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Basic Governing Documents, Final Drafts, 1970

University of Dayton

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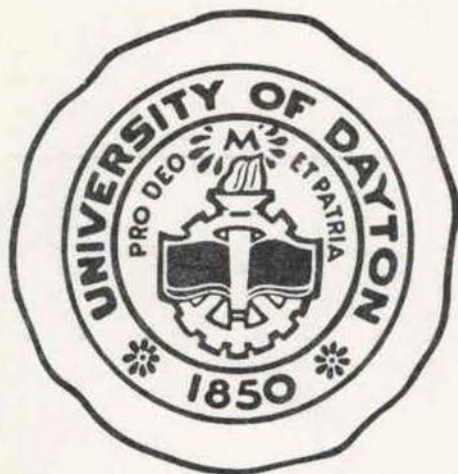
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BASIC GOVERNING DOCUMENTS
OF
UNIVERSITY OF DAYTON



FINAL DRAFT COPIES

Summer, 1970

SUBJECT TO LEGAL REVIEW

PREPARED UNDER DIRECTION OF R.A. ROESCH, S.M.
BY OFFICE OF INSTITUTIONAL STUDIES
W.J. STEINER, PH.D., DIRECTOR

IMPORTANT NOTICE

These documents, ARTICLES OF INCORPORATION, BYLAWS OF THE CORPORATION, CONSTITUTIONS OF THE UNIVERSITY OF DAYTON, and BYLAWS OF THE BOARD OF TRUSTEES, herewith in their final draft form, ARE STILL SUBJECT TO REVIEW BY LEGAL COUNSEL. However, they do represent the concept of the University of Dayton as conceived and approved by its Marianist Board of Trustees in May, 1970, and are meant as a guide for those engaged in formulating the PLAN FOR THE SEVENTIES.

These documents were authorized by the Board of Trustees in 1967 and were prepared under the direction of the President of the University of Dayton with the advice and counsel of faculty members with competence in specific areas, and reviewed in depth by the Associate Board of Lay Trustees and the legal Board of Trustees.

Amendments to the ARTICLES OF INCORPORATION (the Charter of the University) and the CONSTITUTIONS are reserved to the Members of the Corporation, in the future to be composed of the Chairman of the new Board of Trustees and those Marianists so designated by the governing board of the Province of Cincinnati, Society of Mary. It is hoped that the establishment of the new Board of Trustees, as described in these documents, will take place in September, 1970.

Since their goal is service to their clientele through the medium of a university that is both Catholic and Marianist, these Members are sincerely open to suggestions which might enhance the service which the University offers. Those receiving copies of this limited edition of the final drafts of these documents still subject to legal review are invited to send suggestions for clarification or improvement to the Office of Institutional Studies.

The copies of the STATEMENT OF PURPOSES, CONSTITUTION OF THE ACADEMIC SENATE and POSITION OF CHAIRMEN were included solely for the ready reference of those working on the Plan for the Seventies.

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ARTICLES OF INCORPORATION
of
UNIVERSITY OF DAYTON

The undersigned, a majority of whom are citizens of the United States, desiring to form a corporation, not for profit, under the General Corporation Act of Ohio, do hereby certify:

- First: The name of the corporation shall be UNIVERSITY OF DAYTON.
- Second: The place in this State where the principal office of the corporation is to be located is Dayton.
- Third: The purpose or purposes for which said corporation is formed are establishing, maintaining and conducting, under the influence of religion, an institution of learning for the purpose of offering instructions in the arts and sciences; promoting education in all departments of learning and knowledge, and especially in those branches usually comprehended in academic, collegiate and university courses; promoting the work of education, religion, research, public service and charity; acquiring and holding for such purposes money, real estate and other property necessary or proper to carry out said objects; and doing any and all things and engaging in such enterprises necessary or incident to the accomplishment of such purposes.
- Fourth: The Members of the University of Dayton Corporation shall consist of those persons so designated by the governing board of Marianists of Ohio, Incorporated, an Ohio non-profit corporation operating throughout the world in the interest of religion, education, and charity; said University of Dayton Corporation shall be governed in its administration and operation by trustees and officers chosen in a manner determined by the Bylaws of the University of Dayton Corporation; said trustees shall always be subject to election and removal under rules, usages, customs, and precedents established or promulgated from time to time by the Members of the University of Dayton Corporation.
- Fifth: The following persons shall serve said corporation as trustees until the first annual meeting or other meeting called to select trustees:
- John A. Elbert, Mount Saint John Normal School, Dayton, Ohio
Paul A. Sibbing, Mount Saint John Normal School, Dayton, Ohio
Francis X. Neubeck, Mount Saint John Normal School, Dayton, Ohio
George J. Renneker, University of Dayton, Dayton, Ohio
William Ferree, Mount Saint John Normal School, Dayton, Ohio

March 5, 1952

Amended 1970

BYLAWS OF THE CORPORATION

Preamble

The Members of the University of Dayton Corporation have drawn up these Bylaws to establish operational procedures for the implementation of the duties and obligations accepted by them in accord with the Articles of Incorporation of the University of Dayton and the applicable laws of the State of Ohio.

ARTICLE I: MEMBERSHIP

- (a) The Members of the University of Dayton Corporation shall be those members of the Society of Mary, Province of Cincinnati, designated by the governing board of Marianists of Ohio and the Chairman of the Board of Trustees as an ex officio voting member.
- (b) The total number of Members shall be not less than six nor more than nine as determined from time to time by the Members of the Corporation.
- (c) Membership shall terminate with the appointment of a successor or cessation of the qualifications for appointment.

ARTICLE II: OFFICERS

- (a) The Officers of the Corporation shall consist of a President, Vice President and Secretary elected by the Members of the Corporation at the Annual Meeting and shall hold office until their successors are elected.
- (b) They shall perform the usual duties incident to such offices.

ARTICLE III: MEETINGS

- (a) Unless otherwise ordered by the President of the Corporation the Annual Meeting of the Members of the Corporation shall be held between March 15 and April 15 of each year at such time and place as the President may from time to time determine.
- (b) Special meetings of the Members may be called by the President, or in the case of his absence, death, or disability, the Vice President or a majority of the total number of Members of the Corporation.
- (c) Written notice of all meetings shall be given to the Members not less than five days before the date of the meeting.

ARTICLE III: MEETINGS

- (d) A quorum shall consist of a majority of the total number of current Members.
- (e) Any action which might be taken at a meeting of the Members may be taken without such meeting if authorized in writing by all the current Members, provided only that evidence of such action be filed in the permanent record or minutes relating to meetings of the Members.

ARTICLE IV: POWER AND AUTHORITY OF THE MEMBERS

- (a) The Members of the Corporation shall be vested with the power and authority granted to them in the Articles of Incorporation and the applicable laws of the State of Ohio for the operation of the University of Dayton.
- (b) Of these powers the Members shall exercise directly the following:
 - (1) The election, re-election, and removal of members of the Board of Trustees of the University of Dayton;
 - (2) Approval of the Constitution of the University of Dayton, the Bylaws of the Corporation, amendments to the Articles of Incorporation, said Constitution and Bylaws of the Corporation;
 - (3) The merger or consolidation of the Corporation with another corporation;
 - (4) The sale or alienation of all or a substantial portion of the assets of the Corporation;
 - (5) Partial or total dissolution of the Corporation.
- (c) The Members shall delegate authority for the governance of the University to a Board of Trustees constituted in accord with the provisions of the Constitution of the University.
- (d) They shall determine the number and manner of selection of said Trustees.
- (e) At each Annual Meeting the Members of the Corporation shall make appointments to fill vacancies on the Board of Trustees from a list of nominees and alternates submitted by the Board.
- (f) Notification of the appointments shall be given in writing by the President of the Corporation to the Chairman of the Board at least two weeks prior to the Annual Meeting of the Board of Trustees.

ARTICLE V: DISSOLUTION OF THE CORPORATION

- (a) In case of dissolution of this Corporation, all properties, real or personal, of this Corporation shall revert to Marianists of Ohio, Incorporated, its successors and assigns, either to be used for the use and benefit of said Marianists of Ohio, In-

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ARTICLE V: DISSOLUTION OF THE CORPORATION

corporated, according to its equity, or to be assigned to a non-profit corporation operating within the purposes of the present Corporation.

ARTICLE VI: AMENDMENTS

- (a) These Bylaws may be amended or repealed at any regular or special meeting by a two-thirds vote of the total number of Members of the Corporation, provided that such proposed amendment has been given to the Members at least five days prior to the meeting.
- (b) Notice of all proposed amendments and action thereon shall also be communicated to the Board of Trustees of the University.

Approved _____ 1970

CONSTITUTION
OF THE
UNIVERSITY OF DAYTON

Preamble

In recognition of the increasing educational responsibilities of the University of Dayton in today's changing society and, in particular, the changing role of the University as it relates to its various constituencies, the successors of the founding Board of Trustees have resolved to constitute themselves into a body known as the Members of the Corporation, retaining for themselves the right to make final determination over those matters related to the private character of the University. The Members of the Corporation, desiring to provide a more representative governing body for the institution, have further resolved to re-constitute the Board of Trustees into a body drawn from the various publics served by the University. To this body the Members of the Corporation delegate full governing authority over the University.

This Constitution has been formulated and approved by the Members of the Corporation as the basic governing document for the University of Dayton.

ARTICLE I: NAME AND NATURE OF THE INSTITUTION

Section 1: Name

- (a) The name by which this institution shall be known is the UNIVERSITY OF DAYTON.¹

¹ The basic legal documents of the University and the Society of Mary include the following:

- | | |
|---------------------------|---|
| <u>August 17, 1863</u> | - Act of Association for the "Society of Mary" recorded in the Land Records of Montgomery County and the State of Ohio |
| <u>August 19, 1879</u> | - Certificates of Incorporation for the Society of the Brothers of Mary filed with the Recorder of Montgomery County, Ohio |
| <u>April 12, 1882</u> | - Authorization for St. Marys Institute to confer degrees and honors filed in Montgomery County, Ohio |
| <u>February 5, 1886</u> | - The name of the Society and the Corporation was changed from Society of the Brothers of Mary to Society of Mary in a petition filed with the Court of Common Pleas of Montgomery County, Ohio |
| <u>July 19, 1914</u> | - Articles of Incorporation issued for St. Mary College, Society of Mary, Province of Cincinnati |
| <u>July 7, 1920</u> | - Amendment to Articles of Incorporation changing the name from St. Mary College, Society of Mary, Province of Cincinnati to University of Dayton, Society of Mary, Province of Cincinnati |
| <u>November 9, 1936</u> | - Certificate of authorization from Secretary of State of Ohio to confer Master of Arts degree |
| <u>June 19, 1946</u> | - Amendment to Articles of Incorporation changing the name of the Corporation from University of Dayton, Society of Mary, Province of Cincinnati to Marianists of Ohio, Incorporated |
| <u>March 5, 1952</u> | - Articles of Incorporation issued for University of Dayton as a corporation distinct from Marianists of Ohio, Incorporated |
| <u>September 13, 1968</u> | - Certificate of Authorization from Ohio Board of Regents to confer Baccalaureate and Master's degrees |

Section 2: Nature of the University

- (a) The University of Dayton is a church-related institution of higher learning conducted in the living traditions of the Society of Mary (Marianists), a Catholic teaching order.
- (b) As a University, its fundamental commitment is to the discovery, dissemination and application of truth.

ARTICLE I - Section 2: Nature of the University

- (c) As a private institution in a pluralistic society the University has chosen as its option the Christian world-view as a distinctive orientation and insists only that human problems be first approached from that philosophical position.
- (d) As a Catholic University, it accepts the validity of revealed as well as of reasoned truth and is committed to genuine and responsible academic freedom supported by proper respect for the Church's Magisterium.
- (e) The living Marianist tradition further dictates the University's emphasis on those values which culminate in the highest development of the human person.
- (f) By reason of Man's essential nature, this commitment involves a recognition of the need to promote individual fulfillment through self-transcending service.
- (g) Fidelity to the ideal, as thus defined, in the discharge of all essential functions and in initiating and conducting special activities to meet the changing needs of society, constitutes the first principle of the organization and operation of the University of Dayton.

ARTICLE II: PURPOSES OF THE CONSTITUTION

Section 1: Primary Purposes

- (a) This Constitution has been prepared to implement the Articles of Incorporation of the University of Dayton, dated March 5, 1952, as amended.
- (b) It shall be considered the major governing document of the University subsidiary only to the aforesaid Articles of Incorporation.
- (c) The primary purpose of the Constitution is to promote the scholarly progress of the institution and to ensure order and economy in the administration of all the affairs of the University.
- (d) Toward this end the document contains only general statements of authority and responsibility in the expectation that each person charged with the administration of a designated area should determine the specific methods and procedures by which his unit can best promote and support the purposes of the University.
- (e) Rules and regulations subsidiary to this Constitution, but not in conflict with its principles shall be defined in bylaws, manuals, codes, or similar documents which must be approved as indicated in this Constitution.

Section 2: Secondary Purpose

- (a) As a secondary purpose this Constitution describes the administrative structure of the University and is intended to provide flexibility for future reorganization and development in response to changing social conditions or a change of direction in meeting the goals and purposes of the University.

ARTICLE II - Section 2: Secondary Purpose

- (b) Final determination in such matters shall reside in the Board of Trustees as determined in Article V of this Constitution.

ARTICLE III: THE UNIVERSITY OF DAYTON COMMUNITY

Section 1: University of Dayton Community

- (a) The University of Dayton Community, in addition to the Members of the Corporation, consists of the following six groups: Trustees, administration, alumni, faculty and other instructional staff, students, and supporting staffs.
- (b) Each element of the University Community shall have distinct rights, privileges, responsibilities, and duties as recognized by the Board of Trustees; each element shall have a mutual dependence on all the other elements of the University necessitating a high degree of cooperation and understanding for the achievement of the goals and objectives of the entire University Community.

Section 2: Members of the Corporation

- (a) The Members of the Corporation of the University of Dayton shall consist of those persons so designated by the governing board of Marianists of Ohio, Incorporated, and ex officio the Chairman of the Board of Trustees.
- (b) They shall delegate full authority for the governance of the University to the Board of Trustees in accord with Article V, Section 6 of this Constitution.
- (c) The Members shall retain only that authority necessary to preserve the private character and the traditions of the University as specifically stated in Article IV, Section 2.
- (d) They shall adopt and amend Bylaws of the University of Dayton Corporation by vote of the Members.

Section 3: Trustees

- (a) The Trustees of the University of Dayton shall consist of those persons elected and re-elected Trustees of the University by the Members of the Corporation.
- (b) They shall exercise the rights, privileges, responsibilities, and duties delegated to them by the Members of the Corporation for the governance of the University as required by the Articles of Incorporation of the University of Dayton and the provisions of the Ohio Non-Profit Corporation Law.
- (c) The number of Trustees and the manner of their selection shall be determined by the Members of the Corporation.
- (d) The operational procedures of the Board of Trustees shall be defined in Bylaws formulated by the Board of Trustees.

ARTICLE III: THE UNIVERSITY OF DAYTON COMMUNITY

Section 4: Administration

- (a) The Administration of the University shall consist of all persons responsible for the management of major University functions as designated by the President of the University.
- (b) The rights, privileges, responsibilities, and duties of members of the Administration shall be defined in appropriate documents prepared by authorized representatives of the Administration.

Section 5: Alumni

- (a) The Alumni of the University of Dayton shall consist of all persons who have been awarded academic degrees, diplomas, or honorary degrees, or who were matriculated students in good standing at date of last attendance and whose rights, privileges and obligations shall be defined in an appropriate document prepared by the University of Dayton Alumni Association.

Section 6: Faculty and Other Instructional Staff

- (a) Faculty of the University shall consist of all persons whose activities directly affect the educational function of the institution, who are employed with full-time status and who have been granted academic or administrative rank.
- (b) The Faculty of each College, School, or similar academic unit shall consist of those members of the Faculty of the University who are primarily associated with a particular College, School, or similar academic unit.
- (c) All persons holding academic rank or other academic title, as approved by the Board of Trustees, and engaged directly or indirectly in the instructional activities of the University, either full-time or part-time, shall constitute the instructional staff of the University.
- (d) The rights, privileges, responsibilities and duties of the instructional staff shall be defined in appropriate documents prepared by the Faculty or their representative body.

Section 7: Students

- (a) Students of the University shall include all persons pursuing programs of study leading to an academic degree, or officially enrolled in courses or programs of study sponsored by the University and whose rights, privileges, responsibilities, and duties shall be defined in a student code or similar document developed in consultation with representative student and faculty groups and the appropriate administrative authorities.

ARTICLE III: THE UNIVERSITY OF DAYTON COMMUNITY

Section 8: Supporting Staffs

- (a) The supporting staffs of the University, as distinct from those enumerated in Sections 4 and 6 of this Article, shall consist of all persons employed by the University in any capacity.
- (b) The Board of Trustees, through the President of the University and for the purpose of determining the rights, privileges, responsibilities, and duties of one or more individual groups of employees as distinguished by function, may recognize them as separate staffs.

ARTICLE IV: MEMBERS OF THE CORPORATION

Section 1: Membership

- (a) The Members of the University of Dayton Corporation shall consist of those persons designated according to the Bylaws of the Corporation which shall also specify the number, manner of fixing or changing the number, qualifications, terms of office, and termination of service of Members.

Section 2: Power and Authority

- (a) In order to insure the continuation of the University of Dayton as a private institution with its own unique character and traditions the Members of the Corporation shall retain exclusive control over the following matters:
 - (1) the election, re-election, and removal of members of the Board of Trustees of the University of Dayton;
 - (2) approval of this Constitution and of the Bylaws of the Corporation;
 - (3) approval of amendments to the Articles of Incorporation, this Constitution, and the Bylaws of the Corporation;
 - (4) the merger or consolidation of the corporation with another corporation;
 - (5) the sale or alienation of all or a substantial portion of the assets of the corporation;
 - (6) partial or total dissolution of the corporation.

Section 3: Delegation of Authority

- (a) The Members of the Corporation hereby delegate to the Board of Trustees all authority for the governance of the University granted to said Members in the Articles of Incorporation of the University of Dayton and the provisions of Ohio Non-Profit Corporation Law, subject only to the limitations stated in Article IV, Section 2 of this Constitution.

ARTICLE IV: MEMBERS OF THE CORPORATION

Section 4: Bylaws of the Corporation

- (a) The Members of the Corporation shall adopt and amend Bylaws of the Corporation by a majority vote of the Members, provided a quorum is present and voting.
- (b) The Bylaws shall include provisions common to regulations of this type, but not in conflict with the Articles of Incorporation or this Constitution.
- (c) The President of the Corporation shall notify the Board of Trustees of amendments or other changes in the Bylaws of the Corporation or the Constitution.

ARTICLE V: BOARD OF TRUSTEES

Section 1: Membership

- (a) Members of the Board of Trustees, except ex officio members, shall be chosen by Members of the Corporation in a manner determined by the Bylaws of the Corporation, except that in the first instance the members of the Associate Board of Lay Trustees may be appointed to the Board of Trustees for one, two, or three-year terms as determined by age, the oldest receiving the longest terms.
- (b) The Members of the Corporation shall elect additional Trustees, to attain the desired total in each class, who may be appointed to one, two, or three year terms until the regular order can be established.
- (c) The Bylaws of the Board of Trustees shall determine the method by which nominations to fill vacancies shall be made to the Members of the Corporation.

Section 2: Number

- (a) The total number of Trustees shall be not less than fifteen nor more than thirty, as determined from time to time by the Members of the Corporation.

Section 3: Ex Officio Trustees

- (a) The President of the University shall be the only ex officio voting member of the Board of Trustees.
- (b) The Board may designate other Officers of the University as ex officio non-voting members.
- (c) Ex officio Trustees shall not be considered for quorum purposes.

Section 4: Classes of Trustees

- (a) Trustees shall be classified into the following classes for purposes of representation:

ARTICLE V - Section 4: Classes of Trustees

- (1) the Society of Mary
 - (2) the Alumni of the University
 - (3) the Greater Dayton community
 - (4) Trustees-at-large
- (b) At least 20% of the total membership, excluding ex officio members, shall represent each of the first three classes.
- (c) No member may represent more than one class at a time.
- (d) If any Member of the Board of Trustees ceases to have the qualifications for membership on the Board his term of office as such Trustee shall terminate.

Section 5: Term of Office

- (a) The regular term of office for all Trustees, except ex officio Trustees, shall be three years.
- (b) The term of office of an equal number of Trustees, as near as possible, shall expire each year.
- (c) Vacancies which occur in any class of Trustees in any manner except the expiration of time shall be filled only for the remainder of the term or until a successor is qualified and assumes office.
- (d) Vacancies which occur in any manner may be filled by the Board of Trustees by action taken at any regular meeting of the Board in case the Members of the Corporation fail to fill the vacancy within 90 days following receipt of notification of the vacancy.
- (e) A Trustee who has served three consecutive three-year terms shall not be eligible for re-election until the lapse of one full year since the expiration of his last term.
- (f) No person, after the initial appointments, shall be eligible for election or re-election to the Board after attaining the age of seventy years.

Section 6: Authority of the Board of Trustees

- (a) The Members of the Corporation hereby delegate to the Board of Trustees all authority for the governance of the University vested in them by the provisions of the Articles of Incorporation and Ohio Non-Profit Corporation Law.
- (b) As the governing body of the University the primary function of the Board of Trustees is to evolve and evaluate the basic objectives and broad policies of the institution.
- (c) The powers and duties of the Board of Trustees shall include, but not be limited to, the following:
- (1) to maintain the Trust vested in the Board by the Members of the Corporation,

ARTICLE V - Section 6: Authority of the Board of Trustees

the Articles of Incorporation, and this Constitution;

- (2) to promote the purposes of the University in accord with changing social needs and determine whether proposed changes in programs or the addition of new programs enhance or retard the basic purposes of the University;
 - (3) to stimulate and approve plans for the development of all operations of the University for the promotion of its basic purposes and to insist on a periodic review of such plans in order to maintain a proper balance between competing constituencies;
 - (4) to select and evaluate the President and determine his tenure in office;
 - (5) to approve the appointment of all other executive officers on the recommendation of the President;
 - (6) to administer the assets of the University, ensure the most judicious use of them, approve the budget, and be responsible for the financial support of the University;
 - (7) to approve promotion and tenure of faculty members upon the recommendation of the President;
 - (8) to bind the University of Dayton through contracts in matters not reserved to the Members of the Corporation;
 - (9) to relate the University to the local community and provide a responsiveness to the clientele being served;
 - (10) to grant and confer academic degrees upon those who, in the judgment of the Faculty, merit such distinction;
 - (11) to act as a court of last resort.
- (d) As the ultimate policy-making body of the University the Board shall delegate executive authority to the President and delegate to the Faculty the right to formulate policies which affect the academic progress of the University.

Section 7: Bylaws of the Board of Trustees

- (a) The Board of Trustees shall adopt a set of Bylaws for their own procedural operation by a majority vote of the total number of members of the Board.
- (b) At each Annual Meeting of the Board the Bylaws shall be affirmed or amended by vote of the Board members present.
- (c) The Bylaws shall include provisions common to regulations of this type, but not inconsistent with this Constitution, the Articles of Incorporation, or the Bylaws of the Corporation.

ARTICLE V: BOARD OF TRUSTEES

Section 8: Officers of the Board of Trustees

- (a) The Officers of the Board of Trustees shall be a Chairman, Vice Chairman, and Secretary.
- (b) The Bylaws of the Board of Trustees shall determine the manner of election, terms of office, and duties to be performed by the Officers of the Board.

Section 9: Committees of the Board of Trustees

- (a) There shall be an Executive Committee of the Board of Trustees to consist of the Chairman of the Board, the President of the University, and not less than four nor more than seven other members of the Board elected by majority vote at the Annual Meeting of the Board of Trustees.
- (b) The Chairman of the Board shall serve as Chairman of the Executive Committee.
- (c) Between meetings of the Board of Trustees, the Executive Committee shall exercise all the powers of the Board, except that it shall not have power to grant degrees, elect or remove the President, authorize any changes in the Bylaws of the Board of Trustees or make a determination on matters on which these Bylaws specifically require a vote by the Board of Trustees.
- (d) Minutes of Executive Committee meetings shall be mailed to each member of the Board of Trustees and the President of the Corporation.
- (e) At each meeting of the Board of Trustees, the proceedings and actions of the Executive Committee since the last Board meeting shall be reported to the Board and shall be subject to its review.
- (f) Other standing and ad hoc committees of the Board of Trustees, in addition to the Executive Committee, may be established as determined from time to time by the Board of Trustees.
- (g) The duties and functions of such committees shall be defined and determined by the Board of Trustees.

ARTICLE VI: EXECUTIVE OFFICERS OF THE UNIVERSITY

Section 1: Titles and Appointment

- (a) The Executive Officers of the University shall be a President and those officials with the title of Vice President and other titles usually associated with major administrative positions in a university and as approved by the Board of Trustees on the recommendation of the President.
- (b) The Board of Trustees shall choose the President of the University, who must be a member of the Society of Mary, in a manner prescribed by this Constitution and

ARTICLE VI - Section 1: Titles and Appointment

- (b) the Bylaws of the Board, and approve the appointment of all other Executive Officers of the University upon the recommendation of the President.
- (c) It shall be the duty of the President to develop appropriate procedures for the selection of Executive Officers of the University in consultation with other elements of the University Community.
- (d) The terms of office for all Executive Officers of the University shall be at the pleasure of the Board of Trustees.

Section 2: The President of the University

- (a) The President of the University shall be the chief executive and administrative officer of the University and, as such, he shall be responsible for the implementation of the policy decisions of the Board of Trustees.
- (b) He shall be directly responsible to the Board of Trustees for the administration of the University, and shall have the authority to do all things necessary and proper to promote the general welfare of the University.
- (c) He shall be an ex officio voting member of the Board of Trustees and a member of the Executive Committee of the Board.
- (d) He shall direct all the affairs of the University, maintain communications between Trustees, Faculty and other groups of the University Community, recommend to the Trustees nominations for University appointments and make such appointments (unless the power to do so is limited or withdrawn by the Trustees), be a member of all faculties, and at all times keep himself informed of and in close contact with the state, interest and needs of the University, exercise a general superintendence of all University concerns and take such action as shall contribute to the quality of teaching and the advancement of knowledge.
- (e) He may delegate any of his executive and administrative authority to other University officials, subject only to restrictions in this Constitution or as established by the Board of Trustees.
- (f) His duties shall include, but not be limited to, the following:
 - (1) to administer the affairs of the University as its chief executive by implementing the policies and regulations approved by the Board of Trustees and in accord with the stated purposes of the University;
 - (2) to act as the official medium of communication for the University community and promote amity and unity among all;
 - (3) to establish such committees, councils, boards, and similar bodies and appoint such officials and personnel as he may deem necessary to promote or conduct any general or special function or purpose of any University activity or need;

ARTICLE VI - Section 2: The President of the University

- (4) to promote the general welfare and the academic well-being of the University by supervising the officials of the University, all its departments, and the student body;
- (5) to represent the institution to the general public;
- (6) to make an annual report to the Trustees on the general condition of the University.

Section 3: The Vice Presidents and Other Executive Officers

- (a) The Vice Presidents and any other persons designated as Executive Officers of the University, under the direct supervision of the President, shall be in charge of major organizational units of University operations including academic and faculty affairs, student affairs, business affairs, developmental affairs, institutional planning and research, service agencies, and other unit organizations which may be established from time to time with the approval of the Board of Trustees.
- (b) Each Vice President or other Executive Officer of the University shall be responsible to the President for the administration of a designated organizational unit and shall be considered in a line relationship to the President.
- (c) Within the framework of the policies and procedures established by the Board of Trustees each Vice President and other Executive Officer of the University shall develop the necessary bylaws, operational manuals or guidelines for the operation of his organizational unit, including appropriate job descriptions.
- (d) Such bylaws, operational manuals or guidelines must be submitted to the President for approval and, when so determined by him, to the Board of Trustees.

Section 4: Advisory Councils and Committees

- (a) The President and other Executive Officers of the University shall establish appropriate advisory councils and committees to assist them in the operation of their organizational units.
- (b) Bylaws for the procedural operation of each council or committee shall be prepared and submitted to the President for approval and, when so determined by him, to the Board of Trustees.

ARTICLE VII: THE UNIVERSITY FACULTY

Section 1: Definition

- (a) The University Faculty shall consist of the following elements:
 - (1) the Executive Officers of the University;

ARTICLE VII - Section 1: Definition

- (2) all members of the Instructional Staff, under full-time Faculty contract to the University, who have been appointed by the University of Dayton to the ranks of Professor, Associate Professor, Assistant Professor, or Instructor. Additional members of the instructional and administrative staff of the University may be designated as members of the University Faculty by the assignment of Administrative Rank.

Section 2: Authority and Responsibility of the University Faculty

- (a) The Board of Trustees shall delegate to the University Faculty the right to initiate and formulate the educational and academic policies of the University in areas of its competence.
- (b) The University Faculty may delegate any or all of its authority and responsibility to an elected body representative of the Faculty as a whole, provided only that the authority of such an organization shall be defined in an appropriate document adopted by a vote of the Faculty and approved by the President of the University and the Board of Trustees.
- (c) Decisions and recommendations of the University Faculty or its representative body shall be submitted to the President for his approval and, when so determined by him, to the Board of Trustees for review and final approval.

Section 3: Faculties of the Academic Units

- (a) All authority in academic matters not exercised by the University Faculty or its representative body shall reside with the Faculty of each College, School, or similar academic unit.
- (b) It shall be the responsibility of the Dean or administrative head of each academic unit to establish an appropriate means for faculty participation in decision-making processes at each level where faculty responsibility resides.

Section 4: Meetings of the University Faculty

- (a) There shall be a regular meeting of the University Faculty at the beginning and end of each academic year.
- (b) The general purpose of regular meetings shall be in the nature of a report to the Faculty on the State of the University.
- (c) The regular meetings shall be called by the chief academic officer who shall determine the agenda after consultation with the President and other Officers of the University.
- (d) Special meetings of the University Faculty shall be held as determined by the chief academic officer or upon the call of the Faculty representative body.

ARTICLE VII - Section 4: Meetings of the University Faculty

- (e) Notice of regular and special meetings, including the agenda, shall be sent to the Faculty at least five days prior to the date of the meeting.
- (f) The agenda for special meetings shall be prepared by the chief academic officer or the Faculty representative body, whichever called the meeting.
- (g) The chief academic officer shall be the presiding officer for all meetings of the University Faculty, except that in his absence the President of the University shall appoint the presiding officer.

Section 5: Academic Freedom and Tenure

- (a) The University of Dayton shall subscribe to policies of academic freedom and tenure generally accepted in comparable educational institutions, provided only that such policies shall not conflict with the purposes stated in the Articles of Incorporation, as amended, and the objectives for which this institution was originally established.
- (b) Tenure shall be granted only by the Board of Trustees upon the recommendation of the President.
- (c) It shall be the duty of the President of the University to determine the manner in which an appropriate document or documents shall be evolved for the accurate formulation of the policies of academic freedom and tenure befitting the purposes of the University, including the requirements of academic due process.
- (d) Such document or documents shall be subject to approval of the Board of Trustees.

ARTICLE VIII: ACADEMIC ELEMENTS OF THE UNIVERSITY

Section 1: Description of Major Academic Units

- (a) The major academic units of the University shall consist of the College, Schools, and similar academic units in existence at the time of the effective date of this Constitution.
- (b) Such academic units may be retained, altered, or abolished and additional units may be established by the Board of Trustees upon recommendation of the President of the University.

Section 2: The Academic Deans

- (a) The administrative head and educational leader of each major academic unit shall be a dean, except that on the recommendation of the President and the approval of the Board of Trustees, the heads of certain units may be designated by another title and may be made responsible to a specified academic dean or similar administrative officer.

ARTICLE VIII - Section 2: The Academic Deans

- (b) Each dean or head of a major academic unit shall be appointed by the Board, at its pleasure, upon the recommendation of the President.
- (c) He shall, in consultation with members of his faculty, formulate an appropriate document intended to provide a general framework for the operation and advancement of his academic unit, including a description of his duties and responsibilities and provision for the selection of a representative academic affairs committee which shall conduct its business in accord with regulations contained in said document.
- (d) This document and any subsequent amendments thereto, shall be approved by the next higher authority, in this case the chief academic officer.
- (e) The chief academic officer shall be responsible for determining that such document and subsequent amendments thereto are not in conflict with University rules and regulations to which they are subsidiary.

Section 3: Instructional Units

- (a) The instructional unit of a College, School or similar academic unit, shall be a department or other subdivision assigned an instructional role.
- (b) It shall consist of an administrator, usually a chairman, and the instructional staff of the unit.
- (c) The administrator of each instructional unit shall be chosen in accord with policy developed by the chief academic officer and the President.
- (d) Each such administrator shall be held responsible to his dean or similar officer for the qualitative advancement of the instructional and research programs of the instructional unit within the limits of properly sanctioned administrative guidelines.
- (e) The administrative affairs of each instructional unit shall be conducted in accord with procedures defined in an appropriate document which shall include a description of the duties and responsibilities of the administrator of the instructional unit.
- (f) The primary responsibility for the preparation of such documents shall reside in the academic dean or similar officer whose approval shall also be necessary for any subsequent amendments to said documents.
- (g) The dean shall accept the responsibility for determining that such documents and amendments thereto are not in conflict with University rules and regulations to which they are subsidiary.

ARTICLE IX: UNIVERSITY STUDENTS

Section 1: Purpose of this Article

- (a) The purpose of this article is to establish the particular status of students as an

ARTICLE IX - Section 1: Purpose of this Article

- (a) essential element of the University Community and their general status as citizens of society as a whole.
- (b) Certain freedoms and obligations are directly related to each of these two roles associated with all members of the student body.

Section 2: Students as Members of the Academic Community

- (a) In admitting qualified students, the University accepts the responsibility for providing an appropriate atmosphere in which its students shall have the freedom to learn and its faculty the freedom to teach.
- (b) By accepting admission to the University of Dayton, students have an obligation to contribute in a constructive way to their freedom to learn and the faculty's freedom to teach.
- (c) Fulfilling this obligation requires that students respect the rights of their fellow students, the faculty and the other elements of the University community and conduct themselves in a manner which promotes the academic progress of the institution.
- (d) Any infringement of the rights of others or interference in the performance of their duties shall be a violation of University regulations and subject to appropriate disciplinary measures as determined by University procedures.
- (e) Matters of campus life not directly related to academic policy, including student conduct and student organizations, shall be governed by rules and regulations formulated in accord with the provisions contained in the student code or similar document referred to in Article III, Section 7 of this Constitution.
- (f) The chief student affairs officer shall be responsible to the President for the formulation of said code or similar document, and for the explication and dissemination, in a student handbook or similar publication, of rules and regulations for standards of behavior consistent with the principles enunciated in said document and the aims and educational philosophy of the University.

Section 3: The Student as a Citizen

- (a) With due regard to freely accepted limitations as members of the academic community, students of the University of Dayton retain the rights, protections, and guarantees of fair treatment which are accorded to all citizens.
- (b) The enforcement of the student's duties as a citizen of society as a whole is the responsibility of the legal and judicial authorities established for that purpose.
- (c) It shall be the intent of the University to encourage extensive involvement of students in the determination of rules and regulations governing their own conduct as citizens of society as a whole while enrolled at the University of Dayton.

ARTICLE IX - Section 3: The Student as a Citizen

- (d) Such rules and regulations shall not conflict with the purposes of the University or other rules and regulations to which they are considered subsidiary.

Section 4: The Student Body and Admission of Students

- (a) The student body of the University of Dayton shall consist of all undergraduate and graduate students who have been formally admitted to the University and registered for courses on a full or part-time basis in a College, School, or similar academic unit.
- (b) Standards for admission of students shall be determined by the faculty of each College, School or similar academic unit and shall be based on the characteristics and expected achievements of students considered to be relevant to success in a given program with due regard for the purposes of the University and its role as a private church-related institution of higher learning.
- (c) Within the limits of its facilities and services, the University shall be open to all students who meet the qualifications for admission.
- (d) The administration of the admission policies of the University shall be the responsibility of the chief academic officer of the University.

Section 5: Programs of Study

- (a) The development and implementation of programs of study leading to degrees or diplomas is the prerogative of the Faculty of each College, School or similar academic unit as approved by the Board of Trustees.
- (b) Courses, programs of study, and requirements for degrees shall be outlined in bulletins and catalogs of the University.
- (c) Students shall have the right, through established channels of communication, to propose changes in courses, programs of study, and requirements for degrees, and to develop new courses and programs of study for the consideration of the appropriate academic body.
- (d) The procedures to be followed for the implementation of this right may include appropriate membership on the University's academic councils and committees and shall be defined in written guidelines developed by the chief administrative officer of each academic or instructional unit in consultation with faculty and students.
- (e) These guidelines shall not conflict with other University policies regarding the procedures to be followed in obtaining approval for new courses or programs of study, and changes in courses or programs of study.

ARTICLE X: GENERAL REGULATIONS

Section 1: Rules and Regulations

- (a) Rules, regulations, and contracts not specifically modified or repealed by this Constitution shall remain in effect.
- (b) Rules and regulations of a general nature governing University matters not specified in this Constitution may be enacted by the Board of Trustees after consultation with the appropriate elements of the University of Dayton Community or their representative organizations.

ARTICLE XI: HONORARY TRUSTEES

Section 1: Appointment and Rights

- (a) Any former Trustee or any person who has contributed significant service to the University of Dayton, may be appointed an Honorary Trustee upon nomination by the Board of Trustees, and approval by a majority vote of the Members of the Corporation.
- (b) Honorary Trustees shall have the right to attend all meetings of the Board and participate in discussion, but shall not have the right to vote or make motions.
- (c) They shall not be counted in determining a quorum for the Board.
- (d) They may be appointed to membership on committees with all the rights of committee members.

ARTICLE XII: SEAL OF THE UNIVERSITY

Section 1: Form and Use

- (a) The Seal of the University shall be in the form indicated below and shall be used for the authentication of deeds, contracts and other legal instruments in the formal conduct of the corporate business of the University.
- (b) It shall also be attached to diplomas and similar instruments requiring authentication in the conduct of the academic affairs of the University.



ARTICLE XIII: AMENDMENTS AND REVISION

Section 1: Method of Amendment

- (a) This Constitution may be amended only by the Members of the Corporation at a regular or special meeting of said Members by a vote of two-thirds of all members present, providing that a quorum shall be present and voting and that such amendment has been submitted in writing by the Secretary to each Member of the Corporation at least five days before the meeting.

Section 2: Amendments Proposed by Board of Trustees

- (a) The Board of Trustees of the University of Dayton may consider proposals for amendments to this Constitution at any regular or special meeting of the Board.
- (b) Only those proposed amendments approved by a two-thirds vote of all members present and voting, shall be presented by the Secretary of the Board to the President of the Corporation for the consideration of that body.

Section 3: Revision

- (a) After five years following the original adoption of this Constitution, the Members of the Corporation shall vote on a resolution to form a committee to review the need for a revision of this Constitution.
- (b) It shall be the duty of the Secretary of the Corporation to place such resolution on the agenda for one of the meetings in the fifth year.
- (c) The committee, if formed, shall have representation from the Board of Trustees as well as the Members of the Corporation, and shall submit its report to the Members of the Corporation.

ARTICLE XIV: IMPLEMENTATION

Section 1: Effective Date

- (a) This Constitution shall become effective as the basic legal document for the governance of the University when approved by a two-thirds vote of the Members of the Corporation.
- (b) The effective date of the Constitution shall be said date of approval.

BYLAWS OF THE BOARD OF TRUSTEES
UNIVERSITY OF DAYTON

Preamble

The Board of Trustees of the University of Dayton has been established by the Members of the University of Dayton Corporation under the provisions of the Articles of Incorporation of the University of Dayton and the Ohio Statutes for Non-Profit Corporations to exercise final control over all matters pertaining to the governance of the University except where such authority has been specifically reserved to the Members of the Corporation in the Articles of Incorporation and the Constitution of the University of Dayton. These By-laws, when adopted by the Board of Trustees, shall determine the operational procedures for the Board within the limits prescribed by said Articles of Incorporation and Constitution.

ARTICLE I: MEMBERSHIP AND ELECTION

- (a) The membership of the Board of Trustees and election thereto shall be determined according to the provisions of Article V of the Constitution of the University of Dayton and the Bylaws of the Corporation.
- (b) The total number of members of the Board of Trustees is determined from time to time by the Members of the Corporation.
- (c) At the February meeting of each year the Committee on Trustees shall present to the Board of Trustees a list of one nominee and one alternate for each vacancy on the Board.
- (d) When approved by the Board of Trustees the list of nominees and alternates shall be submitted to the Members of the Corporation for consideration at their Annual Meeting.

ARTICLE II: MEETINGS

Section 1: Regular and Special Meetings

- (a) Unless otherwise decided by its members the Board of Trustees shall hold regular meetings in October, February, and May at such date, time and place as may be fixed by the Board.
- (b) The May meeting shall be designated as the Annual Meeting.
- (c) Special meetings of the Board of Trustees shall be called by the Chairman of the Board or the President of the University or upon the request of any five Trustees.
- (d) Written notice of all meetings, including the agenda, shall be mailed by the Secretary to each member of the Board at least ten days prior to the date of the meeting.

Section 2: Quorum

- (a) A quorum for the transaction of business by the Board shall consist of a majority of the total number of members of the Board.

Section 3: Conduct of Meetings

- (a) All meetings shall be conducted in accord with parliamentary procedure outlined in Roberts Rules of Order, as revised, or other procedure adopted by the Board.
- (b) The usual order of business at meetings of the Board shall be as follows:
 - 1. Call to order

Article II - Section 3: Conduct of Meetings

2. Approval of minutes of last meeting
3. Report of the Chairman
4. Committee reports
5. Unfinished business
6. New business
7. Adjournment

Section 4: Voting Procedures

- (a) All decisions by vote of the Board members shall require a majority vote of those present and voting, provided a quorum is present.
- (b) The Board may determine that a specific decision shall require more than a majority vote of those present and voting, provided a majority of the Board members present and voting shall concur.

ARTICLE III: OFFICERS OF THE BOARD OF TRUSTEES

Section 1: Election, Term of Office, and Removal

- (a) The Officers of the Board of Trustees, as defined in Article V, Section 8 of the Constitution, shall be elected by majority vote of the Trustees present and constituting a quorum at the Annual Meeting of the Board of Trustees.
- (b) All officers shall hold office for a term of one year and until their respective successors have been chosen and qualified.
- (c) There shall be no limit to the number of times the same person may be elected to the same or any other office.
- (d) Any person elected an Officer of the Board of Trustees may be removed at any regular or special meeting by vote of the majority of the Trustees present and constituting a quorum.

Section 2: Duties of Officers of the Board

- (a) The Chairman shall preside at all meetings of the Board and shall decide all questions of order.
- (b) It shall be his duty to see that the Bylaws of the Board are complied with and that the special orders, resolutions, and directions of the Board are properly executed.
- (c) He shall serve as Chairman of the Executive Committee of the Board and ex officio as a Member of the Corporation.

Article III - Section 2: Duties of Officers of the Board

- (d) He shall appoint the members of all committees of the Board, except the Executive Committee, and shall perform such other duties as may be, from time to time, assigned to him by the Board.
- (e) He shall have the power of attorney to bind the University of Dayton, Incorporated, through contracts in matters not reserved to the Members of the Corporation.
- (f) The Vice Chairman shall serve in the absence of the Chairman and shall assist the Chairman at the latter's request.
- (g) The Secretary shall be responsible for recording and distributing minutes of all meetings of the Board, issuing notice of meetings, keeping records of attendance, and handling all correspondence for the Board.
- (h) He shall be the custodian of the seal of the University and shall have authority to attest to all official documents and instruments of the University.

Section 3: Vacancy in Office

- (a) In the event of a vacancy in the office of Chairman, the Vice Chairman shall become Chairman.
- (b) In the event of a vacancy in the office of Vice Chairman or Secretary, the Chairman shall appoint a member of the Board to fill such a vacancy for the remainder of the term of office.

ARTICLE IV: COMMITTEES

Section 1: Executive Committee

- (a) Members of the Executive Committee, except the Chairman of the Board and the President of the University, both of whom are ex officio members, shall be elected for one-year terms of office at the Annual Meeting with eligibility for re-election.
- (b) The number of members of the committee shall be determined by the Board in accord with Article V, Section 9 of the Constitution.
- (c) The Chairman of the Board shall be the Chairman of the Executive Committee.
- (d) Vacancies which occur among the elected members of the committee for any reason except the expiration of time, shall be filled for the unexpired term by election at the next meeting of the Board following the existence of the vacancy.

Article IV - Section 1: Executive Committee

- (e) Meetings of the Executive Committee shall be called when necessary by the Chairman of the Board or the President of the University.
- (f) A majority of the total number of members of the Committee, plus one, including ex officio members, shall constitute a quorum.
- (g) In the intervals between meetings of the Board of Trustees, the Executive Committee shall have full power to take each and every action which the Trustees are authorized to take, except for the limitations stated in Article V, Section 9 of the Constitution of the University of Dayton.

Section 2: Committee on Trustees

- (a) A Committee on Trustees shall be appointed by the Chairman of the Board to perform the following duties:
 - 1. to prepare and submit to the Board a list of nominations for appointment to the Board in accord with the provisions of Article I of these Bylaws;
 - 2. to maintain a list of candidates for nomination to the Board through a continuing search for individuals with special talents for service to the University as Trustees;
 - 3. to assist the Chairman of the Board in selecting Trustees and other persons to serve on committees of the Board;
 - 4. to conduct an orientation program for new Trustees with the assistance of selected faculty and students of the University and to promote the continued education of Trustees through seminars and meetings designed to confront the major issues facing the University;
 - 5. to submit an annual report to the Board on the Committee's assessment of the effectiveness of Board operations and to recommend means for improvement.

Section 3: Other Committees

- (a) There shall be other standing and ad hoc committees as the Trustees may from time to time determine.
- (b) The President of the University and the Chairman of the Board of Trustees shall be ex officio members of all standing committees.
- (c) Persons other than Trustees, including faculty and students, may be appointed to any committee except the Executive Committee.

ARTICLE IV: COMMITTEES

Section 4: Committee Meetings

- (a) Meetings of the committees of the Board shall be held upon call of the committee chairman.
- (b) Written notice of the committee meeting, including the agenda, shall be mailed to each member of the committee at least five days prior to the date of the meeting.
- (c) Minutes of each committee meeting shall be available to all members of the Board on request.

ARTICLE V: EXECUTIVE OFFICERS OF THE UNIVERSITY

Section 1: Selection of the President

- (a) The President of the University shall be appointed by the Board of Trustees for an indefinite term of office.
- (b) He shall be elected by two-thirds vote of the total membership of the Board of Trustees from a list of candidates drawn up in a manner determined by the Board of Trustees.
- (c) The President of the University must be a member of the Society of Mary.
- (d) He may be removed from office at any time by the affirmative vote of two-thirds of the total number of Trustees then in office.

Section 2: Other Executive Officers of the University

- (a) Other Executive Officers of the University shall be appointed by the Board of Trustees, upon the recommendation of the President, for indefinite terms of office, and in accord with the provisions of Article VI, Section 3, of the Constitution.
- (b) Interim appointments of such officers may be approved by the Executive Committee, when necessary, between meetings of the Board of Trustees.
- (c) Such appointments shall then be submitted for approval at the next meeting of the Board.
- (d) The Executive Committee of the Board shall have authority to approve the removal from office of an Executive Officer on the recommendation of the President.
- (e) Such removal as well as the resignation of an Executive Officer shall be reported at the next Board meeting.

Article V - Section 2: Other Executive Officers of the University

- (f) It shall be the prerogative of the Trustees, at their pleasure, to invite the Executive Officers of the University to attend Board meetings.

ARTICLE VI: POLICY MANUALS

Section 1: University Policy Manual

- (a) The Board of Trustees, as the body exercising final authority for the approval of all policies affecting the entire University, shall determine the procedure for maintaining an official Policy Manual which shall be brought up to date within a reasonable time following each meeting of the Board of Trustees.
- (b) The custodian of the official Policy Manual for the University shall be the President of the University.
- (c) At his discretion copies of the Manual shall be made available to other University personnel.

Section 2: Unit Policy Manuals

- (a) It shall be the duty of each administrative official at the University to maintain an up-to-date Policy Manual covering all official policies directly related to the organizational area over which he has jurisdiction.
- (b) This directive shall apply to Executive Officers of the University, Deans, heads of major academic units, administrators of instructional departments, and directors of all supporting units of the University.
- (c) The President of the University shall be responsible for determining that such Policy Manuals are maintained in appropriate manner.
- (d) This directive is not intended to apply to council or committee bylaws, handbooks, guidelines, or similar regulations which are primarily designed to provide the means for carrying out established policies.

ARTICLE VII: AMENDMENTS

Section 1: Procedure

- (a) These Bylaws may be amended or repealed by a two-thirds vote of the Board members present at any regular or special meeting, provided that notice of such proposed amendment has been given to the Trustees with the agenda for the meeting.

University of Dayton

STATEMENT OF PURPOSES

Approved by Board of Trustees May 14, 1969

The University of Dayton, by tradition, by legal charter, and by resolute intent, is a church-related institution of higher learning. As such, it seeks, in an environment of academic freedom, to foster principles and values consonant with Catholicism and with the living traditions of the Society of Mary. Operating in a pluralistic environment, it deliberately chooses the Christian world-view as its distinctive orientation in carrying out what it regards as four essential tasks: teaching, research, serving as a critic of society, and rendering public service.

The University of Dayton has as its primary task to teach -- that is, to transmit the heritage of the past, to direct attention to the achievements of the present, and to alert students to the changes and challenges of the future. It regards teaching, however, as more than the mere imparting of knowledge; it attempts to develop in its students the ability to integrate knowledge gained from a variety of disciplines into a meaningful and viable synthesis.

The University of Dayton holds that there is harmony and unity between rationally discovered and divinely revealed truths. Accordingly, it commits its entire academic community to the pursuit of such truths. It provides a milieu favorable to scholarly research in all academic disciplines, while giving priority to studies which deal with problems of a fundamentally human and Christian concern. It upholds the principle of responsible freedom of inquiry, offers appropriate assistance to its scholars, and endeavors to provide the proper media for the dissemination of their discoveries.

The University of Dayton exercises its role as critic of society by creating an environment in which faculty and students are free to evaluate, in a scholarly manner, the strengths and weaknesses found in the institutions developed by man. While, as an organization, it remains politically neutral, objective and dispassionate, it encourages its members to judge for themselves how these institutions are performing their proper tasks; to expose deficiencies in their structure and operation; to propose and to actively promote improvements when these are deemed necessary.

The University of Dayton recognizes its responsibility to support, with means appropriate to its purposes, the legitimate goals and aspirations of the civic community and to cooperate with other agencies in striving to attain them. It assists in promoting the intellectual and cultural enrichment of the community; it makes available not only the resources of knowledge that it possesses, but also the skills and techniques used in the accumulation and dissemination of knowledge; and, above all, it strives to inspire persons with a sense of community and to encourage men of vision who can and will participate effectively in the quest for a more perfect human society.

CONSTITUTION OF THE ACADEMIC SENATE
UNIVERSITY OF DAYTON

Preamble

The Trustees delegate and the Faculty accept as their proper role and obligation the authority to participate through the Academic Senate in the formation of those decisions and policies which vitally influence the University of Dayton's academic growth and effectiveness. To assure proper consideration of the viewpoints and insights of students, the Trustees and Faculty agree to provide for student participation in the Academic Senate.

By giving final and official approval to the establishment of an Academic Senate to function according to this Constitution, the Board of Trustees recognizes that the Senate is constituted as having legislative authority in areas of its particular competence and as advisory and consultative in matters which are not formally and directly academic but which affect the educational goals of this University.

By this Constitution, the component elements of the University intend to express their shared commitment to the University of Dayton as an academic community of high professional standards, and their purpose to promote unity by mutual discussion and respect.

ARTICLE I: NAME

Senate Constitution -- Articles I, II

The name of this organization shall be the Academic Senate, University of Dayton, which shall be a nonprofit, unincorporated educational association.

ARTICLE II: FACULTIES

Section 1: The University Faculty

A. Membership of University Faculty

The University Faculty shall be constituted of all those who have faculty status as defined in the Faculty Handbook.

B. Powers of University Faculty

The University Faculty shall have the legislative authority to initiate and formulate University academic policies in areas of their special competence and concern. To become official these academic policies require the ratification of the President and, in circumstances as decided by the President, also by the Board of Trustees.

C. Delegation of Powers by University Faculty

The University Faculty, through acceptance of this Constitution, delegate their authority on matters of university-wide academic policy to the Academic Senate, hereinafter defined. However, the University Faculty reserve the right to nullify any policy enacted by the Academic Senate.

D. Meetings and Actions of University Faculty

Special meetings of the University Faculty to review Academic Senate action may be called as provided in the Bylaws.

Section 2: School, College, and Departmental Faculties

A. Powers of the School, College, and Departmental Faculties

All authority in academic matters not delegated by the University Faculty to the Academic Senate resides with the Faculties of the Schools, Colleges, and Departments. Moreover, within the framework of their jurisdiction these Faculties may initiate and formulate general academic policies whenever such policies have not been formulated by the Academic Senate.

B. Organization and Action of the School, College, and Departmental Faculties

The Faculty of each School, College or Department shall organize whatever councils or committees they deem necessary to the exercise of their academic powers and the pursuit of their proper objectives.

ARTICLE III: THE ACADEMIC SENATE

Section 1: Membership of the Academic Senate

A. Types of Members; Voting

The Academic Senate shall consist of ex officio members from the Academic Administration and the Academic Deans, elected members from the Faculty, and chosen student members, all of whom are voting members.

B. Ex officio Members

Ex officio members, eight in number, shall not be eligible for nomination for election to the Senate even though they may have faculty status. These ex officio members are:

Provost of the University
Dean, College of Arts and Sciences
Dean, School of Business Administration
Dean, School of Education
Dean, School of Engineering
Dean for Graduate Studies and Research
Director of the University Libraries
Registrar

C. Elected Members

Six University Senators, one from each of the following units: Arts, Business, Education, Engineering, Sciences, and Technical Institute.

Eleven Senator Representatives from the seven following units with the number from each unit as indicated.

4 Arts	1 Library
1 Business	2 Sciences
1 Education	1 Technical Institute
1 Engineering	

D. Student Representation

Student representation shall be as prescribed in the Bylaws, giving consideration to the academic segments of the University (currently the five -- Arts, Business, Education, Engineering and Technical Institute in combination and Science) and also to the importance of the Executive Vice President (Academic Affairs) of the Student Government.

Section 2: Nomination and Election of Senators

A. Faculty Senators

The procedures for nomination and election of Faculty Senators shall be as provided in the Constitution and Bylaws.

Article III - Section 2: Nomination and Election of Senators

University Senators shall serve two-year terms which begin and end concurrently. University Senators may serve two successive terms, thereafter being ineligible for membership in the Senate for one year. These Senators shall be elected by a vote of the entire University Faculty from a nominations list which includes only the Professors and Associate Professors from each of the six academic units named above. The nominee receiving the largest number of total votes shall serve as the University Senator for the unit.

Representative Senators shall serve two-year terms which begin and end concurrently; however, in the case of the first Senate, these Senators shall serve one-year terms. Representative Senators may serve two successive terms, thereafter being ineligible for membership in the Senate for one year. These Senators shall be elected by the Faculty of each unit from a nominations list which includes all eligible Faculty members on the roster of that unit.

B. Student Senator Representatives

The procedures for the choosing of Student Senators shall be as provided in the Bylaws.

A Student Senator Representative shall serve for a one-year term and may serve a maximum of three consecutive terms.

Section 3: Officers and Executive Committee of the Academic Senate

A. Officers

The officers of the Senate shall be a Secretary, a Vice President, and a President. The Provost of the University shall serve as President. The Secretary and Vice President shall be elected at the initial meeting of each new Senate.

B. Executive Committee

The Senate shall have an Executive Committee comprised of the President, Vice President, Secretary, and two Senators elected at the initial meeting of each new Senate.

The responsibilities, functions, and procedures of the Executive Committee shall be as prescribed in the Bylaws.

Section 4: Meetings of the Academic Senate

A. Regular Meetings

Regular meetings of the Academic Senate shall be held once in each month of the first and second terms of the academic year.

B. Special Meetings

Special meetings of the Academic Senate may be called by the Executive Committee of the Senate, or by request of the President of the University, or by petition of twenty per cent of the membership of the Senate.

ARTICLE III: THE ACADEMIC SENATE

Section 5: Powers and Rights of the Academic Senate

A. Powers

The Academic Senate shall possess those legislative powers delegated to it by the University Faculty. After approval by the Academic Senate, an academic policy shall become effective as stipulated by the Academic Senate unless disapproved by the President, the Board of Trustees, or the Faculty. Such policy shall be promulgated as official University policy by the Provost of the University.

B. Rights; Advice and Recommendations

Since all major decisions affecting the academic welfare presuppose prior consultation with the Academic Senate, this Body shall be so organized that it can provide such advice and recommendations to the appropriate University officials. Moreover, the Academic Senate shall fully consider the implications of academic policies upon other functional areas, e.g. student personnel services, finance and services, research, and public relations. Therefore:

The Academic Senate shall provide a list of nominees to assist the President of the University in his appointing Faculty and Student members to appropriate major University councils and committees.

As part of its right of responsible inquiry, the Academic Senate may request a report in specific areas from the Councils of the University and may appoint such committees or undertake such investigation as it deems necessary.

The Executive Committee of the Academic Senate may request the Chairman of the University Councils to submit appropriate information on such matters as it deems necessary for its deliberations.

The Academic Senate or its Executive Committee may submit appropriate information upon request to University officials, major Councils, and other organizations in order, through discussion, to promote unity and mutual respect.

Section 6: Reservations and Limitations of the Academic Senate

A. Limitations or Reservations

In the absence of policy determination by the Academic Senate, all discretionary powers in academic matters shall remain with the Provost, Faculty of each School or College, Deans, Departmental Chairmen, and Departmental Faculties.

No action of the Academic Senate shall be construed as lessening the accountability of each Faculty member to his Chairman, Dean, Provost, or President for faithful and efficient performance of his duties.

The Academic Senate is so constituted that it will not infringe upon the administrative responsibilities of current Councils.

All academic policies remain in force until and unless new Senate action is taken and approved.

ARTICLE IV: RATIFICATION AND AMENDMENT

Section 1: Approval and Ratification

This Constitution shall be in effect when approved by two-thirds of at least a majority of University Faculty voting by written ballot and by two-thirds of the Student Congress and when ratified by the President of the University and the Board of Trustees.

Section 2: Amendment

An Amendment shall be in effect when approved by the Academic Senate, by two-thirds of at least a majority of University Faculty voting by written ballot and by two-thirds of the Student Congress and when ratified by the President of the University and the Board of Trustees.

December 6, 1968

BYLAWS OF THE ACADEMIC SENATE
UNIVERSITY OF DAYTON

ARTICLE I: NAME

No Bylaws.

ARTICLE II: FACULTIES

Section I: The University Faculty

A. Membership of University Faculty

No Bylaws.

B. Powers of the University Faculty

Examples of areas of the Faculty's special competence and concern include: curriculum, subject matter, instruction, faculty performance, conditions of service, academic research, faculty status, new programs, and student activities and status insofar as they affect the academic process.

C. Delegation of Powers by University Faculty

The right of the University Faculty to nullify any policy enacted by the Academic Senate is limited to a general Faculty meeting held prior to promulgation and within fifteen school days after the communication (from the Secretary of the Academic Senate) is made unless a later date is approved by the President of the University.

D. Meetings and Actions of University Faculty

Meetings of the University Faculty will be called by the Academic Senate of the University in response to a written petition, which petition requests a convocation of the Faculty on a specific date and which bears the signatures of at least ten per cent of the current Faculty membership. Within five school days of the communication by the Secretary of the Academic Senate of a Senate action, the petitioner shall notify the Secretary of the intent to circulate such a petition. The Academic Senate may also call a meeting of the Faculty by action taken at any of its meetings.

By a majority of the current Faculty membership, the general Faculty may nullify any policy enacted by the Academic Senate.

The President of the Academic Senate, or his surrogate, shall preside at Faculty meetings. In transacting business, the presiding officer shall act in accordance with the latest revision of Robert's Rules of Order.

Article II - Section 1: The University Faculty

D. Meetings and Actions of University Faculty

The order of business at Faculty meetings called by the Academic Senate on its own initiative or in response to Faculty petition shall be established by the Executive Committee of the Academic Senate. The first order of business at Faculty meetings called by Faculty petition shall be the item of business embodied in the petition.

Actions of the University Faculty shall be recorded by the Secretary of the Academic Senate and communicated to the entire Faculty by the Provost.

Section 2: School, College, and Departmental Faculties

A. Powers of the School, College, and Departmental Faculties

No Bylaws

B. Organization and Action of the School, College, and Departmental Faculties

Standing committees functioning at the School or College level shall give appropriate information to the Academic Senate, if requested.

ARTICLE III: THE ACADEMIC SENATE

Section 1: Membership of the Academic Senate

A, B, and C.

No Bylaws.

D. Student Representation

For a one-year period following the ratification of the Constitution and Bylaws, Student Representation shall be five Senators, one from each academic segment of the University. The Executive Vice President (Academic Affairs) of the Student Government shall preferentially be one of these five. An exception may be made to this segment type of representation upon the recommendation of the Screening Committee and approval by the nonstudent Senators. At the end of this one-year period, there shall be a review of Student Representation.

Section 2: Nomination and Election of Senators

A. Faculty Senators

For the first election the nomination and election of all Faculty Senators shall be supervised by a committee of the Faculty Forum; thereafter the nomination and election of members to the Academic Senate shall be supervised by a committee of the Academic Senate.

The nomination and election of the University Senators to the first Senate shall be held at the discretion of the Faculty Forum; thereafter the nomination and election of the six University Senators shall take place during March on alternate years.

Article III - Section 2: Nomination and Election of Senators

A. Faculty Senators

The nomination and election of Senators representing the seven University units shall take place in April of alternate years. Eligible to unit seats are regular Faculty members of the University Faculty who are serving in at least their second full-time academic year at the University of Dayton. The Faculty of each unit shall nominate from among their members candidates totaling twice the number of seats to which the unit is entitled.

The terms of Senators elected to the first Academic Senate shall commence on a date determined by the Faculty Forum; thereafter the terms of elected Senators shall commence on the April 15th following their election.

Election records shall be retained by the Secretary of the Academic Senate. A seat vacated during a term shall be filled by the person with the highest number of votes who contested unsuccessfully for that seat in the most recent election. The successor shall serve out the remainder of the unexpired term.

B. Student Senator Representatives

For the first term of the Academic Senate, the Screening Committee shall be appointed by the current Student Body President with the approval of the current Student Congress so that the Screening Committee will have completed its choices for Student Senator Representatives by the time that Faculty Senator Representatives are elected.

The Screening Committee to choose Student Senator Representatives shall be appointed in March of each year by the outgoing Student Body President upon approval by the Student Congress. Choosing of the Student Senator Representatives shall be deferred until after the Spring Student Body elections. The Screening Committee shall contain adequate representation from outside those directly involved in Student Government.

Student Senator Representatives shall be full-time students in good standing who have been enrolled in the University for at least two full terms. When choosing Student Senator Representatives, the Screening Committee shall take into consideration a student's cumulative point average and his previous participation in academic affairs. Nomination processes shall be established so that all students who fulfill any qualification set up for the positions will receive adequate consideration in the choice of representatives.

A seat vacated among Student Senator Representatives shall be filled by an appointee of the President of the Student Government upon approval of the Student Congress.

Section 3: Officers and Executive Committee of the Academic Senate

A. Officers

The Secretary of the Senate shall keep the records of all meetings of the Senate and shall furnish the Executive Committee with summaries of these within three school days after each meeting.

Article III - Section 3: Officers and Executive Committee of the Academic Senate

B. Executive Committee

1. (a) The Executive Committee shall take no action unless a majority of its members are present.
- (b) The President of the Senate shall serve as Chairman of the Executive Committee and preside at its meetings.
- (c) The Vice President of the Senate shall serve as Chairman of the Executive Committee in the absence of the President of the Senate and shall chair meetings of the Senate in the absence of the assigned chairman.
2. The Executive Committee shall have the following responsibilities:
 - (a) to prepare the agenda for all regular and special meetings of the Senate;
 - (b) to assign the chairmanship of each meeting of the Senate to a member of the Senate;
 - (c) to receive requests for special meetings and to issue calls for all regular and special meetings; and to determine the best means by which the University community is notified of the time and place of all such meetings;
 - (d) to distribute to all members at least three days before each regular meeting the agenda and relevant documents to be discussed;
 - (e) to review the Secretary's summaries of Senate action and to publish or otherwise make these available to the members of the University Faculty and other appropriate parties;
 - (f) to prepare an annual budget for the Academic Senate and present it through the Provost to the Budget Committee of the University;
 - (g) to establish temporary procedures in cases in which the Constitution provides no guidance (such procedures being subject to approval of the Senate at its next meeting);
 - (h) to act for the Academic Senate whenever the absence of Senators from the Dayton area obviates a special meeting of the Senate. All such actions shall be reported to the Senate at its next meeting.

Section 4: Meetings of the Academic Senate

A. Regular Meetings

All regular meetings will be chaired by a member of the Senate so assigned by the Executive Committee. In transacting business, the chairman shall act in accordance with the latest revision of Robert's Rules of Order, unless otherwise provided by the Senate.

Article III - Section 4: Meetings of the Academic Senate

B. Special Meetings

No Bylaws.

C. Regular and Special Meetings

All meetings, both regular and special, of the Academic Senate shall be open to members of the Faculty, Student Body, and Administration unless declared closed by the Executive Committee. Decision of the Executive Committee to declare a meeting closed may be overridden by a simple majority of the Senate.

Any member of the Faculty, Student Body, or Administration may submit an item for the agenda, but its admission and its position on the agenda will be decided by the Executive Committee. Any item on an agenda which is not considered must be given priority at the next regularly scheduled meeting.

Section 5: Powers and Rights of the Academic Senate

A. Powers

When actions of the Academic Senate are disapproved by the President, the Board of Trustees, or the Faculty, reasons for disapproval shall be communicated promptly to the Academic Senate. Such communicated disapproval shall not preclude further consideration of the issue by the Academic Senate in an effort to find alternate ways of attaining resolution.

B. Rights; Advice and Recommendations

Examples of major decisions affecting the academic welfare on which the Academic Senate or Executive Committee of the Senate should be consulted prior to the decision include the following:

- (a) academic budget policies;
- (b) the selection of top administrative officers;
- (c) the development of new resources;
- (d) admission policies;
- (e) size and composition of the student body;
- (f) faculty problems;
- (g) review of the purposes and objectives of the institution;
- (h) student activities, organizations, and functions relating to academic affairs;
- (i) academic contracts.

Each committee of the Academic Senate normally will have at least one representative of each of the three sectors of the University community: Administration, Faculty, and Student. The proportion of this membership differs from one committee to the next by reference to the responsibility of each component to the particular matter at hand.

No person shall be nominated to serve on more than one Council at the same time. In choosing nominees for each Council, the Academic Senate shall attempt to select persons with appropriate expertise. Any person may be renominated by the Academic Senate and reappointed to the same or to another Council at the termination of his first period of service.

ARTICLE III: THE ACADEMIC SENATE

Section 6: Reservations and Limitations of the Academic Senate

No Bylaws.

ARTICLE IV: RATIFICATION AND AMENDMENT

Section 1: Approval and Ratification

These Bylaws shall be in effect concurrently with and in the same manner as the Constitution.

After approval of these Bylaws by the Faculty and Student Congress and ratification by the President of the University and the Board of Trustees as prescribed in the Constitution, the President of the University shall then issue a call for an election of Senators and an initial meeting of the Academic Senate.

Section 2: Amendment

These Bylaws may be amended by a two-thirds vote of the Academic Senate and ratification by the President of the University.

December 6, 1968

AMENDMENT to ARTICLE III, Section 1 D, Student Representation, of the Bylaws (Ratified March 20, 1970)

Student representation on the Academic Senate shall be as follows:

- Two (2) student senators from Arts
- Two (2) student senators from Science
- Two (2) student senators from the School of Education
- Two (2) student senators from the School of Business
- Two (2) student senators from the School of Engineering (including the Technical Institute)

One senator appointed by the President of the Student Body with the approval of Congress.

One senator, a graduate student, elected by the graduate students. All other student senators shall be undergraduate students.

NATURE OF THE POSITION OF THE DEPARTMENT CHAIRMEN

The position of a chairman will be better understood by a consideration of its place within the hierarchy of authority and responsibility as it exists within the University.

The Academic Senate Constitution states that "All authority in academic matters not delegated by the University Faculty to The Academic Senate resides with the Faculties of the Schools, Colleges and Departments."¹ It is therefore necessary to explain the roles (authority - responsibility) of chairmen as they interact with faculty in relation to academic policy on the departmental level.

Authority, simply defined, is the right and responsibility to make decisions and initiate action. It is important to recognize different types of authority, however. For example, the Board of Trustees has ultimate authority for the entire institution. From this, the Board delegates authority to certain individuals (Treasurer, Business Manager, etc.) to enter into contract and legally commit the University, i.e., legal authority. The Board also delegates operational authority to the administration (President, Deans, etc.).

In addition, the Board delegates authority in academic matters to the faculty because of the specialized knowledge and competencies of the faculty. This is technical authority which is limited to the area of special competence. This authority, because it is based on expertise, is centered in persons rather than position.

The faculty in academic matters retains the right to participate in academic policy making, that is, to make judgments upon general means necessary to accomplish academic departmental objectives. But the faculty delegates authority for implementation and execution to administrators. Thus the operational authority possessed by the Chairmen comes from two sources and, in a sense, two directions (the Board and the Faculty).

Authority flows from responsibility. When the Chairman accepts the responsibility for a department, he acquires the operational authority necessary to fulfill the objectives of that department. This authority, centered in the position rather than the person is the authority to act within established University, School or College and Departmental policies and in accordance with approved University, School or College and Department procedures. Thus, the objectives of the department provide direction and the policies and procedures provide limits in the use of authority by the Chairman.

This operational authority of the Chairman is dependent upon consultation with those having technical authority (department faculty) in those matters in which they have special competence. The Chairman is accountable, also, to the next higher level of operational authority (the Dean).

¹Constitution of the Academic Senate, University of Dayton - Article II, Section 2 A; and see Article II, Section 1 B.

Decisions in the establishment of the departmental objectives and curriculum development or any judgment pertaining to the general means necessary to accomplish academic objectives are clearly within the special competence of the faculty. Departmental faculty share the responsibility and authority with the Chairman.

On the other hand, scheduling classes, assigning work loads, and office assignments, etc. are not within the special competence of departmental faculty and such decisions would not require their concurrence.

In the areas of recruitment, selection, evaluation for purpose of salary recommendations and promotions, and termination and appointments of faculty members, it is clear that consultation with appropriate departmental faculty is necessary. Conference discussion, and interchange of opinion (individually or in a group) which can be labelled consultative management, should be used to make certain that the Chairman has secured faculty opinion in addition to his own. This opinion should be carefully weighed and in the event the Chairman departs from such opinion, he should so inform the faculty, if he deems it appropriate. Reasons should be given and comments invited.

This analysis of the Chairman's authority is the basis for the following description of the position of Chairmen at the University of Dayton.

PATTERN OF DEPARTMENTAL ADMINISTRATION

The Department Chairman shall present to staff members of his Department a pattern of administration congruent with the following:

- A. Consultation by the Chairman shall occur on all matters concerning Departmental academic policy.
- B. Consultation in this connection may involve staff meeting, conference, discussion, and interchange of opinion.
- C. For purpose of consultation, the following may be generally considered academic policy matters and therefore within the special competence of all of the faculty members of the Department: Departmental objectives, curriculum development, the pro and con of adoption of research projects and special programs, instructional methods, methods of cooperation with other units of the University or consortiums and any judgments upon general means necessary to accomplish Departmental objectives.
- D. In the event that the Chairman feels it necessary to depart from the majority opinion, he should so inform his staff when they are present together in a meeting. He should give reasons and invite comments.
- E. Consultation by the Chairmen on items that are policy matters but may not be within the special competence of all of the faculty, including such items as recruitment, evaluation of any individual for purposes of salary recommendation, promotions and termination of appointment, should be had with those members of the Department who have a special competence in the particular problem or to whom the item is of specific interest.
- F. Consultation in areas that are essentially administrative, such as class schedules, work loads, office assignments, etc. and which are not necessarily within the special competence of the faculty is optional.

- G. Consultation on general Departmental matters should include a certain number of students.
- H. Information on all matters of general Departmental interests should be communicated to all members of the Department faculty and made available to the students, both majors and minors.

POSITION DESCRIPTION OF THE DEPARTMENT CHAIRMEN

A. General Statement

Under the administrative direction of the Dean, and in accordance with the general policies, principles and purposes of the University, the Department Chairman shall be responsible for the continued development of the academic discipline through the offering of courses in accordance with prescribed guidelines, the conduct of appropriate research, the staffing and assignment of the faculty in accordance with their professional competence as well as support staff, the general administrative processes including budget preparation, appropriate records and reports, and to provide academic expertise in his competence to the development of interdisciplinary programs as may be directed.

B. Specific Functions

In carrying out the responsibilities outlined the Department Chairman shall consult with his faculty and students in accordance with the pattern of departmental administration and his Dean on matters relating to the academic program, the staffing requirements and other matters in their competence, and will perform the following specific functions:

1. General administrative responsibility for the Department's programs, subject to the approval of the Dean of the College or School.
2. Responsibility for the orientation of new faculty into the Department and to cooperate with other units of the University in the orientation of new faculty into the University.
3. Plan with members of the staff and the Dean of the School or College a progressive program and be accountable for its implementation in conjunction with the faculty of the Department. This should involve a comprehensive, five-year plan brought up to date each year.
4. Continual evaluation of course offerings in accordance with Departmental and University objectives.
5. Recommend to the Dean of the School or College or proper committee appointments, promotions, salaries, dismissals and matters affecting the tenure of members of the Departments.
6. Recruitment of faculty to carry out the academic goals of the Department.
7. Continual evaluation of the instructional staff utilizing methods not in conflict with principles of academic freedom.
8. Develop and administer a budget capable of providing an instructional program which stimulates growth of the faculty through research opportunities and self-renewal program.

Such budget should be in keeping with the efficient use of available resources and should be presented to the Dean prior to the Deans' receiving fixed budgetary figures or guidelines for planning.

9. Encourage research and educational programs. The administrative aspects of sponsored research are normally conducted by the Research Institute.
10. Develop and maintain a program of student counseling, student records, appropriate academic, professional and research reports as necessary to properly reflect the goals and objectives of the Department.
11. Consult with the Dean of the appropriate School or College and the Dean of Graduate Studies and Research on those matters pertaining to graduate programs in general and to cooperate and confer with them in the formulation and review of such policies.
12. Provide professional service to the community in keeping with the role of the University.
13. Serve on such councils and committees as appointed and provide other services as may be in his competence.

APPOINTMENTS, NON-REAPPOINTMENTS AND QUALIFICATIONS

A. Appointment

Each chairman is appointed for a term of four years by the President and is eligible for reappointment for additional four-year terms. The Dean nominates the Chairman subject to the approval by the Provost. In selecting a Chairman for nomination the Dean of the School or College involved must consult with all faculty members of the Department as well as with students and other appropriate University officials.

B. Non-Reappointment

If the Chairman is not reappointed after completing two four-year terms or more, he is advised to apply for a leave of absence in accordance with the policy of sabbaticals then in force.

C. Qualifications

1. The Chairman shall have in depth education and/or experience in the area of expertise of the department.
2. Extensive demonstrated competence in the discipline by virtue of teaching, experience, research and demonstration of innovative concepts.
3. Administrative awareness of policies, procedures, concepts of academic freedom and management principles.
4. Ability to develop and maintain rapport with peers, administrators and academic associates in positions of responsibility.
5. Creativity, innovativeness and a perspective for leadership in the development of the faculty and students.

Faculty Committee on Chairmen, December 5, 1969
Academic Senate, February 13, 1970
Administrative Council, March 5, 1970
President of University, March 13, 1970

