

## **BY-LAWS**

### **College of Architecture + the Arts Florida International University**

#### **ARTICLE I. THE COLLEGE ASSEMBLY**

##### **A. Announcements and Agenda.**

1. Meetings of the College Assembly will be called by the Steering Committee, which, according to Article II, Paragraph D of the constitution, shall determine the time, date, place and agenda of the meeting.
2. The Dean, in consultation with the Steering Committee, may also call special meetings of the College Assembly.
3. Meetings of the College Assembly may also be called by the Steering Committee upon receipt of a signed petition supported by twenty percent of the membership of the College Assembly. The meeting shall be scheduled within the semester in which the petition is received, or as soon as practicable.
4. The Steering Committee shall announce the meeting, issue a call for agenda items, and distribute minutes of the previous meeting and a tentative agenda at least ten working days in advance.
5. Agenda items or motions to be brought before the College Assembly may be submitted to the Steering Committee by any voting or non-voting member of the Assembly.
6. Agenda items or motions from members of the Assembly will typically be submitted to their unit representative on the Steering Committee, who will present the motion for consideration and vote by the committee.
7. The Steering Committee will convene twenty days prior to an Assembly Meeting to consider additional motions and set the agenda.
8. The Steering Committee will announce the agenda for the Assembly Meeting at least seven days prior to the meeting date.

##### **B. Voting and Ballots.**

1. Each voting member (as in II.B. of the CARTA Constitution) of the College Assembly has one vote.
2. The method of balloting will be determined by the Steering committee in advance of the Assembly meeting and announced in the agenda.
3. When votes are taken during a meeting, a simple majority vote of all Assembly members present shall determine the outcome.
4. In event of a tie vote, the Assembly chair, who normally does not cast a vote, will make the deciding vote.
5. For balloting that takes place outside of an Assembly meeting (electronically or by paper), all votes will be cast within one week of the motion's issuance.
6. A majority of all votes cast on the motion within the permitted time frame shall determine the outcome, except as otherwise provided for in the College Constitution or these By Laws.

7. Proxy votes will not be accepted.
8. Absentee votes will only be accepted in the case of paper or electronic votes.
9. Voting results will be calculated by the Secretary of the Steering Committee and reported to the Assembly no later than one week after voting completion.
10. Nominations and elections to Assembly Chair and at-large committees of the College shall be conducted electronically or by paper ballot during the Spring Semester.

#### C. Rules

1. The Steering Committee, as part of its agenda-setting process, may adopt special rules governing the deliberation of the College Assembly on any motion, agenda item or constitutional amendment/revision provided that the rules are announced at the beginning of the meeting of the College Assembly.
2. These rules may include time limits for debate, limiting amendments from the floor by substantive content or by number, or limiting the number of members who may address the Assembly.
3. The Assembly may accept or reject any or all of the special rules for deliberation by a vote of two thirds of those present.
4. The Steering Committee, as part of its agenda-setting process, may adopt special rules governing the time, place and manner of balloting on any motion, agenda item or constitutional amendment/revision except as otherwise provided for by the Constitution and By-Laws of the College.
5. Special rules regarding balloting shall be announced prior to commencing deliberation.
6. Balloting may take place at a meeting of the College Assembly or, for significant matters, by electronic or paper balloting of all members of the Assembly during a reasonable period of time, not to exceed three weeks following the meeting of the College Assembly during which the matter was deliberated.

#### D. Meetings.

1. The Chair of the College Assembly will preside at meetings of the Assembly.
2. In the event that the Chair is unavailable, the Vice-Chair will preside.
3. Meetings of the College Assembly will be conducted in accordance with the College Constitution, these By-Laws, and Robert's Rules of Order (latest edition).
4. Minutes of the Steering Committee and the College Assembly meetings shall be recorded by the Secretary of the College Assembly and posted within two weeks on the College Governance website.
5. For the purpose of conducting College business, receiving reports and deliberating upon any matter, twenty percent of voting members must be present.
6. For purposes of calculating a quorum, the size of the Assembly will exclude faculty who are on sabbatical, or leave of absence, unless in attendance.
7. The College Assembly shall be provided an opportunity to deliberate on any matter upon which it will be asked to vote.

## Article II. Academic Units.

### A. The units of the College are as follows:

1. Architecture
2. Art and Art History
3. Communication Arts
4. Interior Architecture
5. Landscape Architecture
6. Music
7. Theatre

### B. Appointments of Unit Chairs

1. Each Academic Unit shall establish policies for the nomination of candidates as chair of the unit.
2. The unit policy governing the nomination of a unit chairperson must be submitted to the College Steering Committee and the Office of the Dean for approval.
3. These policies must conform to those outlined in Article V, Paragraph D, of the College Constitution.
4. All candidates for chair shall be allowed to address the assembled unit in advance of the deliberations and election.
5. All voting will be by secret, written ballot.
6. The unit's candidate for chair must win a majority vote.
7. In the event that no single candidate wins a majority vote, the two candidates with the highest number of votes shall be named in a run-off election.
8. The run-off election shall take place no earlier than one week and no later than three weeks following the first election.
9. The name of the nominee for unit chair shall be forwarded to the Dean for appointment.
10. Should the Dean not accept the unit's candidate, the Dean shall submit a written statement of explanation to the unit. In that case, the unit shall nominate another candidate in accordance with the College Constitution and the unit's policies.

### C. Evaluations of Administrators

1. The faculty of each unit has the right to participate in the evaluation of their administrators.
  - a. Faculty participation will take place as part of the annual Faculty Administrator Assessment Survey (FAAS).
  - b. The FAAS shall be conducted annually in accordance with university policies and procedures.
2. This right includes participation in the creation of evaluative criteria.
  - a. Evaluative criteria will be determined by the Provost and the Steering Committee of the Faculty Senate.
3. This process shall be designed to protect the anonymity of the evaluators.
4. Those to be evaluated include the academic unit chair, the assistant and associate Deans, the Dean, the Provost and the President.

- a. Assistant and associate academic unit chairs are part of the bargaining unit and not eligible for evaluation by their peers.
5. Faculty has the right to see the results, which will be made available to each unit according to university policy and procedures.
6. In lieu of any interruption, cancellation, or suspension of the annual FAAS, the CARTA Assembly reserves the right to create its own criteria and procedures for the evaluation of its administrators.
  - a. Should such a step be taken, the CARTA Steering Committee will appoint an ad hoc committee with representatives from each college unit to formulate these evaluative criteria and procedures.
  - b. Before implementation of any such procedures, they must first be approved by the membership of the CARTA Assembly according to Article I, Paragraph B of these By-Laws.

D. Confidence Votes.

1. The faculty may consider and render a “vote of confidence” or “vote of no confidence” in their administrators (unit chairs, associate/assistant Deans, or Dean) in accordance with the College Constitution and these By-Laws.
2. Such a vote would be taken only after all reasonable measures have been pursued and direct communications with the administrator have failed to resolve the situation.
  - a. Reasonable measures will include the following procedures:
    - i. a meeting with unit or college faculty addressing their grievances,
    - ii. formal letter to the administrator from the faculty outlining their grievances, and
    - iii. provision for a response from the administrator.
3. Motions of “vote of confidence” or “vote of no confidence” shall be made with the support of two thirds of the eligible faculty, as defined by Article II, Paragraph B of the College Constitution.
4. The motion must be written and contain specific grievances supporting the vote.
5. The administrator and all unit or college faculty, as defined by Article II, Paragraph B of the College Constitution, must be provided a copy of the motion and notice of the Unit or Assembly meeting at which the motion will be considered not less than one week prior to the meeting.
6. A vote on the motion must be held at, or subsequent to, a deliberative meeting of the faculty to which all members of the unit/college, as defined by Article II, Paragraph B of the College Constitution, are invited.
7. A record of the minutes for this meeting must be maintained.
8. The administrator will be permitted to make a statement and address the faculty on their specific grievances.
9. The administrator may not be present for the Unit’s deliberations.
10. Voting will be conducted by secret paper ballot.
11. Ballots and minutes of the meeting will be submitted to the immediate superior of the administrator no later than one week of the Unit’s (or Assembly) vote on the motion, regardless of the results of the vote.
  - a. No proxy ballots will be allowed or accepted.

12. If the Unit/Assembly adopts the motion of “no confidence,” it is expected that the administrator’s appointment shall be terminated.
13. If the administrator’s appointment is not terminated, the Unit/Assembly shall meet with the administrator’s immediate superior to ascertain the justification for the decision.

#### E. Censure

1. Faculty who believe that their rights and/or principles specified in the CARTA Constitution have been violated may submit to the Chair of the CARTA Assembly a written and signed statement outlining the claim. Filing such a claim may affect the claimant’s protection under the terms of the Collective Bargaining Agreement. [See FIU Senate By-Laws, Article VI, Paragraph A and Collective Bargaining Agreement, Article 10, 2.b.]
2. Upon receipt of a written and signed statement outlining the claim, the Chair may investigate the issue before placing it on the agenda for a meeting of the Steering Committee.
3. The Steering Committee will consider the written protest and determine whether it merits review.
4. If the Steering Committee determines that the protest merits review, it will authorize the Chair to appoint an ad hoc committee consisting of three CARTA faculty to investigate the issue.
5. The first such panel shall begin by preparing rules and procedures for such an investigation.
6. The Committee shall report on its progress at least once a month to the Steering Committee and, if the inquiry takes more than one semester, the Chair must report to the CARTA Assembly that an inquiry is in progress.
7. When the Committee has made a determination on the protest, it shall report its findings to the Steering Committee within ninety days.
8. The Steering Committee shall receive the Committee’s report. It may conclude that no further action is called for, or it may propose a motion of censure to the CARTA Assembly. If a motion for censure is put forward by the Steering Committee, a written statement delineating the grounds for a vote on censure shall also be put forward by the Steering Committee.
9. At every stage of the investigation the individual or unit against whom a claim has been filed, the claimant shall be given due notice and allowed a reasonable opportunity to present whatever information the individual or unit deems relevant to the discussion and investigation.
10. Voting will be conducted by secret paper ballot.
11. A Censure vote must receive the support of at least two thirds of those members eligible to vote under Article II, Paragraph B of the CARTA Constitution.

#### Article III. College Committees.

- A. The standing committees of CARTA are as follows:
  1. Steering

2. Tenure and Promotion
3. Curriculum

B. Membership

1. Membership on standing committees of CARTA will be for two-year terms commencing August 1 of the academic year, unless otherwise specified by the College Constitution or these By-Laws.
2. Each academic unit of CARTA will be represented on the standing committees of the College.
  - a. In some cases, a unit may have too few faculty to adequately serve on every College committee, in which case an exception will be made.
3. No individual shall serve on more than two College Committees at a time.
4. No individual may serve on the same committee for more than four consecutive years.
4. No Unit Chair, Assistant Dean or Associate Dean shall serve on a College Committee or as an officer of the College Assembly, except in an ex-officio capacity.

C. Committee Appointments

1. Membership on a standing committee is considered service to the College and will be part of the annual assignment for its members.
2. Members of the standing committees of CARTA shall be appointed by their Unit Chairs in consultation with their Unit faculty and according to the Unit's assignment procedures.

D. Committee Chairs

1. The Chair of the Steering Committee shall be elected by the College Assembly according to Article II, Paragraph E, 4.a, of the College Constitution.
2. The Curriculum and Tenure and Promotion Committees shall elect their own chairperson by majority vote of its members.

E. Committees will establish written policies and procedures, which shall be maintained on file in the Dean's Office.

F. Additional Ad-Hoc committees of the College will be established as needed.

1. Ad-Hoc Committees shall, whenever possible, consist of members from each academic unit of the College.
2. Exceptions to membership on these committees may be included in the College Constitution, the By-Laws, or by the resolution establishing the committee.

G. The College Assembly may review and overrule any action of a College Committee except the decisions of the College Tenure and Promotion Committee with respect to its recommendations to the Dean.

#### Article IV. University Committee Appointments.

- A. Faculty Senate.
  - 1. All faculty eligible under the Faculty Senate Constitution shall be eligible to vote for Faculty Senators for CARTA and hold office in the Faculty Senate.
  - 2. See Article I, Paragraph D.4 of these By-Laws for ballot options.
- B. University Curriculum Committee.
  - 1. The College's representative to the University Curriculum Committee shall be the Chairperson of the College's Curriculum Committee.
  - 2. See Article I, Paragraph D.4 of these By-Laws for ballot options.
- C. University Standing Committees.
  - 1. All faculty eligible under the Faculty Senate Constitution shall be eligible to vote for members of the Faculty Senate's Standing Committees.
  - 2. See Article I, Paragraph D.4 of these By-Laws for ballot options.

#### Article V. Amendments and Revisions.

- A. Written notice of the intent to offer amendments or revisions to these By-Laws and the text of any proposed amendment or revision to this constitution must be submitted to the CARTA Faculty Assembly Steering Committee for review.
- B. Upon approval by the CARTA Faculty Assembly Steering Committee, proposed amendments and revisions to these By-Laws must be submitted to the CARTA Faculty Assembly for its consideration in advance of a scheduled CARTA Faculty Assembly meeting.
- C. The timetable and procedures for any amendments will be according to Article I, Paragraph B of these By-Laws.
- D. These By-Laws may be amended by a simple majority vote of the College Assembly members present at the College Assembly meeting, provided that a quorum, as per Article I, Paragraph D.4 of these By Laws, has been met and no proposal conflicts with the Constitution of the College.
- E. Amendments and revisions to the By-Laws shall be effective immediately unless otherwise stipulated in the resolution adopted.

#### Article VI. Attachments.

- A. Attached, herewith, is the Constitution of the FIU Faculty Senate, incorporated in this document as per Article I, Paragraph D of the CARTA Constitution.