

## **BY-LAWS**

### **College of Communication, Architecture + the Arts (CARTA)**

#### **Florida International University**

Passed by Faculty Assembly: October 26, 2023

### **ARTICLE I. THE CARTA FACULTY ASSEMBLY**

**These By-Laws stand in accordance with the CARTA Constitution and the FIU Faculty Senate Constitution**

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

1. Meetings of the Faculty Assembly will be called by the Assembly Chair(s) in consultation with the Steering Committee when needed.
2. The Dean, in consultation with the Steering Committee, may also call special meetings of the Faculty Assembly.
3. Meetings of the Faculty Assembly may also be called by the Steering Committee upon receipt of a signed petition supported by twenty percent of the membership of the Faculty Assembly. The meeting shall be scheduled within the semester in which the petition is received, or as soon as practicable.
4. The Assembly Chair(s) 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 Faculty Assembly may be submitted to the Assembly Chair(s) or Steering Committee by any voting or non-voting member of the Assembly.
6. The Assembly Chair(s) or 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 defined in Article II of the CARTA Constitution) of the Faculty Assembly has one vote.
2. The method of balloting will be determined by the Assembly Chair(s) or 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 the event that a quorum is not present at an Assembly meeting, voting may take place electronically.
5. In event of a tie vote, the Assembly Chair(s) who normally do(es) not cast a vote, will make the deciding vote.
6. For balloting that takes place outside of an Assembly meeting (electronically or by paper), all votes will be cast within two weeks of the motion's issuance.
7. 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 CARTA Constitution or these By Laws.
8. Proxy votes will not be accepted.

9. Absentee votes will be accepted in the case of paper votes.
10. Voting results will be calculated by a member of the CARTA staff and reported to the Assembly no later than one week after voting completion.
11. Nominations and elections to Assembly Chair(s) and University Committees shall be conducted electronically or by paper ballot during the Spring Semester.
12. Nominations and elections of departmental representatives to College Committees take place during the first departmental Faculty meetings of the fall semester.

#### C. Rules

1. The Assembly Chair(s) or Steering Committee, as part of its agenda-setting process, may adopt special rules governing the deliberation of the Faculty Assembly on any motion, agenda item or constitutional amendment/revision provided that the rules are announced at the beginning of the meeting of the Faculty 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. Special rules regarding balloting shall be announced prior to commencing deliberation.

#### D. Meetings.

1. The Chair(s) of the Faculty Assembly will preside at meetings of the Assembly.
2. In the event that the Chair(s) is/are unavailable, the Vice-Chair will preside.
3. Meetings of the Faculty Assembly will be conducted in accordance with the CARTA Constitution, these By-Laws, and Robert's Rules of Order (latest edition).
4. Minutes of the Steering Committee and the Faculty Assembly meetings shall be recorded by the Secretary of the Faculty Assembly and posted within two weeks on the CARTA Governance website.
5. For the purpose of conducting College business, 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 Faculty 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 Academic Units of the College are as follows:

1. Department of Architecture (School of Architecture)

2. Department of Art + Art History
  3. School of Communication
  4. Department of Interior Architecture (School of Architecture)
  5. Lee Caplin School of Journalism & Media
  6. Department of Landscape Architecture + Environmental and Urban Design (School of Architecture)
  7. Herbert and Nicole Wertheim School of Music & Performing Arts
  8. Department of Theatre
- B. Appointments of Unit Chairpersons (School Directors and Department Chairs)
1. Each Academic Unit shall establish policies for the nomination of candidates as Chairperson of the Unit.
  2. The Unit policy governing the nomination of a Unit chairperson must be submitted to the Assembly Chair(s) or Steering Committee and the Office of the Dean for approval.
  3. These policies must conform to those outlined in Article V of the College Constitution.
  4. All candidates for Chairperson shall be allowed to address the assembled Unit in advance of the deliberations and election.
  5. All voting will be by secret, written ballot and counted by a CARTA staff member.
  6. The Unit's candidate for Chairperson 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 Chairperson 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.
  3. This process shall be designed to protect the anonymity of the evaluators.
  4. Those to be evaluated include the Academic Unit Chairperson, the assistant and associate Deans, the Dean, the Provost and the President.
    - a. Assistant and associate Academic Unit Chairpersons 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 Academic Unit according to university policy and procedures.
6. In lieu of any interruption, cancellation, or suspension of the annual FAAS, the Faculty 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 Assembly Chair(s) or 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 Assembly according to Article I 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 Chairpersons, 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. A formal letter to the Administrator from the Faculty outlining their grievances, and
    - iii. A 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 CARTA 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 ballot.
11. Ballots and minutes of the meeting will be submitted to the immediate superior of the Administrator no later than one week before the Unit (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 a recommendation to the immediate superior of the Administrator.

13. If the Administrator's appointment is not terminated, the Administrator's immediate superior will provide written justification for the decision to the Assembly.

#### E. Censure of CARTA Administrators

1. Faculty who believe that their rights and/or principles specified in the CARTA Constitution have been violated may submit to the Chair(s) of the Faculty Assembly a written and signed statement outlining the claim.
2. 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 and Collective Bargaining Agreement]
3. Upon receipt of a written and signed statement outlining the claim, the Assembly Chair(s) may investigate the issue before placing it on the agenda for a meeting of the Steering Committee.
4. The Steering Committee will consider the written protest and determine whether it merits review.
5. If the Steering Committee determines that the protest merits review, it will authorize the Assembly Chair(s) to appoint an Ad Hoc Committee consisting of three CARTA Faculty to investigate the issue.
6. The Ad Hoc Committee shall begin by preparing rules and procedures for such an investigation.
7. 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(s) must report to the Faculty Assembly that an inquiry is in progress.
8. When the Committee has made a determination on the protest, it shall report its findings to the Steering Committee within ninety days.
9. 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 Faculty 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.
10. 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.
11. Voting will be conducted by secret ballot.
12. 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:
  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 15 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 Unit Chairperson, Assistant Dean or Associate Dean shall serve on a College Committee or as an officer of the Faculty 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 Chairperson in consultation with their Unit Faculty and according to the Unit's assignment procedures.

D. Committee Chairs

1. The Chair(s) of the Faculty Assembly shall serve as Chair(s) of the Steering Committee.
2. The Curriculum and Tenure and Promotion Committees shall elect their own chairperson by majority vote of its members.

E. Committees will follow written policies and procedures established at the College and University level.

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 Faculty 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.
- B. University Curriculum Committee.
1. The College representative to the University Curriculum Committee shall be the Chairperson of the College Curriculum Committee.
- 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.

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 Faculty Assembly Steering Committee for review.
- B. Upon approval by the Faculty Assembly Steering Committee, proposed amendments and revisions to these By-Laws must be submitted to the Faculty Assembly for its consideration in advance of a scheduled 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 Faculty Assembly and provided that 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.