

**College of Education
University of Nebraska At Kearney
Constitution
Preamble**

The Mission of the Faculty of the College of Education at the University of Nebraska at Kearney is preparing students for professional careers by providing quality educational and clinical experiences. In conjunction with this primary mission, the Faculty is committed to advancing knowledge through scholarship and providing professional services.

As members of a profession, educators possess both rights and responsibilities. Academic freedom and collegial participatory processes are traditional rights within universities, which serve free societies. Professional responsibilities encompass a commitment to excellence in teaching, scholarship, and public service. In order to carry out these responsibilities, the Faculty of the College of Education do hereby establish this Constitution and its Bylaws for the governance of the College of Education.

Article I: Faculty of The College of Education

Section 1 Legislative Authority

Subject to the powers vested in the University of Nebraska Board of Regents (Bylaw 2.9 1989), and subject to the provisions of sections 95-108 and 85-112 Revised Statutes of Nebraska, and other applicable law, the immediate government of each college shall be by its own faculty.

Nothing in this constitution should be construed to be in conflict with any applicable Nebraska law or with the Bylaws or Rules of the Board of Regents of the University of Nebraska, and in cases of conflict between this constitution and its accompanying Bylaws and the Bylaws of the Board of Regents, the latter shall take precedence.

Section 2 Voting Membership

The voting membership of the College of Education shall consist of faculty who are full-time, and are teaching at least a half-time workload assignment in the College of Education.

Section 3 Meetings

- a. Two regular meetings of the faculty of the College of Education shall be scheduled and held each year: one during the fall semester and one during the spring semester.
- b. Special meetings may be called in any of the following ways:
 - (1) By the Dean;
 - (2) By any Standing Committee;
 - (3) By written request of 20 percent of the Faculty.

Article II: Committees of the College of Education

Section 1 Standing Committees

There shall be three Standing Committees:

- a. The Academic Policies and Standards Committee shall act on all undergraduate academic matters as specified in, but not limited to those in the College of Education's Bylaws, and shall advise the Faculty and the Dean.
- b. The Rank and Tenure Committee shall review and make recommendations to the Dean for faculty reappointment, promotion, and tenure.
- c. The Technology Committee shall advocate, support and educate the faculty and staff in the College of Education on technology processes, investigate and implement cutting edge technology for the teaching and training of future educators, and serve as an educational resource concerning technology resources/training at the department, college and university level.

Section 2 Ad Hoc Committees

Ad hoc committees may be created by the Dean, the Associated Dean, any Standing Committee, or by majority vote of the Faculty.

Section 3 Strategic Mission Committees

Strategic mission committees may be created by the Dean, the Associate Dean, or by majority vote of the Faculty, to carry out the strategic mission role and function of the College of Education.

Article III: Office of the Dean of the College of Education

Section 1 Selection of the Dean

The selection of the Dean shall be in accordance with the University of Nebraska Board of Regents' Chapter Two, Section 2.1.

Section 2 Selection of other College of Education Administrator(s)

The Dean shall, after consultation with department chairs and the College of Education's Academic Policy and Standards Committee, recommend appointments of other College of Education Administrators to the Vice Chancellor for Academic Affairs and the Chancellor.

Article IV: Departments of the College of Education

Section 1 Selection of Department Chairs

Department Chairs shall be appointed in accordance with the University of Nebraska Board of Regents' Bylaws, Chapter Two, Section 2.10 upon recommendation of the Dean, after

appropriate consultation with the department faculty, and with concurrence by the Chancellor and the President.

Section 2 Department Meetings

Department meetings shall be held regularly.

Section 3 Department Committees

Departments shall establish committees in accordance with College of Education's Bylaws.

Article V: Structure of the College of Education

The structure of the College of Education shall be established by the University of Nebraska Board of Regents' Bylaws, Chapter Two. The Faculty or the Dean may recommend changes in the structure of the College of Education to best serve its mission.

Article VI: Amendments to the Constitution of the College of Education and its Bylaws

Section 1 Proposal of Amendments

Amendments to this Constitution and/or its Bylaws may be proposed by either of the following methods:

- (1) Upon the recommendation of the Academic Policy and Standards Committee; or
- (2) A petition from 20 percent or more voting members of the faculty.

Proposed amendments must be approved by or presented to the Academic Standards and Policy Committee at least twenty working days prior to the College Faculty Meeting where they will be proposed to the faculty. Proposed amendments shall include implementation dates.

Section 2 Approval of Amendments

Proposed amendments, which meet the criteria in Section 1, shall be circulated in writing to the faculty by the Academic Policies and Standards Committee at least ten working days prior to the meeting of the Faculty. Each amendment shall be presented by the proposers, discussed, and voted on at that meeting. The balloting will be conducted by the Academic Policies and Standards Committee and voting shall be by written ballot. The Academic Policies and Standards Committee will announce the results of the balloting prior to the conclusion of the meeting. For a proposed amendment to be adopted, a majority of the vote cast by the voting membership must affirm the amendment. Proxy ballots shall be prohibited.

In order to implement amendments:

1. The Dean shall give notice and hold a public hearing on the amendments. This notice must be provided to the President and Chancellor.

2. Once amendments are adopted, following the public hearing, they shall be submitted to the Vice President and General Counsel for review and approval.
3. Once (1) and (2) preceding are completed, the amendments shall be filed with the Corporation Secretary who will report the changes to the Board of Regents.

Ratified 04/15/01

Changes in voting membership approved by Board of Regents 06/10/05.

College of Education Bylaws

Section 1 College of Education Meetings

- a. Meetings shall be called by written notice to the Faculty, at least ten working days prior to the scheduled time. The agenda for meetings shall be distributed to all Faculty and the Dean at least five days prior to the meeting.
- b. The Dean, Associate Dean of the College of Education or the Dean's designee shall preside at meetings of the Faculty. In the absence of the Dean, Associate Dean or Dean's designee, the Faculty shall elect a president pro tempore.
- c. Special meetings of the College of Education shall be chaired by the Dean, Associate Dean or Dean's designee unless a faculty vote selects an alternate chair.
- d. Items may be placed on the agenda of regular or special meetings by:
 - (1) The Dean;
 - (2) The Associate Dean;
 - (3) A Standing Committee;
 - (4) Ten percent or more of the faculty who shall submit the item in writing to the Dean;
 - (5) By motion from the floor.
- e. Thirty-three percent of the Faculty shall constitute a quorum at any College of Education meeting.
- f. Meetings and actions taken shall be in accord with *Robert's Rules of Order*, latest revised edition, when not in conflict with the College of Education Constitution or Bylaws.
- g. Voting on motions and standing committee membership shall be supervised by the Academic Policies and Standards Committee and shall be by written ballot.
- h. Results of voting on issues that affect the entire College of Education would be distributed to all voting members, the Dean, and the Associate Dean prior to the next regular meeting of the Faculty.
- i. Minutes of the faculty meetings shall be distributed to the faculty of the College of Education no later than five working days prior to the next regularly scheduled faculty meeting.

Section 2 Standing Committee Policies and Procedures

- a. College of Education committees shall have a written statement of policies and procedures that has been approved by a majority of voting Faculty.
- b. An agenda of each meeting shall be distributed to all Faculty and the Dean at least five days prior to the committee meeting.
- c. Minutes of meetings shall be distributed to all Faculty and the Dean no later than five days after the committee meeting.
- d. *Robert's Rules of Order*, latest revised edition, shall be used by the committees except when superseded by the Regent's Bylaws or the College of Education Constitution.
- e. Special meetings may be called by the Dean, the Associate Dean, a committee chair, or two committee members. A special meeting agenda should be distributed at least five working days before the meeting.
- f. All committee elections shall be conducted during the first Faculty meeting.
- g. The Dean or the Dean's designee shall be an ex-officio member of all committees.
- h. A majority of the committee members shall constitute a quorum.
- i. If there is a discrepancy between the recommendations of a committee and the Dean, the Dean will report the discrepancy to the next higher administrator and to the recommending committee.
- j. Committee members for all committees shall be elected for a term of three years.
- k. When a vacancy occurs in the membership of a committee, the Dean of the College of Education shall appoint a replacement to fill the remainder of the academic year. The vacancy will be filled for a full term through elections for committee membership held at the first Faculty meeting of the academic year. The replacement must be selected in accordance with the committee structure.
- l. Student representatives on committees shall have voting powers.
- m. The committees shall elect a chair from among its members annually.
- n. Standing committee members shall not be eligible to serve on the other standing committee.

Section 3 Academic Policies and Standards Committee

- a. The Academic Policies and Standards Committee shall be composed of one tenure-track or tenured faculty member from each undergraduate academic department and the undergraduate professional preparation programs or their designees, and one undergraduate student selected from among those accepted into a program of the College of Education.
- b. The student committee member shall be selected annually by the faculty of the committee and shall be a voting member.

c. No department chair or administrator may serve on this committee.

d. The responsibilities of the committee are:

- (1) To review and identify policies, procedures, and programs which affect the College of Education's students and faculty, to make recommendations to the appropriate faculty, academic and administrative units, or the Dean of needed changes and/or new policies;
- (2) To formulate proposed College of Education policies for presentation to the Faculty;
- (3) Adopting, modifying, or discontinuing of any curriculum, including general studies leading to a baccalaureate degree or certificate;
- (4) To recommend to the Faculty and the Dean proposed College of Education policies concerning admission, graduation, and certification requirements;
- (5) To conduct a periodic review of the College of Education's Constitution and its Bylaws. All recommended changes will be subject to approval by the Faculty, the Chancellor, the President, and the Board of Regents;
- (6) To review all matters of undergraduate concerns.

e. The committee shall meet a minimum of once each month during the academic year.

f. The committee shall be responsible for all College of Education-wide activities requiring votes and shall certify and report results of the vote.

Section 4 Rank and Tenure Committee

a. The Rank and Tenure Committee shall consist of tenured faculty members, elected as follows:

- (1) One from each department of the College of Education holding the rank of associate professor or higher, and,
- (2) One at-large graduate Faculty member holding the rank of associate professor or higher.
- (3) One at-large undergraduate professional preparation programs Faculty member holding the rank of associate professor higher.

b. The committee shall establish its operating procedures and meeting times.

c. The Rank and Tenure Committee shall:

- (1) Create and present to the Dean and faculty criteria and policies for promotion and tenure;
- (2) Review candidate applications for and make recommendations to the Dean regarding their promotion and tenure;

- (3) Report to the Faculty applicant the committee's recommendation;
 - (4) Report to respective administrative units all action taken relating to members of the College of Education.
- d. Committee members applying for promotion must recuse themselves from all deliberations on their applications.

Section 5 Technology Committee

- a. The Technology Committee shall consist of:
- (1) One full-time faculty member from each of the following departments: Communication Disorders, Counseling & School Psychology, and Educational Administration; and two full-time faculty members from each of the larger departments: Kinesiology and Sport Sciences and Teacher Education;
 - (2) One representative from College of Education Staff, and
 - (3) One IT representative who works with the College of Education.
- b. No department chair or administrator may serve on this committee.
- c. The committee shall establish its operating procedures and meeting times.
- d. The responsibilities of the committee are:
- (1) To review and identify policies and procedures related to technology which affect the College of Education's students and faculty, and to make recommendations to the appropriate faculty, academic and administrative units, or the Dean of necessary changes and/or new policies;
 - (2) To create/review policies regarding technology in the College of Education for presentation to the Faculty;
 - (3) To recommend to the Faculty and the Dean proposed College of Education policies concerning technology;
 - (4) To plan for future technology needs of the faculty and students in the College of Education.
 - (5) To review appropriations of technology funds for items over \$500; and
 - (6) To meet a minimum of once during the academic year.

Section 6 Appointment of the Department Chairs

- a. The department in which the vacancy exists shall form a search committee, consisting of a minimum of three faculty, to advise the Dean regarding the recommended candidates. In rendering its advice, the search committee shall consider affirmative action guidelines that are current at the time of the candidate search.

- b. Terms of appointment for the department chairs shall normally be five years. Department chairs will be subject to annual reviews of their performance in their dual roles as faculty and as department chairs,

Section 7 Department Committees

- a. Departments will create standing and/or ad hoc committees as deemed appropriate.

Section 8 Definition of Working Days

“Working days,” as used throughout this Constitution and its Bylaws, are defined as being Mondays through Fridays during which the College of Education is in a Fall, Spring, or full Summer academic session, exclusive of holidays or breaks between such academic sessions. “Holidays” are defined as University recognized, non-instructional days during an academic semester.

Section 9 Resolving Conflicts

If a disagreement in meaning of words or phrases within the Constitution and its Bylaws arises, an ad hoc committee shall be established by the Dean to resolve the dispute. The ad hoc committee shall include one tenured or tenure-track faculty from each department and one from the professional programs. This committee must consist of an odd number of members, so if there exists an even number of departments, one member from the Constitution Revision Committee will be appointed to the committee. The opinions of this ad hoc committee, being consistent with Article I, Section 1, Paragraph 2 of the Constitution, will be considered *Res judicata*.

Ratified 04/15/01

Changes in voting membership approved by Board of Regents 06/10/05.

Ratified 11/08/17 and approved by the Board of Regents 03/29/18.