

**By-Laws of the
Esther Boyer College of Music
and Department of Dance**

Temple University

ARTICLE I - NAME

A. The assembly of faculty members and officers described herein shall be known as the Collegial Assembly of the Esther Boyer College of Music and Department of Dance of Temple University (hereinafter referred to as the Collegial Assembly), as referred to in Article III of the Constitution of the Faculty Senate of Temple University (hereinafter referred to as the Faculty Senate).

ARTICLE II - PURPOSE AND POWER

A. The Collegial Assembly shall function as a forum to discuss matters which may involve the Boyer College. The Collegial Assembly shall function in relation to the administration of the Boyer College as defined in Article III, "Definitions," of the Faculty Senate Constitution. It shall have rights of: Consultation, Review, Ratification, and Recommendation.

B. The Collegial Assembly shall have the responsibility and the right, by the exercise of one or more of its powers, to advise the administration on all matters of college policy, on matters affecting the faculty of the college, and on administrative decisions in which the faculty claims a reasonable concern. The Collegial Assembly shall exercise its powers through its own initiative or at the initiation of the administration.

C. The Collegial Assembly shall be empowered to overrule decisions of committees of the Collegial Assembly, with the exception of the Promotions and Tenure Committee.

D. Prevailing Authority of University Policies: The term "University Policies" shall refer to any action, resolution, or policy of the Temple University Board of Trustees, or (2) any action or policy of the President of Temple University taken within his authority, or (3) any administrative policy or procedure that may be adopted pursuant to the authority granted by the Board of Trustees or by the President. University policies as defined here shall include collective bargaining contracts that have been approved by the Board of Trustees or by the President when he/she has been delegated to do so by the Board of Trustees and any amendments or supplementary letters of agreement to such contracts that may be approved by the Board of Trustees or the President during the life of any collective bargaining contract.

ARTICLE III - ROLE OF THE DEAN

A. The President of the University appoints the Dean of the College in conformance with such Dean Search Guidelines as the President may from time to time promulgate.

B. The Dean of the College is appointed by the President, and shall report to and be accountable to the President or his/her designee, and shall serve at the pleasure of the President.

C. The Dean of the College is the chief executive officer and the chief academic officer of his/her College. His/her duties and responsibilities are defined by any pertinent policies of the Board of Trustees, by the Dean's Position Description that shall be issued from time to time by the President, and by administrative policies and procedures that may be adopted pursuant to the authority granted by the Board of Trustees or the President.

D. The Dean of the College shall exercise such authority as may be delegated to him/her by University Policies. He/she shall be responsible for the administration of the college budget that may be adopted by the Board of Trustees, including any budget rules or guidelines that may be adopted pursuant to that budget.

E. The Dean of the College shall be an ex officio member without vote of all standing committees of the College.

F. The Dean shall, subject to applicable University policies and within the College's authorized budget, appoint associate deans, assistant deans, department chairs, and other academic and administrative personnel. The Dean shall be responsible for the supervision of the College administration, pursuant to University policies.

ARTICLE IV - MEMBERSHIP

A. All Boyer College faculty holding full-time academic rank, both Dean's and Presidential appointments, shall be full members of the Collegial Assembly with the right to vote. Included will be members of the administration holding faculty rank. If the Dean of the College does not hold faculty rank, he/she may become an ex officio member of the Collegial Assembly. The presence of other administrators may be requested through the Chair of the Collegial Assembly. Membership is automatic upon faculty appointment.

ARTICLE V- OFFICERS AND REPRESENTATIVES

A. The Officers of the Collegial Assembly shall be elected from the membership at large and shall consist of a Chair, a Vice Chair, a Secretary and a Treasurer.

1. The Chair of the Collegial Assembly shall preside at meetings and shall, in addition to other duties, sign all official resolutions, recommendations, and other documents embodying actions of the Collegial Assembly.

2. The Vice Chair shall preside at all meetings of the Collegial Assembly in the absence of the Chair.

3. The Secretary shall preside at all meetings in the absence of the Chair and Vice Chair, and shall keep minutes of all meetings of the Collegial Assembly.

4. The Treasurer shall solicit and collect faculty donations and maintain a checking account for the amenities fund. The Treasurer shall make purchases from the fund when appropriate and report on fund activities and the fund balance at each Collegial Assembly Meeting.

B. Officers of the Collegial Assembly shall assume office on July 1 and serve for two years or until their successors are elected. The Chair and Vice Chair may be elected to a maximum of two successive terms.

C. Election Procedure:

1. Nominations may be accepted from the floor at the April meeting, provided the nominee has previously agreed to accept the nomination.

2. Voting shall be by roll call or, by secret written ballot, if requested.

3. Each member shall vote for as many positions as are open. Those candidates receiving the greatest number of votes shall be declared elected. Ties shall be resolved by lot.

D. Vacancies shall be filled in the following manner:

1. Upon vacancy of the office of Chair of the Collegial Assembly, the Vice Chair shall serve the remainder of the term.

2. Upon vacancy of the office of Vice Chair or Secretary, new elections shall be held for those positions.

E. Election of representatives to the University Faculty Senate and Faculty Senate Steering Committee:

1. Representatives to the Faculty Senate shall be elected by the procedure stated in Article V, Section C. Representatives shall serve for two-year terms. (The number of Faculty Senate Representatives from the Boyer College shall be determined by the Faculty Senate.)

2. One Collegial Assembly member shall be elected to the University Faculty Senate Steering Committee for three-year term. The elected member automatically becomes a Representative Faculty Senator.

ARTICLE VI - MEETINGS

A. Regular Meetings

1. The Collegial Assembly shall meet in regular session at least three times in each academic year concurrent with the Boyer College faculty meetings.

2. An agenda shall be circulated to the members of the Assembly at least two working days prior to the regular meeting.

B. Special Meetings

1. Special Meetings may be called by the Chair of the Collegial Assembly, or by written petition of 10% of the voting members. When it is necessary for the administration of the College to bring a matter before the faculty, the Dean of the College may direct the Chair to call a Special Meeting.

2. A Notice of Meeting and Agenda shall be circulated to the members of the Collegial Assembly at least forty-eight hours prior to the special meeting.

3. A Special Meeting shall restrict its deliberations to the matters for which it has been specifically called.

4. The Secretary shall keep minutes which shall be approved at the next regular meeting.

C. A quorum for the conduct of business at all meetings shall be a majority of members.

D. Resolutions germane to any subject set forth in the agenda may be passed by majority vote of the members present and voting. Other matters raised for discussion by any member of the Collegial Assembly at the appropriate time during at any meeting shall require for passage a two-thirds majority vote of those present and voting.

ARTICLE VII - COMMITTEES

A. The Collegial Assembly may establish Standing or Special Committees by a majority of those voting.

1. A member of the Collegial Assembly may serve on any committee and will be eligible for re-election or re-appointment. No person shall be re-elected or re-appointed for more that two consecutive terms. The term of membership for Standing Committees shall be three years, starting on July 1st, unless otherwise determined.

2. Prior to the election of members of a committee, a faculty member may publicly indicate interest in serving on that committee. Election to committees may be by roll call or by secret written ballot, if requested.

3. The purpose of or charge to any committee, the number of members, their length of term, and designated ex-officio members, shall be clearly stated in a resolution approved by the Collegial Assembly. Such committees shall report back to the Collegial Assembly on their studies or decisions.

4. Each committee chair may submit a report to the Chair of the Collegial Assembly for presentation at any meeting of the Collegial Assembly. Resolutions presented in such a report must be circulated to the faculty at least one week prior to the meeting and shall require a majority vote for passage. The Collegial Assembly Chair may ask for a report from a committee.

5. At the beginning of each academic year a list of current committees shall be presented at the first meeting of the Collegial Assembly.

6. A faculty member may chair no more than two Standing Committees simultaneously.

7. A faculty member may serve on no more than four Standing Committees simultaneously.

B. The Dean of the College may request the Collegial Assembly to establish additional committees.

C. Standing Committees:

1. Promotions and Tenure Committee

a. Function: to consider and recommend faculty members for promotion and tenure.

b. Composition: seven members; three from the classroom, three from performance, one at large. Two of these representatives will be from the Department of Dance

c. All members must hold the rank of Associate or Full Professor. In the case of any members having to recuse themselves from deliberations and voting with regard to the members of their own department (unless summoned by the committee), the Chair, in consultation with the Dean, will appoint temporary replacements. This action will be reported to the Collegial Assembly.

2. Study Leaves Committee

a. Function: to consider and recommend proposals for Study Leaves and Summer Grants .

b. Composition: five members; Two from performance, two from the classroom, one at large. One of these representatives will be from the Department of Dance

3. Budget Review Committee

a. Function: in cooperation with the Dean, to recommend allocation of the budget of the College; to review implementation of the budget; to recommend needs in staffing, building, and equipment; to assess priorities in the future directions of the College.

b. Composition: four members; two from performance, two from the classroom.

4. Personnel Committee

a. Function: to consider all matters pertaining to faculty personnel. This includes academic freedom, , course loads, dismissal, and any other personnel policies

b. Composition: five members; two from performance, two from the classroom, one T.A.U.P. representative.

5. Grievance Committee

a. Function: to serve as a forum that resolves student grievances with faculty.

b. Composition: five members; three elected faculty members, two students who will be appointed by the Chair when the committee is called upon to convene

6. Nominating Committee:

a. Function: To recommend faculty members for Collegial Assembly officer and committee membership and other posts that may arise.

b. Composition: three members at large.

c. The committee will convene upon request of the Chair of the Collegial Assembly.

7. Merit Committee:

a. Function: In cooperation with the Dean, to consider and evaluate faculty requests for merit pay raises.

b. Composition: Seven voting members; three from the classroom, three from performance, one at large. The Dean will participate in Merit Committee meetings Ex Officio. The Department of Dance will have one representative.

c. Merit Committee members who are themselves applying for merit will excuse themselves from the meeting while their submission is considered.

D. Special Committee:

1. Faculty Responsibility Committee

The Dean, in consultation with the Chair of the Collegial Assembly, shall appoint an *ad hoc* Faculty Responsibility Committee to investigate allegations of misconduct against a faculty member, and to conduct a specific inquiry into allegations of misconduct. The members of a Faculty Responsibility Committee must have no conflict of interest with respect to or bias toward the faculty member subject to investigation. Not more than one member of the Faculty Responsibility Committee should be appointed from the same program or A Faculty Responsibility Committee shall have no fewer than three, and preferably at least five, members.

The Faculty Responsibility Committee shall assure that any person who brings allegations of misconduct will have a full and fair opportunity to present written or oral information to support his/her assertions. A faculty member who is being investigated shall be given a full and fair opportunity to provide relevant written or oral information to rebut allegations of misconduct or to explain such conduct. The complainant and the faculty member accused of misconduct may offer relevant written or oral statements by others who have knowledge of the alleged misconduct. However, the Committee may determine whether to hear such oral evidence or the extent of such

evidence that will be heard. The Faculty Responsibility Committee may examine documents or seek statements independently of information offered by the complaint or the faculty member accused of misconduct. If the Committee relies on such information in making its report, it shall clearly identify the source and character of such information and shall, wherever possible, include such information or summaries of it as attachments to its final report. The Faculty Responsibility Committee shall maintain confidentiality as to allegations of misconduct submitted to it, all evidence—oral, written, or tangible—submitted for its consideration, and its deliberations and recommendations, except to the extent that such information must be provided to others in order to conduct its investigation. The Faculty Responsibility Committee may seek the advice of University Counsel if it deems necessary and University Counsel shall endeavor to give reasonable assistance if possible. The Faculty Responsibility Committee may also seek the advice of the Faculty Senate Personnel Committee.

The committee will elect its own chair. The committee chair may request clerical assistance from the Dean's staff.

The Faculty Responsibility Committee shall report its findings and recommendations to the Dean and the Chair of the Collegial Assembly. The report should provide a full statement of its deliberations, findings, conclusions and recommendations and, to the extent reasonably possible, should include as attachments any written statements, any documents and any other written or tangible evidence upon which the committee relied. The Dean shall transmit the report and his/her recommendations for any actions or further proceedings to the Faculty Senate Personnel Committee and to the President or his/her designee.

ARTICLE VIII - PARLIAMENTARY AUTHORITY

The rules contained in the revised Roberts Rules of Order shall govern the Collegial Assembly in all cases to which they are applicable and in which they are not inconsistent with the By-Laws or the special rules of order of the Collegial Assembly.

ARTICLE IX- AMENDMENTS

Any amendment to these By-Laws must be circulated to all members of the Collegial Assembly five working days prior to the regular or special meeting at which it is to be considered. If the amendment is voted on at that meeting it must be passed by 2/3 of those present and voting. If a mail vote is decided upon, the amendment must be passed by 2/3 of the full membership. The Dean and the Chair of the Collegial Assembly shall review these bylaws every five years and, after consultation with the Collegial Assembly, may recommend revisions or amendments. After an amendment is approved by the collegial assembly it will be forwarded by the Dean to the President, and by the Chair of the Collegial Assembly to the Faculty Senate.