



Faculty Council Bylaws

REVISION OF 01 September 2020

First adopted May 2016

*(Revised 02/15/2017;
08/17/2017;
02/01/2019;
09/01/2020)*

Table of Contents

Article I – Name	2
Article II – Purpose	2
Article III – General Considerations	2
Article IV – Duties and Responsibilities	2
Article V – Membership	3
Article VI – Election of Officers and Burrell Committee Representatives	4
Article VII – Faculty Council Meetings	6
Article VIII – Academic Freedom	7
Article IX – Standing Committees	7
1. Faculty Awards Committee	7
2. Faculty Grievance Committee	7
Article X – Parliamentary Procedure	8
Article XI – Amendments to the Bylaws	8
Article XII – Severability of the Bylaws	9
Appendix	9

Article I. Name

This body will be known as the Faculty Council of the Burrell College of Osteopathic Medicine (Burrell).

Article II. Purpose

To support and represent faculty interests at Burrell College of Osteopathic Medicine, and to provide an organizational means through which the faculty can exercise their responsibilities in the shared governance of the institution.

Article III. General Considerations

Section 1. Faculty Assembly and Faculty Council defined.

- 1) The **Faculty Assembly** at Burrell includes all individuals with any type of faculty appointment and/or teaching role in fulfilling the mission of the College.
- 2) The **Faculty Council** at Burrell is a subset of the Faculty Assembly, and includes all individuals with regular faculty appointments, *i.e.*, Professor, Associate Professor, Assistant Professor, or Instructor. Faculty Council membership does *not* apply to those faculty holding adjunct, clinical, or temporary appointments; nor does it apply to faculty with any level of administrative appointment, such as Dean, Associate Dean, Assistant Dean, or President of the College, as these individuals exercise their roles in shared governance elsewhere in their official capacities.

Section 2. Active and diligent faculty participation is key to faculty committee effectiveness in the governance process. The Faculty Council provides the faculty a mechanism to voice their opinions and to discuss topics of interest and issues of concern among the faculty. Faculty Council meetings are to share and disseminate information among faculty, and represent a forum where College procedures and policies may be discussed and actions considered.

Section 3. Faculty involvement in governance of the College is achieved through active participation in the Committee structure of the College. Assignment of Faculty Council members to elected faculty seats on Burrell committees will be determined by elections conducted through Faculty Council, as described below.

Article IV. Duties & Responsibilities

Section 1. Facilitate and enhance communication between all faculty members of Burrell and between the faculty and the Burrell administrative leadership.

Section 2. Serve as a scholarly forum to discuss achievement of the mission of Burrell.

Section 3. Advise the Burrell administrative leadership, via the Faculty Council Leadership Committee, on faculty matters pertaining, but not limited to: academics, faculty development, facilities, benefits, and policy.

Section 4. Provide recommendations to the Dean regarding appointments to committee positions.

Section 5. Facilitate elections for faculty representation on institutional and Faculty Council committees.

Section 6. Create standing and ad hoc committees, as deemed appropriate by the Faculty Council, to carry out the responsibilities of the Council, or to address matters related to Burrell faculty activities.

Section 7. Convene meetings of the Faculty Assembly at least once per year.

Article V. Membership

Section 1. Membership qualifications, rights and duties of the Faculty Council.

- 1) The Faculty Council at Burrell is a subset of the Faculty Assembly, and includes all individuals with regular faculty appointments who do not hold concurrent administrative appointments of Dean, Associate Dean, Assistant Dean, or President.
- 2) All members of the Faculty Council have the right to vote on all matters of business before the Council.
- 3) The Faculty Council Secretary will verify eligibility of Faculty Council members with the Human Resources Office.

Section 2. Faculty Council Leadership Committee

The Faculty Council Leadership Committee consists of 5 members of Faculty Council, elected by their peers to represent them. The Faculty Council Leadership Committee consists of a Chair, Vice-Chair, Past-Chair, Secretary, and Parliamentarian. The positions of Vice Chair, Chair, and Past Chair are meant to be served sequentially as part of a three-year leadership cycle. All members of the Faculty Council Leadership Committee have full voting rights in business before the Committee. Terms as officers begin July 1st and end June 30th, except in the case where a special election is required to fill a position vacated prior to June 30th.

1) Chair: The Chair of the Faculty Council provides leadership to the Faculty Council and advises the College administration on matters concerning the faculty. A Faculty Council member elected to the position of Vice-Chair automatically assumes the position of Chair at the completion of their term as Vice Chair. In addition, should the Chair be unable to complete the term, the Vice Chair assumes the office and retains the right to serve in that office for the subsequent term. At the completion of the one-year term as Chair, the individual automatically assumes the position of Past-Chair.

a) The duties of the Chair are to:

- i) Call and preside over all meetings of the Faculty Assembly, Faculty Council and Faculty Council Leadership Committee.
- ii) Represent the Burrell Faculty as a voting member of the Executive Committee of the College. In the event that the Chair of the Faculty Council holds another voting role on the Executive Committee, a different member of the Faculty Council Leadership Committee will be designated to serve in this role.
- iii) Communicate decisions of the Faculty Council to the Burrell administrative leadership as appropriate.

2) Past Chair: The Past Chair of the Faculty Council provides leadership and institutional memory to the Faculty Council and its Leadership Committee. At the conclusion of the term as Chair, an individual automatically assumes the position of Past Chair, for a term of one year. If a vacancy occurs in the position of Past Chair, the Faculty Council Leadership Committee will appoint a previous Past Chair to complete the vacant term. If no Past Chair can be appointed, the Faculty Council Leadership Committee will appoint a member of the Faculty Council to fill an at-large seat. Following service as Past Chair, an individual may not serve on the Faculty Council Leadership Committee for three years. A Faculty Council member who serves the remaining term of a departed Past Chair does not lose their eligibility to seek a Faculty Council Leadership Committee role at the next election.

3) Vice Chair: The Vice Chair of the Faculty Council is elected by the Faculty Council and serves a one-year term as Vice Chair. Upon completion of the term as Vice-Chair of the Faculty Council, the Vice Chair automatically assumes the position of Chair of the Faculty Council for the subsequent year.

- a) The duties of the Vice Chair are to:
 - i) Assist the Chair in the duties of service to the Faculty Council.
 - ii) Supervise the selection and organization of the Elections Committee.
 - iii) Assume the responsibilities of the Chair in the Chair's absence.
- b) A vacancy in the office of Vice Chair will be filled through a special election by the Faculty Council held within thirty days of the vacancy.

4) Secretary: The Secretary of the Faculty Council is elected by the Faculty Council and will serve a one-year term. The Secretary can serve no more than two consecutive terms in the position of Secretary.

- a) The duties of the Secretary are to:
 - i) Distribute all notices, calls, agendas, and minutes of Faculty Council meetings to members of the Faculty Council and such other persons as the Faculty Council Leadership Committee directs.
 - ii) Record and preserve minutes of all meetings of the Faculty Council, the votes taken therein, special reports, election results, and all other official actions. Notes that detail Faculty Council discussions but do not result in action will also be recorded and preserved.
 - iii) Preserve on file all documents and papers that belong to the Faculty Council or which are made part of the proceedings.
 - iv) Ensure that the Faculty Council be notified of all appropriate business that should be brought before it.

5) Parliamentarian: The Faculty Council Parliamentarian advises the faculty on the rules and issues relating to faculty governance and advises the presiding officer on issues of procedure and conduct at Faculty Council meetings. The Parliamentarian serves a one-year term; Faculty Council members elected to this office may not serve more than two consecutive terms.

- a) The duties of the Parliamentarian are to:
 - i) Advise the Chair on matters of parliamentary procedure during Faculty Council meetings.
 - ii) Advise the Chair and Faculty Council on the interpretation and application of these bylaws.
 - iii) Investigate archival and other sources to determine documentary evidence and precedents relevant to Faculty Council and its business.
 - iv) The Parliamentarian must, in all cases, act with impartiality and neutrality with regard to parliamentary procedure and interpretation of bylaws and other documents.

6) Meetings: The Faculty Council Leadership Committee meets monthly, or as necessary, to fulfill its obligations to the Faculty Council and to provide sufficient opportunity for faculty to engage in the business before each group.

- a) A quorum of the Faculty Council Leadership Committee is a majority of the members, and is required to conduct formal business.
- b) Faculty Council Leadership Committee meetings are open to any member of the Faculty Council. Notice of upcoming meetings will be provided to Faculty Council members.
- c) A quorum of Faculty Council Leadership Committee may not conduct official business without an agenda or recording the minutes of the meeting.

Article VI. Election of Officers and Burrell Committee Members

Section 1. Elections Committee: The Leadership Committee, led by the Vice-Chair, appoints an *ad hoc* Election Committee composed of three members of the Faculty Council, by the last business day of March

of each academic year. Care should be taken by the Faculty Council Leadership Committee to ensure that the composition of the Elections Committee reflects, as well as possible, a unique combination of Faculty Council members each year. If sufficient faculty members cannot be found to fill an Elections Committee in compliance with this rule, the Leadership Committee will manage the process as described below.

- 1) The Elections Committee organizes and oversees the election process.
- 2) The Elections Committee collects and tabulates the election results, and presents the final results to the Chair of the Leadership Committee, and subsequently to the Faculty Council.
- 3) Members of the Elections Committee are not eligible for election to a Faculty Council Leadership Committee office during their period of service on the Elections Committee, but remain eligible for election to other Burrell committee faculty positions.
- 4) The Elections Committee is charged with confidentiality throughout its work in the election process.
- 5) At the conclusion of the election process in June, the members' service on the Election Committee is concluded.

Section 2. Nominations for Elections

- 1) Prior to seeking nominations, the Faculty Council Leadership Committee will distribute a list of all of the Burrell Committee positions that are subject to either election or appointment for the upcoming academic year.
- 2) Faculty Council members will have the opportunity to identify their preferences for service, and submit their preferences to the Secretary of the Faculty Council by the second Friday in April. The Faculty Council Secretary will forward these preferences to the Chair of the Elections Committee.
 - a) Faculty are encouraged to communicate with their department chairs or supervisors as to how their intended service commitment will fit into their overall contractual obligations of teaching, scholarship, and service.
- 3) The Elections Committee must develop a ballot that takes into account, as well as possible, individual faculty preferences for service, and in consultation with the Chair of the Faculty Council, work to see that all open spots for either election or appointment have nominees who are willing, able, and eligible to serve in these committee positions.
- 4) Once a draft ballot is developed, it will be presented at the next regular or special meeting of the Faculty Council.
- 5) Where an actual vote is required between multiple candidates for election-eligible positions, such a vote will be managed by the Elections Committee.
- 6) If there are not more candidates than open positions on a committee, the candidates will nonetheless be presented to the Faculty Council for consideration and confirmation.

Section 3. Voting will be conducted in the form of a secret ballot administered in either paper or electronic format. Ballots will be distributed electronically by the end of the second week in May, and will be due back to the Elections Committee no later than the end of the first business day in June. Election results will be announced within one week of the close of voting. If necessary, run-off elections will be held in the second week of June, and the run-off results announced by the last Friday of the month of June.

Section 4. Election winners must receive a simple majority of all the votes cast.

Section 5. In the event of a tie, a run-off election between the two candidates receiving the highest number of votes for that position will be held.

Section 6. All elected terms will begin July 1st and end June 30th, except in the case where a special election is required to fill a position vacated in mid-term.

Article VII. Faculty Council Meetings

Section 1. The Faculty Council meets at a minimum of four (4) times each year (quarterly). The Council may meet more frequently as appropriate to address the needs of the faculty. Due diligence will be made to provide electronic access for off-site individuals to participate in Faculty Council meetings if requested in writing to the Secretary at least 24 hours in advance.

Section 2. A quorum is defined as a majority (50% + 1) of Faculty Council members.

- 1) A quorum of the members is not necessary for a meeting to take place.
- 2) If the Faculty Council wishes to take official actions or make formal recommendations, a quorum of members must be present.

Section 3. Agenda. Any issues for consideration by the Faculty Council should be submitted to the Secretary no less than one week prior to the next scheduled Faculty Council meeting.

- 1) The Leadership Committee is responsible for preparing the meeting agenda, including a judgement on member-submitted agenda items as pertinent and relevant for submission to the Faculty.
- 2) Items may be submitted for formal inclusion on the Faculty Council agenda by either the Faculty Council Leadership Committee or any Faculty Council member.
- 3) Proposed agendas for Faculty Council meetings will be made available to the Faculty Council membership three (3) calendar days before each Faculty Council meeting.
- 4) Any member of the Faculty Council can propose a new item to the business agenda as a regular motion in any Faculty Council meeting at any time.

Section 4. The Chair of the Faculty Council may call a special Faculty Council meeting. The purpose of the meeting must be stated in the call.

Section 5. By petition, 25% of the Faculty Council membership may call a special Faculty Council meeting.

- 1) The purpose of the meeting must be stated in the petition.
- 2) The petition must be submitted to the Secretary of the Faculty Council Leadership Committee.
- 3) Upon receipt of a valid petition, the Faculty Council Leadership Committee must call a meeting of the Faculty Council within seven (7) business days.

Section 6. Voting at regular or special meetings of the Faculty Council cannot be done by proxy.

Section 7. Any action which may be taken at a regular or special meeting of the Council, such as election of officers, may be taken without a meeting through a vote of the membership. Voting may be by written or electronic ballot.

Section 8. For any action taken outside of a regular or special meeting of the Council, the solicitation for votes by ballot must state the quorum requirement, the number of affirmative votes necessary for approval of each proposed action, and the time by which the ballot must be received in order to be counted.

Section 9. For any action taken outside of a regular or special meeting of the Council, the ballot must describe each proposed action and provide an opportunity to vote for or against each proposed action. Approval of an action is valid only when the number of votes cast equals or exceeds the quorum required for a regular or special meeting.

Section 10. No error or omission in the notification of a regular or special meeting invalidates the meeting or makes void its proceedings as long as such an error or omission was made in good faith and for no improper purpose.

Article VIII. Academic Freedom

The College respects the academic freedom of faculty members and has adopted principles consistent with those promoted by the American Association of University Professors. The full Burrell policy on academic freedom is found in the Faculty Handbook.

Article IX. Standing Committees

Section 1. The Faculty Council maintains and supports the following standing committees: Faculty Awards Committee and the Faculty Grievance Committee. Each committee develops a set of policies and operating procedures, subject to approval by the Faculty Council Leadership Committee, that governs its activities.

Section 2. All Standing Committee meetings are considered to be open meetings unless a motion for closure is made by a member of the committee with the provision of a reasonably specific explanation for why the meeting or a portion thereof should be closed. In addition, special invitations to attend may be extended by the chairs of each committee to individuals outside of those described as voting and non-voting participants below.

Section 3. All terms on Faculty Council Committees will begin on July 1st and end on June 30th, except in the case where a special election is required to fill a position vacated in mid-term.

1) Faculty Awards Committee

- a) Charge and Responsibility.
 - i) The Faculty Awards Committee will develop, keep current, and recommend criteria and procedures to the institution for developing and awarding the various Faculty Awards for Teaching, Scholarly Activity and Research, and Service.
 - ii) The Faculty Awards Committee, on the basis of i) above, identifies and recommends particular faculty to the President and Dean of the College for receipt of the Awards given by Burrell as outlined above.
- b) Membership and Terms
 - i) The Faculty Awards Committee is composed of the winners of the awards from the past three years, Winners of these awards, should they continue at Burrell, are made members of this committee as a condition of their award. At the conclusion of their terms, committee members are again eligible for Faculty Awards.
 - ii) Committee vacancies will be filled by special election to serve the remainder of the vacated term.
 - iii) A quorum of this committee is three members.
 - iv) Initially, three members will be elected by the Faculty Council
 - v) Following two years of awards, Sections b)iv, and b)v (this section) will be no longer in effect.

2) Faculty Grievance Committee

- a) Charge for the Faculty Grievance Committee
 - i) The Faculty Grievance Committee is charged with handling any faculty grievances as may come before it, provided that such matters are not otherwise addressed by the policies and

procedures of the College. They may conduct hearings and/or proceedings as the committee deems necessary.

- ii) The Faculty Grievance Committee provides written recommendations to the Chief Academic Officer of the College regarding specific actions. The reasons for the decision, stated separately as to facts and conclusions, are a part of this recommendation.

b) Membership and Composition

- i) The Faculty Grievance Committee consists of five (5) faculty members elected from the Faculty Council. All efforts should be made to seek representation from all faculty member ranks.
- ii) The members of the Grievance Committee will elect a Chair and Vice-Chair from among their membership.
- iii) The Faculty Grievance Committee will elect a Secretary from its members who will send out all required notices, record the minutes of the committee's proceedings, and who will be responsible for maintaining the records of the Committee.

c) Terms and Conditions

- i) The initial term of the Chairperson will be three (3) years.
- ii) The terms of the remaining four members of the Faculty Grievance Committee will be staggered. The initial Vice-Chairperson and Secretary will serve two-year terms and the remaining two (2) initial members will be appointed for one year terms.
- iii) All selections to the Committee after the initial founding membership will be for three (3) years.
- iv) Should a vacancy arise on the Grievance Committee, a new member will be appointed by the President of the Faculty Council following consultation with Department Chairs to serve for the remainder of the vacated term.
- v) All subsequent Chairs, Vice Chairs, and Secretaries will be selected by the members of the Committee.

Article X. Parliamentary Procedure

Section 1. The Burrell Faculty Council utilizes the most recent edition of *The Standard Code of Parliamentary Procedure* as its parliamentary authority in all cases in which it is applicable and consistent with these Bylaws, the Burrell College Bylaws, the Burrell Board of Trustees Bylaws, and any special rules of order that the Faculty Council may adopt.

Article XI. Amending these Bylaws

Section 1. Amendments may be proposed by any member of the Faculty Council to the Leadership Committee.

- 1) Any proposed amendment(s) must be formally presented in writing to the Faculty Council Leadership Committee through its Secretary.
- 2) The Secretary will verify that the submitting Council member wishes the proposed amendment(s) to be considered at a future Faculty Council meeting for action by that body.
- 3) All verified proposed amendment(s) must be placed on the agenda for the next regularly-scheduled meeting of the Faculty Council Leadership Committee as a consent agenda item.
- 4) If the Faculty Council Leadership Committee approves placing the amended bylaws before the Faculty Council for a vote, the proposed changes to these Bylaws must be put before the Faculty Council at the next regularly-scheduled meeting of the Council.

- 5) Before a formal vote is taken, all Faculty Council members should be provided with a list of the proposed change(s), what each change seeks to improve or effect, and an accompanying rationale for each change.
- 6) Amendments to the bylaws must be approved by a two-thirds (2/3) majority vote of a quorum of Faculty Council members present, or by a two-thirds majority vote of a quorum of Faculty Council members voting electronically. If a motion is made and approved to hold the vote electronically, the electronic voting will last no longer than five business days. Ballots will be collected and tallied by the Secretary, and results presented to the Leadership Committee for dissemination to the Faculty Council.

Section 2. Proposed amendments to these bylaws may be formally presented to the Faculty Council Leadership Committee as part of a regular business meeting of the Faculty Council by a motion and majority vote of the members present at that meeting.

Section 3. Once amended, the Secretary of the Faculty Council Leadership Committee will have the authority to make such changes or corrections to the spelling, formatting, and organizational alignment of the amended articles necessary to comport with institutional guidelines, provided none of these changes or corrections alters the meaning of an article.

Article XII. Severability of these Bylaws

These bylaws shall be subordinate to and not in conflict with the Burrell College Bylaws and the Bylaws of the Board of Trustees of the Burrell College of Osteopathic Medicine. If any article or section of these bylaws is found to be inconsistent with the aforementioned, this alone will not invalidate these bylaws so long as they are in accordance with policy or authority.

Appendix. Bylaws Amendment Dates

Approved February 7, 2017

Amendment 1.1 Revised Article XV. Section 2) All appointed terms *Approved February 15, 2017.*

Amendment 1.1 Revised Article XV. 5) Research Committee c) Terms and Conditions. *Approved February 15, 2017.*

Approved August 17, 2017

Amendment 2.1 Revised Article VIII, Section 4. Paper ballots.

Amendment 2.2 Revised Article XV to include the Faculty Professional Development Committee.

Amendment 2.3 Revised Article XV to add the faculty service committee and dissolve the technology committee.

Amendment 2.4 Revised Article XII to include new language for Standard for Notice of Non-reappointment.

Approved February 2, 2019

Approved October 14, 2019

Amendment 3.1 Revised Article IX to allow closed meetings of standing committees where appropriate

Amendment 3.2 Revised Article IX, part 2 (Faculty Grievance Committee) to update procedure and reporting structure

Amendment 3.3 Revised Article XII to include subordination clause re: College Bylaws.

Approved September 1, 2020

Amendment 4.1 Revised Article V, Section 2.1.a.ii to update role of Faculty Council Chair as voting member of Executive Committee (College Bylaws also amended)

Amendment 4.2 Changed all abbreviations of "BCOM" to "Burrell"