This committee shall act on all applications and recommend for admission, with or without

provisional stipulations, or for rejection. Only students approved by the Graduate Committee shall be admitted.

- 3.3.2.2.3 This committee shall recommend the relative merits of acceptable candidates for assistantships or fellowships.
- 3.3.2.2.4 This committee shall prepare and periodically revise a clear statement of admission requirements, rules necessary for maintenance of student status and for tenure of an assistantship, conditions for termination or withdrawal of graduate students and degree requirements. This statement must be available to all graduate students.
- 3.3.2.2.5 This committee shall serve as an assembly for the discussion of graduate academic matters with the students.

3.3.2.3 The Curriculum Committee

- 3.3.2.3.1 The Curriculum Committee shall annually review graduate and undergraduate education and academic advising for the purpose of developing suitable long-term academic goals for the Department.
- 3.3.2.3.2 This committee shall represent the position of the Department in dealing with curriculum committees of other departments, and those of the College and University, regarding matters of curriculum affecting the Department's students.
- 3.3.2.3.3 The Curriculum Committee shall prepare for distribution to undergraduates a statement of those requirements for the Bachelor's degree that are established by the Department.
- 3.3.2.3.4 This committee shall serve as an assembly for the discussion of academic matters with the students.

3.3.3 Ad hoc Committees

- 3.2.3.1 Ad hoc committees may be appointed by the departmental chairperson or by the Department Advisory Committee. Membership and duties of ad hoc committees shall be determined at the time of their appointment.
- 3.2.3.2 Ad hoc committees will be discharged upon completion of their duties, but in any case, will expire after one calendar year.

3.4 Terms and Conditions of Employment Tenure

- 3.4.1 The terms and conditions of employment shall be provided in writing to a faculty member at the time of appointment. These terms will include:
 - 3.4.1.1 The time period covered by the appointment.
 - 3.4.1.2 Salary provision.
 - 3.4.1.3 The general expectations in regard to the professional responsibilities of the person being appointed.
 - 3.4.1.4 Who will evaluate the faculty member's professional performance and recommend salary adjustments.
 - 3.4.1.5 Conditions other than the appointee's performance of responsibilities that may make a further appointment inadvisable.
- 3.4.2 The Department chairperson shall deliver in writing to the non-tenured faculty member at the time of appointment, a copy of the Department's bylaws which specify the procedures for action on the status of non-tenured faculty.
- 3.4.3 A non-tenured faculty member appointed on the tenure system who is not given a further appointment after the expiration of a specific term shall be given reasons in writing upon his or her written request. The Department chairperson shall be charged with transmitting these reasons to the faculty member.
- 3.4.4 When substantive issues of tenure are in the process of being formed, formal opportunities will be provided for students to represent their views regarding the faculty member's teaching performance according to section 2.7.

- 3.5 Mentoring process for reappointment, promotion, and tenure
- 3.5.1 The following paragraphs describe a mentoring process intended to provide assistance in integrating pre-tenure faculty members into the MSU community. The purpose of the process is to provide constructive advice from post-tenure peers so that performance expectations for pre-tenure faculty are clearly communicated throughout the years preceding the tenure decision.
- 3.5.2 Within six months of initial appointment, the Department Chairperson will assign a mentoring committee of 3 post-tenure faculty peers (a committee chairperson and 2 members) to assist new faculty in developing a specific set of performance expectations for that person, consistent with the Department's "Guidelines for evaluation of faculty in teaching, research, outreach and service".
- 3.5.3 Within nine months of initial appointment, each new pre-tenure faculty member will provide to the Department Chairperson for approval, in writing, a set of performance expectations developed in consultation with her/his mentoring committee. At least once each year pre-tenure faculty members will meet with their mentoring committee to discuss performance expectations and, if appropriate, suggest revisions to performance expectations. The mentoring committee chairperson shall provide a summary of the committee's recommendations from this meeting to the Department Chairperson and the pre-tenure faculty member. These recommendations should comprise constructive advice to guide future activities of the pre-tenure faculty member.
- 3.5.4 Following this annual meeting the pre-tenure faculty member will meet with the Department Chairperson as part of their annual performance review, at which time any changes to performance expectations will be discussed and approved by the Department Chairperson. The Department Chairperson will provide a written summary of the performance evaluation to the pre-tenure faculty member and her/his mentoring committee.

4. Grievance and Hearing Procedures

4.1 Any (unit) faculty member with the rank of professor, associate professor, assistant professor, lecturer, instructor, assistant instructor, research associate, specialist, or librarian may initiate a grievance procedure, alleging violation of existing policies or established practices by an administrator, by filing a complaint with the FGO (Faculty Grievance Official) pursuant to the procedures set forth in the Faculty Grievance Procedure, as described in Section 1.4 (Academic Personnel Policies) of the Faculty Handbook.

4.2 Initiation of Grievances and Hearing Procedures

4.2.1 Initiation of Grievances

4.2.1.1 A Faculty member who feels aggrieved may without delay discuss the matter in a personal conference with the FGO. The FGO shall determine if the grievance falls under the Faculty Grievance Procedure, the University Committee on Tenure or the Anti-Discrimination Judicial Board.

4.2.1.2 In order to establish and retain access to the formal hearing mechanisms at the (unit) level, a faculty member must submit a written grievance statement to the FGO within 30 days of his/her first knowledge of the alleged violation.

4.2.1.3 The grievance statement shall set forth the alleged violation of existing policy or established practices, a concise statement of the facts relevant to the grievance, the name(s) of any administrator(s) whose action is at issue, the approximate date on which the alleged action-took place, and the redress sought.

4.2.1.4 The FGO shall forward a copy of the grievance statement to the administrator(s) named within 10 days of receipt of the grievance.

4.2.2 Informal Resolution

4.2.2.1 The FGO shall investigate the grievance and make every reasonable effort to resolve it informally. The FGO may recommend dropping the grievance as lacking in merit or for other just cause. Such a recommendation, however, shall not be binding on the grievant.

- 4.2.2.2 Within 40 days of the filing of the grievance statement, the parties and the FGO shall attempt to resolve the grievance informally. If the FGO determines that the grievance cannot be resolved informally, notice shall be provided to the parties. If the faculty member wishes to pursue the grievance, a written request for a formal hearing must be submitted to the FGO within 30 days of such notice. Failure to submit such a request will constitute a waiver of the faculty member's right to pursue the grievance.
- 4.2.2.3 The FGO shall determine after consultation with both parties the appropriate hearing level (department/unit, college, university) and shall notify the administrator at the appropriate level of the written request for hearing.

4.3 Formal Hearing procedures

- 4.3.1 A (unit) hearing panel shall be established by the FGO in the following manner:
 - 4.3.1.1 A hearing panel shall consist of three members, drawn by lot from the unit faculty. All drawing shall be conducted by the FGO.
 - 4.3.1.2 The FGO shall notify each Party of the names drawn for the hearing panel and within 10 days either party may challenge any member for cause. In addition, each party shall have one peremptory challenge. Cause shall be determined by the (unit) advisory council or its designee(s). Challenged members shall be replaced pursuant to the procedures stated in 4.3.1.1.
- 4.3.2 The hearing panel shall conduct a hearing according to the procedures stated below and according to guidelines in Articles 3 and 6 of the Faculty Grievance Procedure.
 - 4.3.2.1 A hearing shall commence within 14 days of the establishment of the hearing panel.
 - 4.3.2.2 The FGO shall assemble the hearing panel and shall supervise selection of the Presiding Officer from among the members of the hearing panel.
 - 4.3.2.3 The Presiding Officer shall apply the rules of procedure consistent with the guidelines stated in Article 6 of the Faculty Grievance Procedure.

- 4.3.2.4 The hearing panel shall decide whether the preponderance of the evidence does or does not support the allegation(s) made by the grievant.
- 4.3.2.5 Findings and recommendations of hearing panels shall conform to existing policy and procedures in the (unit).
- 4.3.2.6 Whenever a hearing panel loses a member, the hearing shall be terminated and a new panel selected.
- 4.3.2.7 Hearing panels shall report their findings and recommendations in writing within 14 days of the completion of the hearing to the FGO, who shall forward them to the grievant, the respondent, and the administrator who is the respondent's immediate supervisor.
- 4.3.3 The (dean, chairperson, or director) shall provide written notification of his/her decision to the parties to the grievance and to the FGO within 14 days of his/her receipt of the findings and recommendations of the hearing panel. Failure to provide written notification shall result in automatic appeal.
- 4.3.4 If the grievance is not satisfactorily resolved, either party may appeal the decision within 14 days of the receipt of the decision of - the appropriate administrator, in accordance with the procedures established in Article 5 of the Faculty Grievance Procedure.
 - 4.3.4.1 Failure to appeal within the prescribed time shall be deemed to be acceptance of the decision.
- 4.4 Procedures for resolving student grievances are outlined in the University document, Academic Freedom for Students at Michigan State University, incorporated into these bylaws by reference; the University publication, Graduate Student Rights -and Responsibilities; and in the bylaws of the Student Senate.

5. Bylaws

5.1 Interpretation

- 5.1.1 The Department Advisory Committee shall be the final authority with regard to interpretation of these bylaws.

5.2 Amendments

Proposed amendments must be circulated among persons with voting status at least one week before the meeting at which they are to be voted upon.

5.2.2 Approval of amendments requires a two-thirds vote in favor thereof.

5.2.3 Amendments of the bylaws shall be published.

5.3 Review of the Bylaws

5.3.1 The departmental bylaws shall be reviewed by the voting faculty at intervals not to exceed five years. If changes are made, the revised Bylaws shall be published.

5.3.2 The departmental bylaws shall be reviewed by the College Advisory Council and the Dean at intervals not to exceed five years.