

1                                   **Constitution of the College of Arts and Sciences**  
2                                   **University of Nebraska – Kearney**

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4   **Preamble:**

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6   The faculty of the College of Arts and Sciences are dedicated to the academic mission of the  
7   University of Nebraska at Kearney as a foundational institution for the liberal arts and sciences.  
8   The faculty are committed to providing students the opportunity for education of the highest  
9   quality within the College's discipline areas. To accomplish these ends the faculty will provide  
10   instruction of scholarly and professional excellence at the general studies and advanced levels  
11   that illuminates opportunities and limitations of each discipline, encourages application of the  
12   methods and findings of the disciplines to the human condition, and prepares students to  
13   matriculate as life-long learners who will continue to educate themselves about the role of the  
14   liberal arts and sciences in their lives.

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16   **Article I: Structure:**

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18       a.   The College of Arts and Sciences is composed of faculty organized into divisions,  
19       departments, programs, and supra-departmental and inter-departmental components. The four  
20       Divisions of the College are the following: Natural Sciences, Social Sciences, Humanities, and  
21       Communication and Fine and Performing Arts.

22       b.   The departments/programs within each division are the following:

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24       Natural Sciences: Biology, Chemistry, Mathematics & Statistics, and Physics & Astronomy.

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26       Social Sciences: Criminal Justice, Geography, Political Science, Psychology, Sociology, and  
27       Social Work.

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29       Humanities: English, History, Modern Languages, and Philosophy.

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31       Communication and Fine and Performing Arts: Art & Design, Communication, and Music,  
32       Theatre & Dance.

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34       c.   The following programs are recognized as part of the College of Arts and Sciences  
35       International Studies, Women and Gender Studies, Ethnic Studies, and Health Sciences.

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37   **Article II: Faculty Governance**

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39       a.   Governance:

40       In accordance with Regents Bylaws 2.9, the immediate governance of the College of Arts and  
41       Sciences and its constituent components shall be by the faculty of the College.

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43       b.   Voting Membership:

44       Those who qualify as voting members of the Faculty of the College of Arts and Sciences

(hereafter referred to as “faculty” or “the Faculty”) must meet the following requirements:

The individual must hold a faculty rank of Lecturer, Senior Lecturer, Instructor, Assistant Professor, Associate Professor, or Professor.

The individual’s employment status with the University of Nebraska at Kearney must include eligibility for 1.0 full-time equivalent (FTE) fringe benefits.

The individual’s non-administrative workload assignment within the College must be equal to or greater than 0.5 FTE.

The individual’s administrative workload assignment cannot exceed 0.5 FTE.

Qualifying individuals with workload responsibilities in more than one UNK college will declare in which college they desire to be a voting member. Qualifying individuals with workload responsibilities in more than one division within the College of Arts and Sciences will be a voting member in the division with the greatest workload share. If there are equal workload shares in more than one division, the individual will declare in which division she or he desires to be a voting member.

c. *Ex Officio* Membership:

The Dean of the College of Arts and Sciences and such other persons as may be designated by the Faculty shall be *ex officio* members of the Faculty, without voting privileges.

### **Article III: College Meetings**

a. Regular business meetings will be held at least once per semester, at a time designated by the Dean with at least a two-week notice given to the Faculty.

b. Special meetings may be called by the Dean of the College. Special meetings must be called by the Dean within ten working days after petition by at least ten Faculty members, by request of the Advisory Committee, or by vote of the Faculty when in regular or special session.

c. Thirty percent of the Faculty constitutes a quorum at any meeting of the Faculty. When voting is conducted via mail, faculty are assumed to be absent unless they cast a vote. In this case, a quorum is met when at least thirty percent of the Faculty cast a vote. In the case of the creation or change of College policy, the quorum and minimum voting percentage threshold is increased to at least 50%.

d. Meetings will be conducted according to Robert's Rules of Order, Newly Revised where not in conflict with the Constitution or Bylaws of the College.

87 **Article IV: Committees**

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89 **Section 1. Standing Committees.**

90 There shall be four standing committees: the Advisory Committee, the Educational Policy  
91 Committee, the Rank and Tenure Committee, and the Oversight Committee.

92 **A. The Advisory Committee shall:**

- 93 1) Advise the Dean on matters initiated by the Committee or by the Faculty;
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- 95 2) Advise the Dean of matters he or she refers to it;
- 96
- 97 3) Advise the Dean on implementation of policy;
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- 99 4) Review the long term and general aspects of the College's activities, including  
100 staff, faculty and facility requirements;
- 101
- 102 5) Propose policies for presentation to the Faculty;
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- 104 6) Have general review responsibility and make recommendations concerning  
105 leave of absence and sabbatical policies within the College;
- 106 7) Advise the Dean on grievances amongst the Faculty.

107  
108 **B. The Educational Policy Committee shall:**

- 109 1) Advise the Dean on all matters of educational policy;
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- 111 2) Exercise general oversight of the College's academic standards;
- 112
- 113 3) Evaluate and may recommend proposals concerning admission and graduation  
114 requirements, including changes in degree requirements, new programs, and  
115 new degrees;
- 116
- 117 4) Be authorized by the Faculty to pass on student petitions for relief from  
118 College rules, determine addition of courses, deletion of courses, and changes  
119 in course names and numbers. After acting under this authorization, the  
120 Committee will circulate its decisions in writing to the Faculty. These decisions  
121 will be considered approved unless, within fifteen working days of issuance,  
122 action is initiated under Article III, section b and c.;
- 123
- 124 5) Serve in an advisory capacity to the Dean for students who believe that  
125 evaluation of their academic progress has been prejudiced or capricious.  
126 Committee procedures shall provide for changing of a student's evaluation,  
127 upon the committee's finding that an academic evaluation by a member of the  
128 faculty has been prejudiced or capricious.

C. The Rank and Tenure Committee shall:

- 1) Ensure that departments comply with Regents Bylaws 4.5 and 4.6 and UNK Guidelines: Evaluation, Promotion, and Tenure, Article IV. 2, which state that each department shall establish a written set of procedures, guidelines, and criteria for evaluation for promotion and tenure.
- 2) Review departmental rank and tenure recommendations.
- 3) Work with the Dean to determine rank and tenure recommendations for the College. If a recommendation differs from the Departmental Peer Review Committee or the Department Chair, then a written rationale must be submitted.
- 4) Advise the Dean on other personnel matters directly related to Rank and Tenure.

If a recommendation of the Rank and Tenure Committee differs from the department or the Dean's recommendation, the Dean shall so inform the Vice Chancellor for Academic Affairs and the Chancellor.

D. The Oversight Committee shall:

- 1) Advise the Dean on matters relating to the philosophy of the College as outlined in the Preamble of the Constitution.
- 2) Exercise general oversight to ensure that the College's policies and procedures adhere to the constitution of the College.
- 3) Organize and conduct elections within the College.
- 4) Review procedures for selection of Departmental Chairs. This may include providing oversight in balloting for reappointment of incumbents.
- 5) The parliamentarian is an *ex officio* member of the Oversight committee of the College, without voting privileges.

Section 2. Special Committees.

Special committees for holding elections, resolving grievances, addressing ad hoc issues, etc., may be created by the Dean, by the Faculty, or by the Standing Committees.

Section 3. Committee membership.

- 1) The Dean is an *ex officio* member of committees of the College, without voting privileges. The Dean will call the first meeting by the end of October to elect the chair(s) of the committee and the recorder to describe committee duties outlined in the constitution and assign any special charges if needed.

- 172 2) The members of the Rank and Tenure Committee will be tenured faculty at the rank  
173 of Associate Professor and/or Professor, excluding Department chairs and college  
174 Assistant/Associate Deans. Members of the committee shall not serve during the  
175 academic year they present themselves for promotion.
- 176
- 177 3) The Advisory Committee, the Oversight Committee, and the Educational Policy  
178 Committee will have faculty as members.
- 179
- 180 4) Means of election and the number of faculty members of the standing committees will  
181 be as prescribed in the Bylaws of the College.
- 182
- 183 5) Two members from each Division shall be elected to each of the standing committees,  
184 and no standing committee shall have more than one member from a department.  
185 Department Chairs shall be considered members of the faculty, but are excluded from  
186 membership on the Rank & Tenure Committee. Terms of service shall be for two  
187 years, starting on the first day of contract for the fall semester, with staggered terms  
188 so that one-half of the faculty membership seats are elected every year. To ensure  
189 staggered terms for each College "Division," the Advisory Committee shall be  
190 empowered to set terms shorter than two years; however, incumbent members' terms  
191 shall not be shortened.
- 192
- 193 6) Faculty members of the Advisory Committee, the Educational Policy Committee, the  
194 Rank and Tenure Committee, and the Oversight Committee shall not be eligible for  
195 more than two consecutive, 2-year terms, or for membership on more than one  
196 standing committee at any given time.
- 197
- 198 7) Attendance at CAS committee meetings by committee members is expected. If a  
199 committee chair determines that a committee member's absences are interfering with  
200 or preventing the committee from fulfilling its duties, then they will notify the  
201 Oversight committee of the vacancy and request that a replacement be elected. Each  
202 committee will set their standard of what attendance is expected.
- 203
- 204 8) In case of a vacancy on a standing committee, a special election will be held for the  
205 purpose of electing a replacement. If the replacement of a Committee member is  
206 necessary, the Chair of the Oversight Committee shall ask the faculty member who  
207 received the next highest number of votes during the most recent election for  
208 permission to nominate him/her to the Committee as the replacement. If that person  
209 declines, or if there was no runner-up, the Oversight Committee shall select a  
210 nominee and announce, if possible, by campus e-mail to faculty the impending  
211 election of a replacement. The Oversight Committee shall conduct the election as  
212 soon as possible. Nominations from the faculty will be allowed. All nominations must  
213 be with the consent of the candidates.
- 214

215 Although elections to fill vacancies must be held as stated above, when possible, the  
216 replacement of a committee member who is on a university---approved professional  
217 development leave or required absence shall be for the specific period of the

leave/absence only, thereby allowing the committee member to return at the completion of the leave/absence to their seat for the remainder of their term.

- 9) Members of special committees will be appointed by the Dean, unless otherwise determined for special committees created by the Faculty.

#### Section 4. Parliamentarian

The parliamentarian should be appointed by the dean in consultation with the advisory council and affirmed by CAS faculty vote. This term is for two years. This term starts on first day of contract for the fall the semester.

The Parliamentarian acts as an advisor at all regular and special meetings of the college and the oversight committee on matters of parliamentary procedure. Matters of parliamentary procedure include issues such as the order of proceedings, the priority of motions, the timeliness of motions and debates, and the vote necessary to sustain motions. The Parliamentarian does not issue rulings on matters of parliamentary procedure. The dean, or other presiding officer, is the only person who can issue a ruling on a matter of parliamentary procedure.

A person holding the position of Parliamentarian should have a strong working knowledge of the provisions of the Constitution and Processes and Procedures of the college, and of Robert's Rules of Order. Familiarity with the history, traditions and customs of the college is also helpful in carrying out the duties of the Parliamentarian.

### **Article V: Office of the Dean**

#### Section 1. Responsibilities.

The Dean of the College shall provide educational leadership; be the officer primarily charged with the administration of the College; serve as intermediary between the College and the University; be the presiding officer at Faculty meetings; appoint a parliamentarian after consultation with the Advisory Committee; report to the Faculty at regular business meetings on the status of past College policy; serve to resolve grade appeals with the aid of an appointed appeals committee if deemed necessary.

#### Section 2. Selection of the Dean, Associate Deans and Assistant Deans.

Appointment of the Dean, Associate Deans, and Assistant Deans shall be recommended to the President and the Board of Regents by the Chancellor, following procedures specified in the Bylaws of the Board of Regents. At least every third anniversary year of appointment, the Advisory Committee shall make recommendations to the Chancellor or designated representative concerning continued appointment of the Dean, Associate Dean, or Assistant Dean.

#### Section 3. Temporary vacancy.

In case of incapacitation or other temporary vacancy in the office of the Dean, the Advisory Committee shall confer with the Vice Chancellor for Academic Affairs on the appointment of an Acting Dean.

## Article VI: Departments

### Section 1. Definition

A department is an academic community of a professional discipline and interest and an administrative unit of the College. Subject to the jurisdiction of institutions that have overall responsibility for the University of Nebraska at Kearney and in conformity with the policies of the College of Arts and Sciences, a department shall determine its policies and programs through means adopted by the department. The Chair of the department or the departmental staff may make recommendations to the Dean and Faculty of the College concerning the welfare of the department or its relations to other departments. Before making such recommendations the Chair of the department shall consult with the departmental faculty. Where the recommendation of the Chair differs from the advice given by the departmental faculty, the Chair shall so inform the Dean. Meetings of the departmental staff may be called by the Chancellor, the Dean, the chair, or by a majority of its members.

### Section 2. Chair.

- 1) The Department Chair shall be responsible to the Dean for departmental administration; be the department's official representative in all matters except those delegated to other members of the department; and serve as intermediary between the department and other individuals and units of the University.
- 2) Chairs shall be appointed by the Board of Regents, upon recommendation of the Dean, after appropriate consultation with the departmental faculty and concurrence by the Chancellor and the President, for a term not exceeding five years but eligible for reappointment. Term lengths may be 3 to 5 years. The dean will determine the term length in consultation with the department. Prior to recommending the reappointment of a chair, the Dean shall take a closed ballot of the department members on the question of reappointment of the incumbent.
- 3) In case of a vacancy existing or pending in a department chair, the Dean will request the department to provide suggestions and the name or names of candidates, a request which shall be fulfilled through means adopted by the department. In the academic year or semester before the chair's term ends, the department should decide whether they want the current chair to continue for another term. If a new chair is selected, the chair elect should be mentored by the outgoing chair.

300  
301 Section 3. Council of Department Chairs and Directors.

- 302 1) The Council of Department Chairs shall consist of Deans, Assistant and Associate  
303 Deans, Chairs and Directors of all departments and programs of the College. The  
304 Dean and Assistant and Associate Deans of the College, and the Directors of divisions  
305 or programs administered by the College, shall be non-voting members of the  
306 Council. In the event a member must be absent from a Council meeting, a  
307 representative to the Council meeting may be appointed by the absent member.

308 The Council shall:

- 309 a.) Advise the Dean in matters relating to administrative policies and  
310 procedures within the College of Arts and Sciences and its  
311 departments or other administrative units. These advisory duties  
312 shall not supersede those delegated to the Advisory and  
313 Educational Policy Committees as defined in Article II, Section 1.  
314
- 315 b.) Make recommendations to the Dean in matters relating to  
316 University administrative policies and procedures which affect  
317 the College of Arts and Sciences and its departments or other  
318 administrative units.  
319
- 320 c.) Provide a forum for discussion of mutual problems and concerns  
321 relating to the administration of departments or other units within  
322 the College of Arts and Sciences.  
323

324 The Council shall convene at regular intervals to be determined by the  
325 dean at the beginning of each academic year. Any member may request  
326 the presiding officer to include an item in the agenda of a regular  
327 meeting. Special meetings of the Council may be called at the request  
328 of the Dean, the Vice Chancellor for Academic Affairs, the Chancellor,  
329 or any member of the Council.  
330

331 The Dean is the presiding officer of the Council. In addition to chairing meetings of  
332 the Council, the Dean shall be responsible for:  
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- 334 a) Establishing a meeting time for the Council and calling special  
335 meetings at the request of the Vice Chancellor for Academic Affairs,  
336 the Chancellor, or Council members.



b) Receiving agenda items for Council meetings and distributing agendas to Council members.

## **Article VII. Supra-Departmental or Inter-Departmental Units.**

Supra-Departmental or Inter-Departmental units, such as schools, divisions, and interdisciplinary programs, may be established. Channels of administrative communication shall be defined when such units are created.

## **Article VIII. Amendments.**

### **Section 1. Proposal of Amendments.**

Amendments to the Constitution or Bylaws of the College may be proposed by the Advisory Committee, or by at least twenty Faculty members who provide the amendments to the Advisory Committee. In either case, amendments must be provided to the Faculty no later than ten working days before a regular Faculty meeting or a special Faculty meeting.

### **Section 2. Approval of Amendments.**

- A. Proposed amendments to the Constitution will be circulated in writing to the Faculty by the Advisory Committee at least five working days prior to the next regular Faculty meeting or a special Faculty meeting. Voting will be by distributed ballot either at the meeting or by subsequent paper mail or electronic mail, as determined by the Oversight Committee. A simple majority approval of the Faculty voting on the question will be necessary for the resolution of the question.
- B. Proposed amendments to the Bylaws will be circulated in writing to the Faculty by the Advisory Committee at least five working days prior to the next regular or special faculty meeting. Voting will be by distributed ballot either at the meeting or by subsequent paper mail or electronic mail, as determined by the Oversight Committee. A simple majority approval of the Faculty voting on the question will be necessary for adoption.

## **Article IX. Approval of Policy**

“Policy” under this Constitution is defined as any substantive rule that governs College operations, arises under the jurisdiction of one or more of the standing committees of the College, and is not normally contained in the College Constitution or Bylaws. Any member of the College with voting privileges has the right to propose policy. In the case of the creation or change of College policy, the quorum to recommend and voting percentage to pass must be at least 50% of the College faculty.

## **Article X. Acceptance of the Constitution.**

Majority approval of the Faculty voting on the question will be necessary for acceptance of this Constitution, which will become effective upon promulgation by the Chancellor of the University of Nebraska at Kearney and the Board of Regents of the University of Nebraska.

**Bylaws**  
**UNK College of Arts and Sciences**

**Section 1. Election of faculty to standing committees.**

The Oversight Committee shall organize, conduct, and/or monitor the election processes of all Standing Committee seats as required by the Constitution and in accordance with the following Bylaws.

**A. General:** The election of Standing Committee members shall be conducted during spring semester in two steps: division faculty shall nominate representatives in the primary election, and the division faculty shall elect the representative for each division. In the primaries, the Dean or designate shall submit to the faculty members of each division a list of all eligible division faculty members for each committee. This will consist of all full-time faculty members who would be expected to serve the full term of the position (e.g., are not imminently retiring). Any faculty member that has received a nomination and whose willingness to serve has been confirmed by the Oversight Committee shall be placed on the election ballot. The elections shall be conducted in sequence: in even numbered years the Advisory Committee and Rank and Tenure Committee elections will precede, but in odd numbered years the Educational Policy Committee and Oversight Committee elections will occur first.

**B. Faculty Residency:** For purposes of distributing ballots to eligible voters, a faculty member shall be considered a member of the department in which the larger portion of that person's teaching load is assigned. Departmental membership, for the purposes of elections, shall be required of all personnel. A faculty member whose load is evenly divided between two departments or whose assignment is difficult to determine because of load fluctuations shall declare department affiliation for purposes of voting and holding office.

**C. Nomination Forms:** The Oversight Committee shall distribute Nomination Forms to eligible voters providing information regarding eligibility of nominees. The Nomination Form shall provide a space for the written consent of a nominee in order for that person to be included on an Election Ballot. E-mail or other electronic communication may be used in lieu of a written nomination form and nominee consent.

**D. Nominees:** After the results of the nomination process have been determined, the Oversight Committee shall create and distribute an Election Ballot that lists the names of all consenting nominees as candidates for open seats. Voters rank the candidates for a given office by preference on their ballots. If a candidate wins an outright majority of first-preference votes (i.e., 50 percent plus one), he or she will be declared the winner. If, on the other hand, no candidates win an outright majority of first-preference votes, the candidate with the fewest first-preference votes is eliminated. All first-preference votes for the failed candidate are eliminated, lifting the next-preference choices indicated on those ballots. A new tally is conducted to determine whether any candidate has won an outright majority of the adjusted voters. The process is repeated until a candidate wins a majority of votes cast. Elected members shall assume their duties at the beginning of the academic year and shall serve for two years.

**E. Validity of Election:** The Oversight Committee is responsible for ensuring that all elections are fair and valid. Concerns about the validity of an election should be directed to the Oversight Committee. When the validity of an election is challenged, the Oversight Committee shall decide whether the election results should stand or be invalidated.

**F. Invalid Election:** In the event the Oversight Committee determines that an election is invalid, the faculty members whose Standing Committee positions are being filled by the election will continue to serve until a new election is conducted.

**G. Corrective Election:** In the event that the Oversight Committee determines that an election is invalid, the Oversight Committee will conduct a new election as soon as possible in accordance with the constitutionally specified procedures.

## **Section 2. Standing Committee size.**

- a) The Advisory Committee shall be composed of two faculty members from each division.
- b) The Educational Policy Committee shall be composed of two faculty members from each division.
- c) The Rank and Tenure Committee shall be composed of two faculty members from each division.
- d) The Oversight Committee shall be composed of two faculty members from each division.

## **Section 3. Committee procedures.**

- 1) Each Standing Committee will have a Chair and a Secretary elected by its members.
- 2) The Standing Committee Chair will plan and run the meetings, as well as be the spokesperson and contact for the committee.
- 3) The Secretary of the Standing Committee will take the minutes and report them to the Chair of the Committee. Minutes must be made available to the membership of the college. Committees will send their meeting minutes to the dean's office for publication and archive upon approval.  
  
Committee documents from past years are made available to the current committee members via an electronic storage system.
- 4) The Standing Committees will only meet and vote on action items if a quorum exists. For the Advisory, Educational Policy, and Oversight Committees, a quorum is defined as 75% of the committee, or 6 of the 8 members. For the Rank and Tenure Committee, a quorum is 100%, or all 8 members must be present.

473  
474 5) The Chair of the Advisory, Educational Policy, and Oversight Standing Committees  
475 does not vote, unless it is to cast the deciding vote. A deciding vote is a vote which  
476 breaks or creates a tie; motions require majority votes to be enacted, and thus motions  
477 are not enacted when a tie is created.  
478

479 Draft agreed by voice affirmation at CAS Constitution meeting on November 8, 2018.

480 Compiled by Paul Twigg.

481 Suggested revisions in this draft recommended by NU General Counsel November 26, 2018.  
482

483 Modifications to the CAS Constitution compiled by the CAS Advisory Board (John Bauer,  
484 Jonathan Dettman, Ralph Hanson, Christy Kosmicki, Kristy Kounovsky-Shafer, Amy Nebesniak,  
485 Megan Strain, and David Rozema).  
486

487 CAS Faculty voted on constitution changes May 17-23, 2023. Ninety-five faculty voted, with  
488 93 votes to accept these changes.