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**CONSTITUTION OF THE SWENSON COLLEGE OF SCIENCE AND ENGINEERING
UNIVERSITY OF MINNESOTA DULUTH**

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**CONSTITUTION OF THE SWENSON COLLEGE OF SCIENCE AND ENGINEERING
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PREAMBLE

Mission: The mission of the Swenson College of Science and Engineering (the College, hereafter) is to promote excellence in education, research, scholarship, and outreach in the disciplines of science, engineering and mathematics. Our goal is to develop student academic and professional potential and prepare them to interact with a diverse society. To achieve these goals, faculty are expected to be skilled in their respective disciplines and have access to institutional resources for professional development in education, research, scholarship, outreach, and service. Professional excellence of all members of the College should be encouraged, supported, recognized and rewarded.

ARTICLE I. Governance

The College is governed in accordance with the Board of Regents and the Constitution of the Duluth Campus Assembly while following any approved collective bargaining agreements.

ARTICLE II. The Dean

Section 1. Duties and Responsibilities to the College

The Dean will be the chief academic and executive officer of the College, with general administrative oversight and authority over college affairs. The Dean may delegate tasks and authority to a designee, such as the Associate Deans and Senior Staff of the College. The Dean will have the following duties and responsibilities:

- a) Provide leadership in formulating policies, introducing and testing educational ideas and proposals, and stimulating discussions leading to the improvement of the educational program of the College.
- b) Provide leadership in developing and expanding scholarly endeavors, especially cross disciplinary themes.
- c) Have oversight and responsibility, and exercise leadership for developing, implementing and updating a strategic plan for the College, in consultation with the faculty and staff of the College, and in concert with the strategic plan of the University.
- d) Serve as an ambassador for, and liaison between the College and the other Colleges and units of the University as well as the University administration (both UMD and U of M system).
- e) Serve as an advocate for the College and UMD to the general public and other stakeholders of the region and the state, including local, regional and state governments and agencies, for-profit and non-profit entities, and others.
- f) Have principal oversight and responsibility for fund-raising for the College, working with the Chancellor, the UMD development office and the Foundation.
- g) Administer academic and administrative affairs in accordance with the policies

- of the College, University and system, as well as pertinent Local, State and Federal policies.
- h) Organize and direct reviews of the College's programs on a published schedule in consultation with the Executive Vice Chancellor for Academic Affairs (EVCAA) and other authorities including external reviewing bodies (e.g., ABET, ACS).
 - i) Work closely and meet regularly (a minimum of three times per fall and spring semester) with Department Heads and Program Directors to coordinate College and interdepartmental activities, to keep departments and programs informed of College business and policies, and to provide guidance and oversight.
 - j) Appoint Department Heads, Program Directors and other senior leaders after receiving the advice and recommendations of the department or program. If the selection is different from the recommendation of the faculty, the Dean will present and explain his or her decision to the faculty of the department or program.
 - k) Serve as arbiter when a department or program cannot or will not perform their expected duties, or when a significant minority of department or program members request help on a department or program matter.
 - l) Maintain approved meeting minutes of the principal committees of the College as per the shared governance structure described in subsequent sections, and will make these meeting minutes available to College members.
 - m) Receive and evaluate recommendations for faculty appointments, salary adjustments, promotions, and tenure submitted by the departments. The Dean will forward his/her recommendations together with those of the department to the appropriate administrative officer. The Dean will articulate his or her standards for salary adjustments, promotions, and tenure and will ensure that departmental standards are broadly comparable and equitable across the college.
 - n) Provide final authority to make recommendations to the Chancellor on the budget of the College, after consultation with the Department Heads and Directors. The Dean will share the College budget with the members of the College.
 - o) Maintain financial oversight of the College budget and the individual department, program and unit budgets.
 - p) Inform the Department Heads and Directors of his/her recommendations, both budgetary and personnel, and reasons for them.
 - q) Unless alternative procedures are expressly provided, the Dean will oversee and administer all elections mandated by this Constitution or its by-laws.

Section 2. Selection, Appointment, Term of Office, Review

- a) The Chancellor, following an appropriate search process, will recommend to the president of the University and the Board of Regents the appointment of the Dean of the College. Regular reviews of the Dean will be undertaken by the Chancellor as per UMD and UM policies. Results of the review will be shared with the College Executive Committee and Department Heads and Program Directors.
- b) The Executive Committee will conduct a referendum of the College faculty on the status of the Dean when:

A super-majority (75%) of the executive committee (EC) votes for a review, or if 20% of the voting college faculty (as per Article III) requests the EC to conduct a referendum. A verbal or written petition must be presented to the chairperson of the EC. The names of the petitioning faculty will be kept in confidence by the chairperson of the EC. If a majority of the voting members of the College faculty cast a vote of no confidence in the Dean, the EC will request the EVCAA to initiate a review. Votes by the EC members and the voting college faculty will be anonymous.

ARTICLE III. The Faculty

Section 1. Voting Membership

For voting purposes at the College level, the faculty of the College will consist of:

- a) Those individuals who hold 75%-time for the academic year or greater regular appointments, as defined in the Regulations Concerning Faculty Tenure of the University of Minnesota (i.e. 9-month tenured or tenure-track appointments), and non-regular appointments. This includes Professors, Associate Professors, Assistant Professors and Instructors in any department or other unit of the University that is administratively within the College. Voting rights are retained while on sabbatical or any other type of allowed leave.
- b) All those who hold any of the above ranks with administrative appointments who teach in the College on a regular basis, and whose unit affiliation resides in the College;
- c) Any person with: 1) a less than 75%-time for the academic year regular or non-regular faculty appointment in the College, 2) an academic/professional appointment in the College, or 3) a regular or non-regular appointment in another major collegiate unit of the University, but who teach in the College, may petition the Executive Committee for the right to vote. At the discretion of the Executive Committee, successful petitioners may be restricted from service on certain committees or other collegiate bodies. The Executive Committee will inform the Assembly of all approved petitions.

Section 2. Rights and Responsibilities

- a) The faculty will assume all rights, privileges, responsibilities, and procedures provided by the Board of Regents Policy on Faculty Tenure as consistent with the provisions of such collective bargaining agreements as will be approved by the Regents.
- b) The faculty will participate in nominating and selecting potential candidates for department and program leadership positions, including Department Chairs, Program Directors, and Directors of Graduate Studies. The faculty will forward their recommendation to the Dean.
- c) The faculty of each department or program will make recommendations for faculty

appointments, salary adjustments, promotions, and tenure based on established protocols. The faculty will forward their recommendation to the Dean.

Section 3. Faculty Tenure

The faculty will conform to procedures for appointment, reappointment, retention, promotion, tenure, and termination provided by the Board of Regents Policy on Faculty Tenure as consistent with the provisions of such collective bargaining agreements as approved by the Regents.

ARTICLE IV. Organizational Units

Section 1. Departments and Related Research Units

The College is composed of academic departments and other related education and research units with shared faculty appointments (e.g., Large Lakes Observatory) as designated by the Board of Regents. Each department or unit will carry out programs of education, research, scholarship, outreach and service in a field or closely related fields of knowledge.

Section 2. Membership

A department or unit consists of a Department Head, Director, or Director of Graduate Studies and all College Assembly voting members attached to that department or unit carrying the rank of Professor, Associate Professor, Assistant Professor, or Instructor. Other personnel attached to the department, including but not limited to staff and students may have voting rights as determined by the Department.

Section 3. Policies and Procedures

Each department or unit will be responsible for implementing U of M, UMD, and College policies and procedures, and may also initiate additional internal policies and procedures within the department or unit so long as they do not conflict with or supersede these other policies. Each department or unit may adopt a written constitution that becomes effective upon approval by the Dean. Each department or unit will hold at least monthly faculty meetings. Agenda for such meetings will be communicated to department members in advance. Minutes will be kept at all meetings which may be examined at any time by members of the department or unit and which will be made available to the Dean upon request.

Section 4. Administration

- a) Recommendations on matters of general concern regarding department or unit budgets will be made to the Dean by the Department Head or director after consultation with members of the department or unit.
- b) Salary recommendations for individual faculty members will be made by the department or unit or consistent with the provisions of the collective bargaining

- agreement.
- c) Recommendations concerning tenure and rank for faculty members will be made to the Dean consistent with University policies governing such tenure and rank and with the provisions of the collective bargaining agreement.
 - d) The results of consultations for each individual on tenure, rank, and salary will be recorded in the recommendations made by the Dean to the executive vice Chancellor for academic administration and the Chancellor.
 - e) Appointment of Department Heads, Directors, and other senior leaders of the College (except in Aerospace Studies) will be made by the Dean in consultation with the representative faculty department or unit. Department Heads will be appointed for specified terms, typically three years but no more than four years per term, and may be eligible for reappointment.
 - f) The Department or Program may develop an internal mechanism to identify candidates for Department Heads and Directors and make a recommendation to the Dean. Normally, during the last year of a term or when a vacancy occurs in one of these positions, the department or unit will form an ad hoc committee to seek and receive nominations, evaluate candidates, and make a recommendation to the Dean.
 - g) The Dean will make recommendations for senior leadership to the Executive Vice Chancellor for Academic Affairs for approval.

ARTICLE V. College Assembly

Section 1. Definition

The College Assembly represents the voting faculty members of the College and is the principal faculty governance body of the College. They will meet at least once per semester to discuss issues, hear reports from the Dean and other senior leaders as well as the College Faculty Committees, deliberate and vote on certain changes to College structure and governance as described below. The Chair of the Faculty Executive Committee will call these meetings, develop and present the agenda, and chair the Assembly meetings.

Section 2. Powers and Responsibilities

- a) The College Assembly will exercise advisory authority over educational policies and standards, including but not limited to entrance requirements, scholastic standing, curricula, instruction, grading, degrees, degree requirements, honors, and awards.
- b) The Assembly will have power to enact by-laws for the implementation and amendment of this constitution.
- c) It will have authority to establish such committees as it deems necessary to facilitate the performance of these responsibilities, and may dissolve committees that are deemed to no longer be necessary.
- d) Normally, the Dean will be invited to provide a brief report to the Assembly at least once a semester as part of the Assembly meeting. The Dean may also request agenda items for the Assembly to discuss and deliberate on either directly or through the Faculty Committees.
- e) These powers will be exercised only within the framework of general policies

- established by the Regents and the Constitution of the University of Minnesota Duluth College Assembly, as consistent with the collective bargaining agreement.
- f) The Assembly is also advisory and may make recommendations to the Dean, EVCAA and other senior leaders on matters of interest to them.

Section 3. Membership

- a) The College Assembly consists of all voting faculty (Article III, Section 1) of the College.
- b) They may also invite other ex officio participants including staff and student representatives, and invite the Dean and other senior leaders as appropriate to the agenda.
- c) Voting will be by simple majority of those present.
- d) A quorum will consist of a minimum of 60% of voting members. If there is not a quorum, voting will be postponed or may be conducted electronically subsequent to the meeting.

Section 4. Officers of the College Assembly and their Responsibilities

- a) The officers of the Assembly consist of the Chair of the Executive Committee and the other Chairs of the Faculty standing committees.
- b) The Chair of the Executive Committee is responsible for scheduling and calling regular meetings of the Assembly, assembling the agenda, and chairing these meetings.
- c) The Chair has the authority to summon the Assembly into special session.
- d) The Chair will determine the agenda for all Assembly meetings in consultation with the Executive Committee and the Chairs of the other Faculty Committees, and will distribute the agenda to all Assembly members three days prior to the meeting.
- e) The Chair will appoint a member of the Executive Committee to be Secretary of the Assembly each year to record the minutes of Assembly meetings and post them on the College web page. A Clerk from the Dean's office will maintain paper and electronic records of Assembly meeting minutes and SCSE standing committee membership for archival purposes.
- f) The Chair may appoint another voting faculty member to serve as Chair of a scheduled Assembly meeting if he/she is unable to attend.

<h3>ARTICLE VI. Executive Committee</h3>

- a) The role of the Executive Committee is to represent the faculty interests of the College to the Dean and the Administration and to oversee the other Faculty Committees and the Faculty Assembly.
- b) The Executive Committee will consist of one member from each department and program. Faculty members on the Executive Committee will be elected or appointed to staggered three-year terms by the departments during the preceding spring semester and will be eligible for not more than two consecutive terms.
- c) A vacancy in an unexpired term of a faculty Executive Committee member will be

- filled by the appropriate department.
- d) The Executive Committee will select a chair and establish its own procedural policies, provided that such policies do not violate any provisions of this constitution or any by-laws duly enacted by the Assembly and are not in conflict with or do not supersede College, UMD or U of M policies and procedures.
 - e) The primary responsibilities of the Executive Committee are to provide representative governance for the faculty of the College, coordinate and provide oversight of the other faculty committees, provide advice and consultation to the Dean and other senior leaders regarding general faculty issues, work with the Dean and others on strategic planning and shared governance, call and manage the Faculty Assembly meetings, receive petitions and complaints of violation of the constitution and provide a mechanism for deliberation on other matters of interest to the College faculty.
 - f) The Executive Committee will be the principal body to recommend establishing and disbanding faculty committees with the vote of the Assembly. They will work with the Dean to define and communicate the functions of college committees, review the work of existing committees, and shift committee work and structure to meet the changing needs of the College. They may also establish ad hoc committees for shorter term or more focused issues.
 - g) The Executive Committee will establish rules for committee membership, select officers as deemed necessary, handle jurisdictional disputes between committees, and route new and unusual business to the proper committee.
 - h) The Executive Committee will have timely access to and review the minutes of each standing and ad hoc college committee meeting. The Executive Committee will formulate recommendations to the College Assembly when changes in the committee system are necessary.
 - i) The Executive Committee will act as the agent of the College faculty in initiating a review of the Dean of the College, according to procedures specified in Article II, Section 2. Executive Committee may also receive and act on petitions to hold a special session of the Assembly.
 - j) The Executive Committee will have authority to summon the Assembly into special session.

ARTICLE VII. Other Faculty Standing Committees

Section 1. Establishment

- a) In addition to the Executive Committee, other faculty committees will be established and maintained based on the recommendation of the Executive Committee and a vote by the College Assembly.
- b) The Dean or the Executive Committee may also establish ad hoc committees for specific issues, and these may then be established as standing committees by a vote of the College Assembly.
- c) The Chancellor, EVCAA or other University leadership may request that the College forms a faculty committee for specific issues or to mirror University-wide shared governance structures. Normally, the College representative to such committees will be chosen from among the members of the comparable College committee (e.g.,

- Curriculum).
- d) A list of approved standing committees and their membership will be appended to the Constitution each Academic Year and posted on the College Governance web page.

Section 2. Responsibilities

- a) All committees will keep a record of their agenda and minutes of their meetings and will report recommendations to the Executive Committee for action or for information.
- b) The Executive Committee will compile reports and recommendations to be brought to the Assembly for information or action.
- c) Copies of the minutes of all committees will be filed and made available electronically through the Dean's office and on the College Governance web page.
- d) All committees will submit a written report to the College Assembly at least once a year and normally will provide a brief verbal report and opportunity for discussion with the Assembly at least once a year.
- e) A summary of the committees' activities will be posted each year on the College Governance web page.
- f) Committees will submit reports and recommendations to the Executive Committee including items to bring to the Assembly, and will post an annual report to the governance web site.
- g) Committees will normally meet a minimum of monthly during the academic year and will make their schedule and agendas available to the faculty. Faculty will normally be allowed to attend any committee meeting.

Section 3. Membership

- a) Standing Committees will have one representative from each department and program, and may elect to have staff and student representation.
- b) Members will be chosen by each department and program, normally with three staggered terms, and members normally will serve a maximum of two consecutive terms.
- c) The committee will choose a Chair each year who will be responsible for organizing and calling the meeting, developing and implementing the agenda, and ensuring that minutes are accurately and timely posted to the governance web site for access by the voting faculty and others.

Section 4. Special Committees and Task Forces

Other committees or task forces will be assembled by the Dean and Associate Dean in response to the needs of the College, and may also be requested by the Chancellor, EVCAA or other University leadership. The duration and composition of these committees will be established in their charge. Such committees may also be proposed as standing committees following their initial charge, pending recommendation and approval by the Executive Committee and the Assembly.

ARTICLE VIII. Implementation, Interpretation and Amendment**Section 1. Implementation**

This Constitution will become effective immediately after its adoption by a two-thirds majority of voting members. The Executive Committee will determine an appropriate method of voting that may include secured electronic voting.

Section 2. Interpretation

Final authority for interpretation of this Constitution will reside with the Executive Committee on behalf of the College Assembly. Any member of the faculty, staff or student body may request action regarding possible violations from the Executive Committee, the College Assembly, or the Dean.

Section 3. Amendment

- a) Amendments to this constitution may be introduced by the Dean, the Executive Committee, or by a written petition to the Executive Committee that includes at least ten members of the Assembly. Any suggested amendments will appear on the Assembly agenda for discussion and revision.
- b) All amendments require a two-thirds majority of the voting faculty. The Executive Committee will determine an appropriate method of voting that may include secured electronic voting.
- c) Copies of all proposed amendments will be presented to the voting membership of the College Assembly at least two weeks before the vote is taken. Amendments will be effective upon approval by the College Assembly.

ARTICLE IX. Adoption of By-laws

By-laws to this Constitution may be enacted, amended, or repealed by a simple majority vote of all present and voting members of the College Assembly, and become effective immediately on passage unless otherwise specified in the by-laws. Any proposed new by-law or changes in existing by-laws will be endorsed by at least five voting members of the College Assembly. Copies of the proposed action will be presented to members of the College Assembly at least five days prior to the date the vote is to be taken.

**BY-LAWS OF THE SWENSON COLLEGE OF SCIENCE AND ENGINEERING
UNIVERSITY OF MINNESOTA DULUTH**

ARTICLE I. Committees

Section 1. Selection of Committee Members and the Chairperson

- a) During the spring semester, committee members will be named for the following year. At that time, the current chair of each committee specified below will call a meeting to elect a chairperson for the subsequent year.
- b) No faculty member will serve more than two consecutive terms except in the case of a replacement terms that are less than half of a regular term. Faculty are eligible to serve on a committee again after one term of non-membership. The Executive Committee will work with departments to fill vacancies that occur within the academic year.
- c) Nominations for student members for each of the following committees will be solicited by departments during the spring semester. At the first committee meeting the following fall, committee members will select student members from the list provided by departments. Students are allowed to serve a maximum of three years on any committee.

Section 2. Standing Committees

- a) Standing committees will normally be composed of one member of each department or unit. Members will be elected or appointed by each department.
- b) The list of standing committees, their charge, and their membership will be appended to the Constitution each year.

Section 3. *Ad hoc* Committees

- a) The Dean or the Executive Committee may form ad hoc committees to address college issues that need attention but that do not warrant a standing committee.
- b) The list of ad hoc committees, their charge, and their membership will be appended to the Constitution each year.