

RULES OF THE FACULTY
OF THE
COLLEGE OF ENGINEERING
THE UNIVERSITY OF MICHIGAN

April 24, 1973

June 15, 1981

April 2, 1996

April 8, 1997

February 3, 1998

March 23, 1999

December 7, 1999

February 6, 2001

December 4, 2001

December 8, 2003

April 22, 2004

March 13, 2006

May 24, 2006

February 20, 2007

December 2, 2008

February 25, 2010

May 19, 2011

April 4, 2011

April 4, 2013

RULES HISTORY

As a matter of record, the Committee of G. W. McEwen (Chair), A. M. Kuethe, L. M. Legatski, and M. J. Sinnott prepared the first statement of Faculty Rules, which was adopted in the Faculty Meeting of May 9, 1963.

The Committee of M. J. Sinnott (Chair), D. K. Felbeck, J. A. M. Lyon, and S. S. Stanton reviewed the Rules but introduced no marked changes. Their recommendations were adopted at the Faculty Meeting of February 22, 1968.

Minor changes were adopted by the Faculty October 2, 1969.

Membership on the Nominating Committee was increased from 5 to 7 by Faculty December 5, 1972.

The Committee of J. A. M. Lyon (Chair), R. D. Hanson, A. R. Hellwarth, W. F. Hosford, and C. M. Vest recommended the rule for filling a vacancy on the Executive Committee, which was adopted by the faculty on April 24, 1973.

The Committee of A. W. Naylor (Chair), R. A. Loomis, J. R. Pearson recommended revisions which were adopted by the Faculty on February 18, 1975.

Revisions providing for SARC; changes in Art. II.B. Nominations and Art II.C. Method of Election and Appointment; and Art. I.C.2.k. providing for amendments were adopted by the Faculty on April 13, 1976.

Change in wording from “including” to “except” Art.X.B.2. Adopted Fall, 1990. October 16, 1990 Faculty Meeting Minutes.

The Committee of W. F. Hosford (Chair), R. I. Carr, and P. Roe recommended revisions regarding offering of degrees, which authorized the College awarding Master's degrees, which were accepted at the Faculty Meeting of February 9, 1993.

Over a period of four years Committees of W. F. Hosford (Chair 1992-93), R. I. Carr (Chair 1993-94), P. Roe (Chair 1994-95), E. Kannatey-Asibu (Chair 1995-96), A. Hero, and A. Waas, wrote a new statement of Faculty Rules, which was accepted by the Faculty on April 2, 1996.

The Committee of A. O. Hero (Chair), A. Waas, and L. Thompson recommended revisions to Articles I.A.2., I.B.8., III.A., III.C., VI.C., and VIII.A.3., which were accepted at the Faculty Meeting of April 8, 1997.

The Committee of A. Waas (Chair), F. Terry, Jr., and L. Thompson recommended revisions to Articles I.C.2.c., II.C., II.D., III.A., IV.A., and IV.B., which were accepted at the Faculty Meeting of February 3, 1998.

The Committee of L. Thompson (Chair), J. Halloran, and F. Terry, Jr. recommended revisions to Article X, which were accepted March 23, 1999, after being

presented at the February 16, 1999, Faculty Meeting and voted on via e-mail. The deadline for votes was March 22, 1999.

The Committee of Fred Terry, Jr. (Chair), J. Halloran, and William Schultz recommended revisions to Article VI.B.1, paragraphs 1 and 2, which were accepted at the December 7, 1999, Faculty Meeting.

The Committee of W. Schultz (Chair), J. Halloran, and M. Brake recommended revisions to Articles I.B.6, II.ABCD, V.IIB.2, and V.IIIA.2, were approved at the February 6, 2001, Faculty Meeting.

The Committee of W. Schultz (Chair), J. Jenkins, and V. Li recommended revisions to Articles III.A., III.C. and VII.B.1., which were approved at the December 4, 2001, Faculty Meeting.

The Committee of L. Bernal (Chair), S. Rand, and J. Barber recommended revisions to Article I.C.2.h., which were accepted by the faculty at the December 8, 2003, Faculty Meeting.

The Committee of L. Bernal (Chair), S. Rand, and J. Barber recommended revisions to Articles I.B. (I.B.1.-I.B.8.), Article II.B., Article II.D., Article III.A., Article V.F., Article VII.B.1., Article VIII.A.2., Article VIII.A.6., Article VIII.B., Article IX.B., Appendix I., and Appendix II., which were all approved by faculty vote on April 22, 2004.

Revisions to Article X were recommended by the Provost. The Committee of J. Barber (Chair), W. Keyserling and M. Perlin recommended the revisions which were approved by faculty vote on March 13, 2006.

The Committee of W. Keyserling and M. Perlin recommended revisions to Article I.C.2.h and Article I.C.2.i, which were approved by a faculty vote on May 11, 2006.

The Committee of W. Keyserling, M. Perlin and Phil Savage recommended revisions to Article II.C.1., Article, II.C.2., Article II.C.3., Article II.C.4., Article II.D., Article III.A., and Article III.C., which were approved by a faculty vote on February 20, 2007.

The Committee of P. Savage, C. Lastoskie and M. Solomon recommended revisions to Article I.B.2, I.B.3, Article VIII.A.2, VIII.B.4, VIII.B.5, VIII.B.6, Appendix I and adoption of I.B.7 which were approved by faculty vote on December 2, 2008.

The Committee of C. Lastoskie (Chair), M. Solomon and G. Herrin recommended revisions to Article II.B, II. C, II. C.4, IX.B, and Appendix III., which were approved by faculty vote on February 25, 2010.

The Committee of M. Solomon (Chair), G. Herrin and S. Wright recommended revisions to Article I.B.2 and Article V.C., V.G., and Appendix III., which were approved by faculty vote on March 30, 2011.

The Committee of S. Wright (Chair), A. Violi and W. Keyerling recommended revisions to Article V on Department and Divisional Organizations, and Appendix X, which were approved by faculty vote on April 4, 2013.

FOREWORD

The Rules of the Faculty of the College of Engineering (hereinafter referred to as the Rules and the College) implement the Bylaws of the Board of Regents (hereinafter referred to as the Bylaws and the Board) for the College. Reference in the Rules to another part of the Rules is shown as (X.X.x.x.).

Certain of the Rules are based on particular Bylaws sections, based on Bylaws dated September, 1994. In such cases the corresponding section of the Bylaws is referenced as (Bylaws x.xx), and the reference applies to all phrases in the paragraph that precede it. Although portions of such Rules may quote a Bylaw section, they may not quote the entire section. Moreover, such Rules may contain provisions particular to the College that are not alluded to in the Bylaws. The Dean's Office and Department offices have copies of the Bylaws. Segments of the Bylaws that are particularly pertinent to College governance and responsibilities as implemented in its Rules are included in an appendix to these Rules.

A chart has been provided in an appendix to illustrate membership and voting privileges of various staff groups provided for in the Bylaws, Senate Rules, and College Rules.

From time to time the Executive Committee issues or revises statements on policy matters falling within its scope of responsibilities to serve as guidelines or aids to the Executive Committee in its deliberations and decision-making. Such guidelines may also be issued by the Executive Committee for implementing the Bylaws or Rules as may be expedient for the functioning of the College. The current Executive Committee Guidelines are included in an appendix to these Rules, and the Rules direct readers to the Guidelines for further information on College policies and procedures.

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ARTICLE I. THE COLLEGE OF ENGINEERING, ITS FACULTY, AND FACULTY MEETINGS

I.A. General Purpose of the College

I.A.1. The College is maintained for the purpose of serving the state and the nation, through:

- Providing instruction;
- Conducting scholarly investigations and research in those branches of knowledge that form the basis of modern culture, professional practice, and leadership in our business and industrial society, and
- Applying the knowledge of the physical, biological, social, and engineering sciences to the solution of the problems of our society. (Bylaws 6.01.)

I.A.2. The College offers undergraduate degree programs leading to Bachelor's degrees and graduate degree programs leading to Master's degrees and Doctoral degrees.

I.A.3. The Faculty of the College offers graduate degree programs leading to Master's, Professional, and Doctoral degrees through the agency of the Horace H. Rackham School of Graduate Studies.

I.B. Definitions

I.B.1. The term Professorial Staff consists of all persons holding regular appointments as professors, associate professors, and assistant professors. (Bylaws 5.01.2.)

I.B.2. The term Governing Faculty (Bylaws 5.01.3) shall include all of the following who have appointments in the College of one-half time or more:

1. Members of the Professorial Staff;
2. Research professors, research associate professors, research assistant professors, research scientists, associate research scientists and assistant research scientists who hold appointments in the College of one-half time or more (Bylaws 5.01.3); and
3. Instructors and lecturers who have been appointed in the College for at least one year; and
4. The clinical positions of Professor and Associate Professor of Engineering Practice (Bylaws 5.01.3).

I.B.3. The term Teaching Staff shall include all persons holding regular, adjunct, or visiting appointments as professors, associate professors, assistant professors, professors of engineering practice, associate professors of engineering practice, instructors, and lecturers. (Bylaws 5.01.4.)

I.B.4. The term Research Staff shall include research professors, research associate professors, research assistant professors, research scientists, associate research scientists, assistant research scientists, research investigators, engineers, engineer investigators, and other persons other than Professorial Staff whose responsibilities in research relate to those fields over which the College has responsibilities for instruction and who are responsible to the College or one of its departments or divisions for direction of work and for budgeting and allocations of resources, not including those primarily engaged in supportive services such as laboratory technicians and office personnel.

I.B.5. The word Faculty used in these Rules means Governing Faculty, the term Member (capitalized) means a member of the Governing Faculty.

I.B.6. The terms Graduate Student Instructor and Graduate Student Research Assistant shall be used to designate graduate students who participate in teaching and research, respectively, but do not possess faculty rank. (Bylaws 5.01.5.)

I.B.7. The College of Engineering's clinical positions carry the internal titles of Professor of Engineering Practice and Associate Professor Engineering Practice (Bylaws 5.23.2).

I.C. Faculty

I.C.1. General. The Faculty shall be in charge of the affairs of the College except as delegated to the Executive Committee. (Bylaws 5.02.) The management of the affairs of the College, subject to Regental approval, is placed in the Faculty, the Dean, and the Executive Committee. (Bylaws 6.01.) The powers, duties, and operating procedures of the Faculty shall be as follows:

I.C.1.a. The Faculty shall from time to time recommend to the Board for approval such regulations as are not included within the Bylaws and which are pertinent to the structure of the College and its major operating procedures, such as departmental organization, requirements for admission and graduation, and other educational matters, the determination of which are within the particular competence of the Faculty. All such recommendations when approved by the Board shall be recorded in the Proceedings of the Board. (Bylaws 5.03.)

Subject to the ultimate authority of the Board, the Faculty of the College is also vested with plenary powers to make rules and regulations concerning other matters such as grading regulations, class attendance, committee organization, and related internal matters. All such regulations shall be recorded in the minutes of the Faculty and filed with the Secretary of the University. (Bylaws 5.03.)

The Faculty shall provide suitable instruction for the students enrolled in the College and shall recommend to the Board the students under its jurisdiction who qualify for University degrees. The Faculty shall, subject to approval by the Board, possess such other powers as are necessary to the performance of its duties. (Bylaws 5.03.)

I.C.1.b. The Faculty shall adopt rules for its own government and procedure. In the absence of specific rules to the contrary, the rules of parliamentary procedure as described in Robert's Rules of Order shall be followed by the Faculty, by committees, and other deliberative bodies. (Bylaws 5.04.)

I.C.1.c. The Faculty shall submit its communications to the Board in writing through the Dean and the President. The Dean shall endorse faculty communications, making appropriate explanatory statements as needed. (Bylaws 5.05.)

I.C.2. Faculty Meetings

I.C.2.a. General. The Faculty shall exercise its powers and legislative authority through regular and special Faculty meetings. Among the matters over which the Faculty has authority and which it shall act on at Faculty Meetings are the following:

- Policies, rules, regulations pertaining to governance, organization, and administration not otherwise delegated to the Dean or Executive Committee;
- Policies relating to recruitment, appointments, promotions, tenure, leaves, and retirement of Faculty;
- Courses offered for instruction, degree programs, and requirements for graduation;
- Requirements for admission and rules and procedures for affecting the enrollment of students;
- Reports of committees as required by the Rules or as specified by the Executive Committee; and
- Policies relating to utilization of facilities and extensions of plant.

I.C.2.b. Chair. The Dean shall serve as Chair ex officio of Faculty Meetings. In the Dean's absence, the senior member of the Executive Committee shall serve as Chair pro tem ex officio (See IV.A.).

I.C.2.c. Secretary. The Secretary to the Faculty may be a Member appointed by the Executive Committee. The Dean may, with the approval of the Executive Committee, appoint a member of the Dean's staff to serve as secretary.

The Secretary shall keep a record of faculty action and distribute the minutes of all meetings and all special reports and actions of the Faculty to Members, to the Secretary of the University, to the Provost and Executive Vice President for Academic Affairs, and to others designated by the Executive Committee.

The Secretary shall compile and distribute to Members and others specified by the Executive Committee any revision in or amendment to the Rules.

I.C.2.d. Regular Meetings. Two regular Faculty Meetings shall be held each fall and winter term. The time shall be fixed by the Executive Committee.

I.C.2.e. Notice of Meetings. Written notices of regular Faculty Meetings shall be sent from the Dean's Office to all Members and to specified members of the President's Office in time to be delivered normally not less than approximately one week before the time set for the meeting.

I.C.2.f. Special Faculty Meetings. Special Faculty Meetings may be called by the Dean or by the Executive Committee. Also a special Faculty Meeting shall be called in response to a petition signed by at least twenty-five Members. The purpose of a special Faculty Meeting shall be stated in the notice.

I.C.2.g. Attendance at Faculty Meetings. Only Members and emeritus Members are entitled to attend Faculty Meetings. Any part of a Faculty Meeting can be closed to any or all guests and visitors by a majority vote. Invitations may be extended to visitors by a majority vote at a regular or special Faculty Meeting or by the Dean or Executive Committee.

I.C.2.h. Quorum. Different activities are allowed depending on the number of Members present at a College of Engineering Faculty Meeting, as follows:

- With the exception of changes to Faculty Rules, twenty or more Members constitute a quorum for transaction of business, including discussing, amending, and voting on: 1) items distributed to Members prior to the meeting, 2) motions included on the written agenda, and 3) motions introduced during the meeting.
- Thirty Members constitute a quorum for transaction of business related to changes to Faculty Rules, including discussing and amending items distributed to Members prior to the meeting. In order for a Rules change to be adopted, it must be approved by the majority of “yes” and “no” votes cast, provided that at least 30 “yes” votes are cast.
- Option for Electronic Voting: Upon the request of the lesser of ten Members or 25% of Members present at a meeting, any item requiring a faculty vote will be subsequently voted on via electronic means by all Members. If an electronic vote is taken, the following materials will be distributed to all Members within two weeks after the faculty meeting: the final version of the motion or resolution, a summary of the discussions leading to it, and any other relevant documents. A voting period of two weeks shall follow, and voting results shall be announced to Members within one week thereafter. The outcome of electronic voting will be determined by the majority of “yes” and “no” votes cast. If an electronic vote is taken on a Rules change, it must be approved by the majority of “yes” and “no” votes cast, provided that at least 30 “yes” votes are cast.
- Fewer than twenty Members: The assembly may receive reports and special orders, discuss any matter properly before them, and adjourn the meeting to another day but may not receive motions and may not authorize ballots.

I.C.2.i. Voting in Faculty Meetings. Only Members are entitled to vote at Faculty Meetings. Only items on the agenda are eligible for a vote. Unless otherwise

specifically provided herein, all issues in Faculty Meetings shall be decided by a majority vote. Voting shall ordinarily be by voice, but a hand or standing vote may be ordered by the Chair in cases of doubt or may be requested by a Member. A request for a secret ballot or an electronic ballot by the lesser of ten Members or 25% of Members present will always be honored. After a motion has been passed and the Faculty Meeting adjourned, the question involved in the motion may be reopened upon written request of ten Members, with statement of reasons for reconsidering the question.

I.C.2.j. The Agenda for Faculty Meetings. An item may be placed on the written and distributed agenda for a Faculty Meeting by the Dean or the Executive Committee or by any standing or special committee when presented in writing and identified with the name of the Chair of the respective committee or by any Member when presented in writing and supported with signatures of two other Members. The Executive Committee shall be responsible for arranging the agenda.

I.C.2.j.1. A proposal to amend, repeal, or adopt a Rule or to amend, repeal, or adopt legislative policy (See I.C.2.a.) must be distributed with the agenda in writing in order to be considered at a Faculty Meeting.

I.C.2.j.2. All motions or resolutions to be included on the written agenda must be submitted to the Secretary of the Faculty early enough to permit them to be distributed to the Members approximately one week in advance of the Faculty Meeting at which they are to be considered, except as approved by the Executive Committee for Special Faculty Meetings.

I.C.2.j.3. At the Faculty Meeting, the presiding officer shall issue a call for other items to be added to the agenda. Ordinary matters may be added to the agenda by majority consent. An item that involves a motion altering the Rules or policies of the College may be introduced only on the consent of two-thirds of the Members present.

ARTICLE II. ELECTIONS

II.A. Time of Elections. The annual election for Executive Committee (See III), Senate Assembly, Faculty Rules Committee and Ombuds (See VII.B.4.) shall be associated with the first regular Faculty Meeting of the winter term.

II.B. Nominations. At least one month prior to the end of the fall term the Executive Committee shall appoint a Nominating Committee of at least seven Members including a Chair to prepare slates of candidates to be distributed with the agenda for the first regular Faculty Meeting of the winter term. In the interest of continuity, at least one member of the Nominating Committee from the previous year shall be reappointed.

The Nominating Committee shall present for faculty approval at least three times as many nominations as there are vacancies to be filled on the Executive Committee and twice as many nominations as there are vacancies to be filled on the Faculty Rules Committee, Ombuds, and Senate Assembly. Additional nominations may be made from the floor. Each nomination must have prior approval of the nominee. Persons accepting a nomination should do so with the understanding that if selected they will make themselves available for the regular meetings as scheduled.

Note: Only Members who are also members of the Senate as defined by the Regents Bylaws and the Rules of the University Senate shall be considered for nominations to Senate Assembly.

II.C. Method of Election and Appointment.

II.C.1 Election Process. The panel of nominees for the Executive Committee, members of the Senate Assembly, members of the Faculty Rules Committee and the Ombuds shall be elected by the Members using a web-based electronic ballot. On the ballot, a vote may be made for up to two nominees for each vacancy on the Executive Committee, and one vote may be made for each vacancy on the Faculty Rules Committee, Senate Assembly and Ombuds.

Notification for electronic ballots shall be sent to the electronic mail address of each Member. The Secretary shall act as the electoral officer. Web-based ballots must be entered within three weeks of notification. Ballots will be electronically authorized and counted.

II.C.2 Appointment of Executive Committee members. Following the election, the Dean will report promptly to the Faculty the names of the two nominees who received the highest number of votes.

The Dean will submit to the President a list containing the four nominees who received the highest number of votes. The list will contain the number of votes received by each nominee. From this list, the President will appoint two members of the Executive Committee who will serve three-year terms.

II.C.3. Electing members of the Rules Committee, Senate Assembly, and Ombuds. Those receiving the highest number of votes for the respective vacancies on the Faculty Rules Committee, the Senate Assembly and the Ombuds shall be considered the new members by election.

II.C.4. Replacing members of the Rules Committee, Senate Assembly, and Ombuds. In the event that any elected member of the Faculty Rules Committee, Senate Assembly, or Ombuds goes on leave or is unable to complete his/her term of service, the replacement will be appointed by the Executive Committee after consideration, in descending order, of candidates from the following groups of faculty:

- (1) Eligible faculty who have previously completed a term of service on the respective committee.
- (2) The runner(s) up for the respective vacancy in the most recent College Election, based on the number of votes received.
- (3) Eligible at-large faculty, per Appendix I, if no suitable replacement in categories (1) and (2) above is available and willing to serve, a replacement for a member on leave shall serve temporarily during the period of leave; a replacement for a member who resigns shall serve the remainder of the term.

II.D. Other Appointments. For the regulations on appointments for other officers and committees, refer as follows: Dean and Staff - Article IV; Department or Division Chair - Article V; and College Committee - Article VII.

ARTICLE III. THE EXECUTIVE COMMITTEE

III.A. General. The Executive Committee shall consist of the Dean and six tenured Members with full Professor standing to be appointed by the Board on recommendation by the President. (Bylaws 11.17.) The appointed Members shall not simultaneously serve as members of the Dean's staff or as Department Chairs, Program Directors, Associate Chairs, or Division Chairs or as members of a Department Executive or Advisory Committee. At no time shall more than one appointed member of the College Executive Committee have their primary appointment from the same department, except in the case of the EECS Department, where up to one member may be elected from each division . The appointed members shall hold office for three years and shall not be eligible for reappointment until after a lapse of one year. The terms shall be so adjusted so that two shall expire each year. The Dean shall serve as Chair ex officio of the Committee with vote. (Bylaws 11.17.) In the Dean's absence, the senior members present shall serve as Chair pro tem ex officio on an alternating basis. (See IV.A.)

III.B. Duties. The Executive Committee shall assist the Dean with administrative functions and is charged with the duties of investigating and formulating educational, instructional, and research policies for consideration by the Members, and it shall act for the Faculty in matters of budgets, promotions, appointments, (Bylaws 5.06.) plant extensions, and all other financial affairs.

III.C. Vacancies. When a midterm vacancy occurs in the membership of the Executive Committee, a replacement shall be selected as follows: The Dean shall submit to the President for appointment of a replacement the names of the two most-recent past members of the executive committee who are eligible and willing to serve, or if fewer than two past members are eligible and willing, the name(s) submitted will be the eligible runners(s)-up from the most-recent Executive Committee selection, listed in order of votes received. An appointee who replaces a member on leave shall serve temporarily during the period of leave; an appointee replacing a member who resigns shall serve the remainder of the term.

The term of a member of the Executive Committee who is appointed Chair of a Department, member of the Dean's staff, or other positions excluded from simultaneous service in Article III.A., expires with the new appointment.

III.D. Procedures. The Executive Committee shall formulate rules for its own procedures (known as Executive Committee Guidelines) and acquaint the Members with them. The Executive Committee shall report at each regularly scheduled Faculty Meeting. The Executive Committee may appoint a secretary who is not a member of the Committee to record the minutes of its meetings. As required for the discharge of its functions, the Executive Committee may invite others to its meetings.

ARTICLE IV. THE DEAN'S OFFICE AND CHAIR ADVISORY COMMITTEE

IV.A. General. The Dean of the College of Engineering shall be appointed by the Board on recommendation by the President to act as executive officer of the College. (Bylaws 5.06.) The Dean shall hold the rank of tenured full Professor in the College or as otherwise designated by appropriate action of the Board.

The Dean shall be assisted by the appointed members of the Executive Committee, of which the Dean shall be Chair ex officio with vote. (Bylaws 5.06.) The Dean shall serve as Chair ex officio of the Faculty and preside at Faculty Meetings; the Dean shall serve as Chair ex officio of the Chair Advisory Committee with vote.

The Dean reports to the Provost and Executive Vice President for Academic Affairs and shall perform such other duties as may be prescribed by the Board or by the rules and regulations established by the Members.

In the event of the absence of the Dean, or the Dean's inability to act or in the event of a vacancy in the office, the senior appointed member of the Executive Committee shall serve as Chair pro tem ex officio of the Faculty and of the Executive Committee.

IV.B. The Dean's Staff. The Dean may, with the concurrence of the Executive Committee, recommend to the Regents the appointment of Members to serve as Associate Deans. The Dean may, also, with the concurrence of the Executive Committee, appoint Assistant Deans, or Assistants to the Dean. These persons assist the Dean in the administrative functions of the College.

IV.C. Chair Advisory Committee. The Chair Advisory Committee members shall include the Dean, who will preside, the Department Chairs, and Members appointed by the Dean because of special responsibilities. Others may be invited to attend meetings at the discretion of the Dean.

The Chair Advisory Committee shall provide a means of maintaining communication throughout the College, its members being responsible for relaying information disseminated at the meetings. The Committee shall review, discuss, and advise on matters that concern the interests and welfare of the College, including the recommendations of the Curriculum Committee.

The Dean may appoint a temporary Chair to preside during the Dean's absence and a secretary to record the minutes of the meeting.

ARTICLE V. DEPARTMENTAL AND DIVISION ORGANIZATION

V.A. General. A Department in the College is maintained for the purpose of providing an opportunity and the necessary facilities for study and research in a specified field of learning (See VI.A.). It shall have a separate budget and be responsible to the Dean and the Executive Committee. (Bylaws 6.04.) A Division of the College may be established for the purpose of coordinating allied interests and activities of faculty members interested in a common substantive field which cuts across administrative lines.

The College shall be divided into such Departments and Divisions as shall from time to time be recommended by the Executive Committee with the concurrence of the Members and authorized by the Board.

Each Department/Division shall function under a Chair and shall be organized in such a manner as to provide general participation by Members in the management of departmental affairs (See V.F.). (Bylaws 6.04.)

V.B. Appointment of Department/Division Chairs. Chairs shall be appointed by the Board on recommendations by the President. (Bylaws 5.06.)

V.C. Selection of Chair. The Dean, in consultation with the College Executive Committee, shall initiate the process for the selection of a Department/Division Chair. A chair shall hold the rank of professor or associate professor in a field of the Department/Division's interest or in a related field. The selection of the Chair of a Department/Division shall be conducted in a manner to effectively utilize the best professional and personal judgments of Department/Division members and members of the profession at large. After consultation with the Executive Committee, the Dean will submit the recommendation for the chairship to the Board of Regents for approval.

V.D. Term of Chair Appointment. Appointment shall be made for a term not to exceed five years. A Chair may be reappointed for an additional term following the usual review procedures. This policy assumes neither automatic reappointment nor automatic rotation. It does imply periodic assessment of the department situation based on extensive consultation with members of the Department/Division and the profession.

V.E. Department/Division Staff. The appointment of an associate or assistant chair may be recommended by the Executive Committee of the College, taking into account such factors as the size of the Department/Division, teaching loads, facilities, and other responsibilities of the Chair.

V.F. Department/Division Committees. Each academic Department/Division of the College will have an Executive, Advisory, or Administrative Committee elected annually, identified here as the Department/Division Committee. The Department/Division may, by a majority vote of the Department/Division Faculty, establish an alternative procedure for assuring Faculty participation.

The specific name and makeup of the Department/Division Committee may vary depending on the wishes of the Department/Division Faculty. For continuity from year

to year, only part of the Committee membership shall be newly elected in any one year except for the initial election. The Department/Division Chair shall serve as Chair of this Committee ex officio, with vote.

The Committee shall meet as often as it finds necessary. The major duties of this Committee are to advise the Chair on policy matters and to make recommendations regarding new faculty appointments, promotions, tenure, and termination. In order to obviate problems associated with relative rank, individual Committee members may be excluded during the consideration of promotions, tenure, and termination. On such major duties, the Chair of the Department/Division may make recommendations to the Dean and the College Executive Committee which are contrary to the majority view of the Department/Division Committee. However, in such cases the Chair must notify the Department/Division Committee of the Chair's intention to make such recommendations. In all such cases, the Department/Division Committee has the privilege of presenting its majority view directly to the Dean and the Executive Committee. The request of any member of the Department/Division Committee for a secret ballot will always be honored.

V.G. Department/Division Reviews. College of Engineering departments/programs shall be reviewed regularly to identify strengths, weaknesses, and opportunities for improvement. Such a review will be conducted in two stages with an internal review being followed by an external review. The Dean, in consultation with the Department/Division faculty and the College Executive Committee, will appoint an Internal Review Committee to prepare a report on the current status and projected plans and needs of the department. This committee will solicit opinions from faculty, staff and students of the Department/Division, gather all relevant information from both within and outside the Department/Division and prepare a draft of its report. This draft will be submitted to each faculty member of the Department/Division for his/her comments and recommendations. The Internal Review Committee shall prepare its final report and present it to the Dean and Executive Committee with a copy distributed to each member of the Department/Division faculty. The internal review report will form a foundation from which an External Review Committee conducts its own evaluation of the department/program. Members of the External Committee will be identified by the Dean, in consultation with the department. The External Committee will report on its findings to the Department/Division, Dean and Executive Committee.

ARTICLE VI. CURRICULA PROGRAMS - DEGREES

VI.A. Departmental Programs. Each degree granting Department in the College shall provide opportunities for study in a curriculum(s) or program(s) of study that leads to a bachelor's degree. Each Department of the College shall provide courses and instruction in subjects related to the qualifications of its faculty. A departmental program that specifies the requirements for a degree shall be reviewed by the Curriculum Committee (See VII.B.1.) and adopted by the Members before being submitted to the Board for approval.

VI.B. Interdisciplinary Programs may be provided according to the needs of the times. Each such program will be under the control and administration of an interdepartmental Program Committee appointed by the Executive Committee and shall be approved in the same manner as for a Department. The interdepartmental Program Committee shall provide counseling service to students and through Program Advisor(s) certify the graduation of students in the same manner as for a departmental program.

Similarly, the College may cooperate with other schools or colleges of the University to provide opportunities for interdisciplinary study that lead to specially designated degrees or a degree from each of the cooperating colleges.

VI.C. Graduate Study. The Departments of the College shall cooperate with Horace H. Rackham School of Graduate Studies to provide opportunities for graduate study and associated research leading to master's, professional, and doctor's degrees. The Departments of the College and College Interdisciplinary Programs may provide opportunities for graduate study leading to master's degrees and to doctor's degrees. The requirements for each graduate degree shall be reviewed by the Curriculum Committee (See VII.B.1.) and adopted by the Members before being submitted to the Board for approval.

VI.D. Program Adviser. A Program Adviser, or Program Advisers, shall be appointed for each undergraduate degree program offered by the College, as a representative(s) of the College, as a representative of the Department, or as a representative of the Program Committee responsible for an interdisciplinary program. Appointments are made by the Executive Committee on recommendation of the respective Department Chair or Program Committee.

A Program Adviser is responsible for academic counseling of each student who has elected the respective program and for all related matters that determine the student's eligibility for graduation. Certain responsibilities and authorities are specified in the rules and procedures as published in the College Bulletin. The Program Advisor is also responsible for supervising the course selection counseling that leads to classification of students for each term, for course substitutions, and for assignments related to curriculum and preparation of material for the College Bulletin as delegated by the Department Chair or Program Committee.

ARTICLE VII. COLLEGE COMMITTEES

VII.A. General

VII.A.1. Covered elsewhere. Provisions are made elsewhere in these Rules for: Executive Committee - Article III; Chair Advisory Committee - Article IV.C.; and Nominating Committee - Article II.B.

VII.A.2. Committees. Section B below provides for four continuing committees of the College.

The Executive Committee may, from time to time, establish other committees as necessary for the functioning of the College. All committee appointments are subject to approval by the Executive Committee. (See Executive Committee Guidelines)

VII.A.3. Student Service on Committees. When the nature of the functions or assignments of a College or departmental committee is such that participation by students would bring benefits to the College and the student body, the Members endorse the appointment of representatives of the student body. (See Executive Committee Guidelines.)

VII.B. Continuing Committees

VII.B.1. The Curriculum Committee. The Curriculum Committee shall consist of one Member representing each department/division in the College, one Member representing the Interdisciplinary Degree Program, two Members representing the Dean's staff, a Member representing Technical Communications, and two student representatives, all of whom will serve with voting right. The Members representing their Departments/Division on the Committee will be selected by their respective departments. The Dean will appoint the representative of the Interdisciplinary Degree Program, the two representatives of the Dean's staff, the representative from Technical Communications, and the two representatives of the student body. In the event that a single individual is appointed to represent more than one unit, that individual will cast a single vote. The Committee shall select its Chair annually from the Departmental or Program representatives on the Committee.

The Curriculum Committee shall examine all educational programs of the College, graduate and undergraduate, and all proposed changes, and encourage full discussion of the proposals by the Members before they take action. The Committee, moreover, shall initiate changes by asking Departments/Divisions to reexamine their programs or specific course offerings. The degree programs shall be administered by the Departments/Divisions or by Program Committees. The Curriculum Committee advises, suggests, coordinates, stimulates, and in general acts for the best interests of the College. Its recommendations regarding college-wide curriculum requirements, new degree programs, and any other curricular issues the Committee determines of comparable significance shall be brought before the Faculty for approval. The Committee will have the authority to approve by a 2/3 vote all other curriculum-related changes without a vote of the Faculty.

The Dean's Office shall provide a clerical service, maintain the necessary records for the Committee, and take the necessary action to publish the changes in the College Bulletin and to notify other units in the University.

VII.B.2. The Committee on Scholastic Standing. The Committee shall consist of Members appointed by the Executive Committee for three-year terms so arranged that effective rotation is accomplished. The Chair shall be appointed by the Executive Committee. The Committee on Scholastic Standing shall study problems related to scholastic performance and recommend for Faculty approval criteria for defining scholastic deficiencies and for reinstating students whose further enrollment has been withheld according to the Rules of the College. It shall hear appeals of students whose enrollment has been withheld because of scholastic deficiencies, determine which students shall be reinstated, and authorize their reinstatement, and in special cases may remove students from probation.

VII.B.3. The Faculty Committee on Discipline. The rules and procedures that relate to the general standards of conduct for Engineering students and the Honor Code of the College appear in the annual College Bulletin and in the Honor Code Booklet. The organization, functions, and responsibilities of the Student Honor Council are also outlined in the Honor Code Booklet.

The Honor Council serves to make an investigation and recommendation on any reported case of violations of the Honor Code and any case of student misconduct or dishonesty which falls within the jurisdiction of the College as covered under General Standards of Conduct for Engineering Students in the College Bulletin.

The Faculty Committee on Discipline shall have the authority vested in the Members to review each case of violation of the Honor Code, of misconduct or of dishonesty and the recommendations of the Honor Council pertaining thereto, and to impose an appropriate penalty.

The Committee shall consist of Members appointed by the Executive Committee for four-year terms so arranged that effective rotation is accomplished, and a member of the Dean's staff ex officio. The Chair shall be appointed by the Executive Committee.

VII.B.4. The Faculty Rules Committee. The Faculty Rules Committee shall review, advise, and recommend rules, regulations, policies, and procedures pertaining to College governance, organization, and administration. The Faculty Rules Committee shall consist of three Members elected for three-year terms in accordance with the procedures covered in Article II and so arranged that the term of one member expires each year. The Chair of the Committee will be the member serving a third year.

ARTICLE VIII. RULES FOR APPOINTMENT, PROMOTION, TENURE, AND TERMINATION

VIII.A. Appointment, Tenure, Promotion, and Resignation of the Staff

VIII.A.1. Tenured Faculty. Members of the tenured Professorial Staff shall be appointed by the Board on recommendation by the Chair of the Department concerned, the Executive Committee, and by the President. (Bylaws 5.08.1.) (See Executive Committee Guidelines)

VIII.A.2. Nontenured Teaching and Research Staff. All nontenured members of the Teaching Staff, including adjunct and visiting professors, lecturers, and instructors shall be appointed by the President on recommendation by the Chair of the Department concerned and the Associate Dean for Academic Affairs. Research Investigator, Assistant Research Scientist and Associate Research Scientist Staff shall be appointed by the President on recommendation by the Chair of the Department concerned and the Associate Dean for Research. Research Professor, Research Associate Professor, Research Assistant Professor, Research Scientist, Professor of Engineering Practice, and Associate Professor of Engineering Practice shall be appointed by the President on recommendation by the Chair of the Department concerned and the Executive Committee of the College. Appointments of Professors and Associate Professors of Engineering Practice shall be for a term of up to five years, as in each case specifically designated in the terms of the appointment. Nontenured Professorial Staff shall be appointed for terms of one, two, or three years, as is in each case specifically designated in the terms of the appointment. Whenever such term of appointment is not specified, it shall be for one year only. Other teaching appointments shall be for not more than one year except that in the case of instructors of proven ability the appointments may be for two-year terms. (Bylaws 5.08.2; Bylaws 5.23.2)

VIII.A.3. Graduate Student Assistants. Appointments of Graduate Student Instructors, Graduate Student Research Assistants, and Graduate Student Staff Assistants shall be subject to approval by the President through the Academic Appointments Office upon the recommendation of the Chair of the Department concerned and the Dean or the Dean's designated staff member.

VIII.A.4. Other Staff. Unless specifically provided otherwise by the Bylaws, all other members of the staff shall be appointed by the President, on recommendation by the appropriate administrative officer for the fiscal year only. (Bylaws 5.08.3.)

VIII.A.5. Promotions. All promotions to tenured teaching positions shall be made by the Board on recommendations by the Chair of the Department concerned, the Executive Committee of the College, and the President. All promotions to nontenured Teaching Staff and Research Staff shall be made by the President on recommendation by the Chair of the Department concerned and the Executive Committee and shall be reported to the Board in the same manner as original appointments in this class. All such changes for other members of the staff shall be made by the President on recommendation by the appropriate administrative officer or agency. (Bylaws 5.08.4.)

VIII.A.6. Appointments Dependent on Outside Funding. In addition to provisions of the Bylaws (Bylaws 5.08.), and subject to the Bylaws, the support of a tenured Member of the College in whole or in part by grants or contracts of limited duration given to the University by outside agencies shall have no adverse affect on the Member's tenure.

VIII.A.7. Guidelines on Appointments. The Executive Committee has the responsibility for establishing, and revising when necessary, guidelines on appointments that will serve to implement the University rules on appointments, tenure, and promotion within the College. (See Executive Committee Guidelines)

VIII.B. Procedures in Cases of Dismissal, Demotion, or Terminal Appointment. These procedures are fully described in the Bylaws 5.09. In applying these procedures "The executive authority of the administrative unit" means the "Executive Committee of the College of Engineering" for all Members.

To supplement these Bylaws appeal procedures, the following termination and notice of non-reappointment procedures are given:

All term appointments are considered terminal upon the completion of the specified term and conditions of the appointment. However, except as noted in X.B.4. below, it is the intent of the University to notify individuals who are not to be reappointed in accordance with the following guidelines:

VIII.B.1. Individuals holding Teaching Staff term appointments for more than two years with the University will be notified of non-reappointment no later than the first two weeks of the fall academic term preceding the expiration of the current appointment. This section will apply not only where the individual has had a single term appointment for more than two years, but also where the individual has multiple term appointments of shorter duration which aggregate more than two years of service with the University. If the term appointment terminates during the academic year, notice should be given no later than a date which would be two full academic terms in advance of the termination date.

VIII.B.2. Individuals holding Teaching Staff term appointments of one to two years with the University with appointments expiring at the end of the winter academic term will be notified of non-reappointment no later than December 15 of that academic year. In cases of appointment terminating at other times, notice of non-reappointment will be given no later than the beginning of the last term covered by the appointee's current appointment.

VIII.B.3. Appointees with Teaching Staff term appointments for less than one year of University service will be notified of non-reappointment no later than three months preceding the expiration date of the current appointment.

VIII.B.4. Individuals who have held Professor of Engineering Practice appointments for more than two academic or fiscal years expiring at the end of Term II will be notified of non-reappointment no later than September 15 of that academic year. If the appointment expires at a time other than the end of Term II, notice will be given no later than a date which would provide nine (9) months advance notice of the termination date. This section will apply not only where the individual has had a single term appointment for more than two years, but

also where he or she has had continuous multiple terms appointments of shorter duration which aggregate to more than two years of service with the University.

Individuals holding Professor of Engineering Practice appointments from one to two academic or fiscal years, expiring at the end of Term II, will be notified of non-reappointment no later than December 15 of that academic year. In cases of appointment terminating at other times, notice will be given no later than a date which would provide five (5) months advance notice of the termination date.

Appointees with Professor of Engineering Practice appointments for less than one academic or fiscal year will be notified of non-reappointment no later than three months preceding the expiration date of the current appointment.

VIII.B.5. Term appointments to such positions as visiting professor (all ranks), adjunct professor (all ranks), lecturer, and teaching fellow are considered to be terminal and no notice of non-reappointment is required.

VIII.B.6. Notice of non-reappointment will be explicitly stated in writing from the appropriate Department Chair or the Dean.

ARTICLE IX. PART-TIME AND OUTSIDE EMPLOYMENT

IX.A. Part-Time Service. The normal full-time University appointment is 100%, and only in exceptional cases should the University appointment from all sources be less than 80%.

IX.B. Implementation of Regents' Bylaws Concerning Outside Employment. (Bylaws 5.12.)

The College encourages and promotes interaction with industry in a wide variety of activities and is committed to the principle that such active involvement is in the best interests of both the University and industry. These interactions include continuing engineering education, industry-sponsored research, consulting, and having qualified persons from industry serve as adjunct professors in the College.

Each person who wishes to be involved in a teaching capacity in this education-industry interaction should have a major and primary commitment to either industry or the University.

A person whose primary commitment is to the University may serve industry or government as a consultant, or in some similar capacity; it is assumed that such services do not interfere with the performance of University duties (See Executive Committee Guidelines currently in effect regarding limitations set on such activities by the Executive Committee).

A qualified person otherwise employed, who is interested in teaching and is qualified through education and professional experience, may be invited to serve the University as an adjunct professor. These appointments are made for terms of up to three years and the person's major commitment remains with industry (See Executive Committee Guidelines).

A Member who wishes to participate in industry or self-employment, in a government function, or in a research institute may be given a one-year leave of absence or a reduced (less than 80%) appointment for one year. In order for such a leave to be granted the request must indicate justification on the basis of professional development, ultimate educational or research benefits to the University, or benefits to the community, state, or nation. All leaves are to be granted only at the convenience of the College and the Department concerned. Leaves for the purpose described may be renewed under special circumstances.

ARTICLE X. APPEAL PROCEDURES

Appeal procedures for members of the faculty or research staff of the College of Engineering are described herein. Such a member who has a grievance will hereafter be referred to as the grievant.

It is the intent of these appeal procedures to provide a prompt and impartial review of academic unit or departmental action so that if mistakes have been made, they may be corrected, or alternatively, if the action taken was proper, it may be better understood by the person affected. It is intended that informal consultation will resolve most problems, and that these appeal procedures will apply only when informal methods have failed.

Informal Procedures

Role of Ombuds

A member of the tenured faculty will be elected by the academic unit faculty to serve a two-year term as Ombuds. The academic unit Ombuds exists to assist in the resolution of disputes. On request the Ombuds will provide information about grievance procedures. The Dean may, in addition, direct the department or the College Executive Committee to reconsider a dispute if the Dean thinks a mistake in evaluative judgment may have occurred. No action by the Ombuds or the Dean, however, will deny a grievant continuing access to the prescribed appeal procedures.

Role of Mediation Services

Mediation Services for Faculty and Staff provides a neutral, informal, and private avenue for University faculty to discuss work related conflicts, explore non-adversarial problem-solving, and resolve disputes. Continuation with this Service is voluntary on behalf of all parties to a dispute. No action by the Consultation and Conciliation Service will deny a grievant continuing access to the prescribed appeal procedures.

Coverage

X.A.1. This grievance procedure provides for redress when a decision or action concerning a faculty member's conditions of employment in the College of Engineering violates University policy or is otherwise manifestly unfair.

X.A.2. The procedure applies only to those instructional faculty who are tenured, tenure-track, or clinical faculty; research faculty, including those in the research scientist track and those in the research professor track; librarians; curators; and archivists. The procedure does not apply to supplemental faculty such as adjunct faculty or visiting faculty, nor to those covered by a collective bargaining agreement. Faculty members otherwise entitled to use this procedure may file a timely grievance to contest an action that removed their title or brought their appointment to an end.

X.A.3. The procedure applies only to decisions made by academic units (defined as the college and its centers, institutes, and programs) acting through Deans, Directors, department chairs, and other authorized persons. The Provost has discretion to allow use of this procedure for resolving grievances about decisions made by administrative units

regarding faculty covered by Section X.A.2. The procedure does not apply to issues between faculty members or groups of faculty members.¹

X.A.4. The procedure applies only to a decision or action concerning a specific individual or specific individuals, including those adversely affected by application of a policy or standard operating procedure, written or unwritten. Challenges to general unit or University policy are to be handled through normal governance or administrative processes.

X.A.5. The procedure does not apply to decisions regarding employment, including tenure or promotion decisions, merit pay determinations, and decisions regarding clinical competence/patient safety, that are based solely and exclusively on judgments about professional performance. But this grievance process does apply to claims that the procedure followed in making such decisions failed to follow University policies and procedures or was otherwise manifestly unfair, or that the decisions violated standards of nondiscrimination contained in Regental Bylaw 14.06 (revised September 2007). A faculty member's salary history and similar data may be considered in determining the value placed on previous performance and whether the contested decision was based solely and exclusively on judgments about professional performance.

X.A.6. The procedure does not serve as an additional step in a dispute that has been addressed in another formal hearing procedure of the University or a University unit. But a faculty member may use this grievance process to review new sanctions imposed by an academic unit acting on the basis of findings made in a different hearing procedure.

Filing Grievances; Parties and Responsibilities

X.B.1. A faculty member shall file a grievance within ninety (90) calendar days of the date the grievant first knew or could reasonably have been expected to know, on the basis of documentation or otherwise if there is no documentation, of the decision or action that gave rise to the grievance. Grievances shall be filed on a Faculty Grievance Form (FGF) and submitted to the Director of Academic Human Resources (DAHR) and the SACUA Faculty Grievance Monitor (FGM). The DAHR shall transmit a copy of the FGF to the named respondent(s), with copies to the Dean or Director. In extraordinary circumstances, a Grievance Hearing Board (GHB) may extend the deadline for filing a grievance. The grievant must assert such circumstances in the FGF and provide supporting evidence.

X.B.2. The parties to a grievance are the faculty member who initiates the grievance and the decision-maker(s) responsible for the contested decision or action. In larger units the respondent(s) would normally be the decision-maker(s) at the departmental level. Higher authorities such as Deans in those units are to be named as respondents only if they were actively involved in the contested decision or action. When the grievance involves a decision made, or an action taken, by a group of persons, or a decision or action reviewed through multiple organizational levels, the presumption is that the individual with the

¹ The SACUA Faculty Hearing Committee was created by the Senate Assembly in 1987 to address issues between or among faculty members.

current ultimate authority to make the decision or take the action (for example, the person whose signature authorizes the decision or action) will be named as the sole respondent.

X.B.3. Both the grievant and the respondent shall abide by all the procedures set forth here, shall participate in good faith, and shall respect the confidentiality of the process. Communication concerning the proceedings shall be limited to parties, advisers, mediators, and any others for whom information is strictly necessary for the legitimate effectuation of the process.

X.B.4

- (a) Before filing a formal grievance, a grievant shall seek to resolve the dispute by discussing it informally with the person(s) who made the disputed decision or took the disputed action, or actively participated in it, or who has the authority within the relevant unit or units to provide redress.
- (b) Before, during, and after the processing of any grievance, the parties are strongly encouraged to seek an informal resolution by personal discussions between or among themselves, by invoking the unit or University ombuds or mediation structure, or through the intervention of unit or University officials with the authority to provide redress. At any step before rendering a final decision, the Grievance Hearing Board (GHB) may remand the case to the parties with directions to seek an informal resolution. When remanding a case, the GHB shall set a timeframe for successful resolution. If it fails, the case will return to the GHB for further processing. Informal resolution, however, shall remain entirely voluntary.

X.B.5. Prior to the first meeting of the GHB, the GHB, the grievant, or the respondent may initiate in writing a one-time clarification of the issues to be considered. If the GHB requests the clarification, it shall be transmitted simultaneously to the grievant and the respondent, who will have ten working days to provide a written response. If one of the parties submits a clarification, a copy shall be provided to the DAHR, the FGM, and the other party. The other party will have ten working days to provide to the DAHR, the FGM, and the party who submitted the clarification any additional comments or information in response to the clarification. The DAHR will then forward both the clarification and the response to the GHB.

Grievance Hearing Board (GHB)

X.C.1. A Grievance Hearing Board (GHB) shall be established as provided in Sec. X.D.2 to handle each grievance filed by a faculty member. Closely related grievances may be consolidated before a single GHB.

X.C.2. The GHB shall meet within 15 working days after it is established. The Board shall first determine in executive session whether the complaint is within the authority or jurisdiction of the grievance process under Sections X.A.1 through X.A.6. In addition, the Board may dismiss the grievance without a hearing if it concludes, on the basis of the FGF and all other material before the GHB, and with all questions of fact assumed in the grievant's favor, that there are no grounds for deciding the case in the grievant's favor.

The GHB may also dismiss the grievance without a hearing if the grievance is filed after the expiration of the time period set forth in Section X.B.1.

X.C.3. Within 10 working days of its first meeting, the GHB shall advise the grievant, the respondent, the DAHR, the FGM, and the Dean or Director in writing whether it will proceed with a hearing. If the Board decides the complaint is not grievable because it is not within the coverage of Sections X.A.1 through X.A.6, or the grievance is to be dismissed under Section X.C.2, it shall state its reasons in writing. If the Board decides to proceed, it shall specify in a written notice to the parties, the DAHR, the FGM, and the Dean or Director when and where the hearing will be held and what issues are to be addressed by the parties. The hearing shall be scheduled within 30 working days or as soon thereafter as is practicable.

X.C.4. If the GHB decides the complaint is not grievable, the grievant shall have 15 working days to appeal this decision to SACUA or a faculty body designated by SACUA. The appellate body shall have 20 working days to resolve the issue. Its decision shall be final. Appeals from a GHB decision to dismiss the grievance shall be handled as provided for final Board decisions in Sections X.D.1 through X.D.3.

X.C.5. The GHB shall ensure fair procedures for the parties in any hearing.¹ Specifically, the grievant and the respondent shall have the following rights:

(a) To be accompanied before the GHB by advisers, who may be attorneys. The advisers may advise their clients but may not participate directly in the hearing.

(b) To appear and present their cases, and to cross-examine the witnesses and challenge the evidence presented by the other party; and

(c) To have access to all relevant evidence, testimonial and documentary, except confidential evaluations and evidence that would infringe upon the privacy interests of third persons. Upon a party's request, the chair of the GHB shall be allowed to examine relevant confidential files of an academic unit or department and to provide the Board with a summary of their contents as they relate to the grievance, giving due consideration to protecting the confidential aspects of the material.

X.C.6.

(a) The GHB may call its own witnesses and obtain relevant documents, subject to the parties' right of access and the confidentiality restrictions of Sec. X.C.5(c).

(b) Testimony before the GHB is voluntary. If any witness declines to testify about any issue, however, the GHB may draw appropriate inferences about what the testimony would have been based on the refusal to testify. Any such inference should be carefully supported and explained by the GHB.

¹ The grievance procedure must comply with the demands of due process, most critically, fair notice and an opportunity to be heard. It is not intended to be a substitute for either a civil or a criminal trial and is not subject to all the requirements applicable in those settings.

X.C.7. Hearings before the GHB shall be private and confidential, attended only by the principal parties and their advisers, if any; the Director of Academic Human Resources or designee; and the Faculty Grievance Monitor or designee. Unless otherwise directed by the GHB for good reason, witnesses shall attend only while testifying. The GHB chair may invite appropriate observers or others having a substantial interest in the outcome of the case, if both the grievant and the respondent agree.

X.C.8. Portions of the hearing at which testimony is taken and evidence presented shall be recorded verbatim, but the recording may be by voice recorder. Both the grievant and the respondent may also record the hearing.

X.C.9. The GHB shall deliver only to the grievant and the respondent a written provisional decision within 20 working days after the completion of testimony and argument. The content of the provisional decision shall remain confidential and may not be shared at any time with any other persons except those entitled without special agreement to participate in the hearing or advise the parties under Sec. X.C.7.

X.C.10. The grievant and the respondent shall have ten working days after receipt of the provisional decision to submit a written response to the GHB.

X.C.11. The GHB shall consider any responses to the provisional decision and shall deliver its final decision within ten working days after receipt of those responses. Both the provisional decision and the final decision shall include a summary of the testimony, factual findings, conclusions with reasons the grieved decision or action was or was not violative of University policy or otherwise manifestly unfair, and, if appropriate, a proposed remedy. Decisions of the GHB shall be by majority vote. The reasons for any dissent must be stated in a written minority opinion. The GHB shall present the final decision only to the grievant, the respondent, the Dean or Director, the DAHR, the FGM, and, if appropriate, the department chair.

X.C.12. Although the GHB does not have executive authority, the parties are expected to respect and accept the findings, conclusions, recommendations, and any proposed remedy of the GHB as the considered judgment of a competent and disinterested peer group. The GHB may recommend actions that do not fall within the respondent's authority, but recommendations addressed to those who are not parties should not give rise to the same expectations. In all cases, the recommendations will be given thoughtful consideration and final decisions on the actions will be made by the appropriate party.

Appeals

X.D.1. The grievant or the respondent or both may submit a written appeal of a final decision by a GHB within 20 working days of the receipt of the decision. If the Dean or Director is not a respondent, the appeal shall be submitted to the Dean or Director. If the Dean or Director is a respondent, the appeal shall be submitted to the Provost. Either party may submit an appeal contingent upon the other party's appealing. If both parties submit contingent appeals, the appeals shall be treated as withdrawn.

X.D.2. An appeal shall be decided on the record made before the GHB. When necessary in the judgment of the person deciding the appeal, the proceedings may be remanded to the GHB to receive new information. A remand for new information shall be granted on the request of the grievant or the respondent only on a showing that the information could not, in the exercise of reasonable diligence, have been presented when the record was made. A remand shall set the times for further GHB proceedings, including any revised final GHB decision.

X.D.3. The findings, conclusions, recommendations, and proposed remedy, if any, of the GHB shall be presumed valid on appeal, and shall be rejected or modified only because of substantial errors of fact or interpretation of University regulations, because of serious procedural irregularities, or because the appeal authority's considered judgment is that the GHB erred in deciding whether the initially grieved decision or action was or was not violative of University policy or otherwise manifestly unfair, or because any proposed remedy is clearly unreasonable or inappropriate.

X.D.4. The Dean, Director, or Provost shall respond in writing within 30 working days of receiving the appeal, stating the action to be taken and the reasons for it. The response shall be transmitted to the grievant, the respondent, the members of the GHB, the DAHR, and the FGM.

Structure; Organization; Miscellaneous

X.E.1. A Faculty Grievance Hearing Panel (FGHP) is established from whose members each Grievance Hearing Board will have one selected randomly, subject to the exceptions contained in Sec. X.E.3. The FGHP will consist of tenured faculty members, selected by each school or college in accordance with written rules formulated by that unit. Membership on the FGHP will be allotted as follows: the College of Literature, Science, and the Arts and the Medical School, four members each; the Ross School of Business, the College of Engineering, the School of Public Health and the School of Music, Theatre, and Dance, two each; and all other schools and colleges, one each. FGHP members will serve single staggered terms of three years, except that initially nine members will be chosen by lot to serve one year, nine by lot to serve two years, and the rest will serve three years. FGHP members may not serve consecutive terms. Vacancies will be filled in the same manner except that if the unexpired term is one year or less, the replacement member shall serve an additional three-year term.

X.E.2. (a) Within ten working days of receiving the notice of a pending grievance, the DAHR and the FGM shall meet or communicate and choose by lot one persons from the FGHP to serve on the GHB as Chair. That member shall come from a different academic unit than the grievant.

(b) The second and third members of the GHB shall come from the academic unit in which the grievance arises but not from the same academic department. A pool of six tenured faculty shall be selected as potential GHB members. Appointment periods shall be for three years. As required to fill vacancies, the College Ombuds, working with the Associate Dean for Academic Affairs, shall prepare a recommended list of faculty to fill positions on the FGHP and the unit GHB pool. This list is subject to approval of the

College Executive Committee. Within ten working days of receiving the notice of a pending grievance from the DAHR, the grievant and the respondent shall each nominate three members from this list of potential Board members. Both parties shall rank their preferences and transmit their choices to the DAHR and the FGM. Within five working days the DAHR and the FGM shall jointly determine the two nominees most favored by both parties. If there is a tie among the choices, the DAHR and the FGM will jointly resolve the tie by lot.

(c) At any time prior to the first meeting of the GHB established as provided in subsections (a) and (b) above, the grievant and the respondent have the option of agreeing upon any three tenured University faculty members from any academic unit, whether or not members of the FGHP, to serve as the GHB. In this instance, the remaining provisions regarding GHBs will apply.

X.E.3. A member of a GHB shall recuse herself or himself if she or he has significant personal or professional associations with either party, and any member shall be excused with the concurrence of both the DAHR and the FGM, if either the grievant or the respondent objects for sufficient cause to that person's serving. If the DAHR and the FGM disagree about excusing a GHB member, the issue shall be resolved by the Dean or Director, or, if the Dean or Director is a respondent, by the Provost. A recused or excused Board member shall be replaced by using the same procedure applicable to the selection of that member.

X.E.4. The Faculty Grievance Monitor (FGM) is a tenured faculty member who is appointed annually by SACUA to monitor all grievances. In addition to the functions assigned elsewhere, the FGM and the DAHR shall have the following responsibilities:

(a) Jointly to provide or arrange for the training of FGHP members, and especially those designated as GHB chairs, in the conduct of a hearing and the preparation of a formal written decision;

(b) Jointly or separately to provide objective information to either the grievant or the respondent or both about the operation of the grievance procedure;

(c) Separately to monitor the processing of all grievances and to report to the Dean or Director, or to the Provost if the Dean or Director is a respondent, any delay or other failure to comply with specified procedures or GHB directives or decisions on appeal under Section X.C.4 or Section X.D.3;

(d) Separately to maintain confidential records of all grievance proceedings, including copies of all written documents that are submitted and of any written transcript of testimony that is prepared. If there is a single voice or electronic recording of the testimony, the DAHR shall maintain custody of it after the GHB renders a final decision, but shall allow access as needed by the parties, the FGM, and the University authority to whom any appeal is addressed; and

(e) Jointly to provide redacted reports or summaries of cases, with party names and all identifying details deleted, to University administrators and faculty members, scholars, and others with a legitimate interest in knowing about the proceedings.

X.E.5. The Dean or Director, or the Provost if the Dean or Director is a respondent, shall take prompt action to remedy any undue delay in the processing of grievances or other failure by any party to comply with specified procedures of this policy.

The Dean or Director, or the Provost if the Dean or Director is a respondent, shall take prompt action to remedy any undue delay in the processing of grievances or other failure by any party to comply with specified procedures or GHB directives or decision on appeal under Section X.C.4 or Section X.D.3

FACULTY GRIEVANCE APPLICATION FORM

Date:

Name(please print or type):

Rank:

Academic Unit:

Action(s) Disputed Regarding Aspects of Your Employment:

Date of Written Notification of Action(s) Disputed:

Respondent Designated In Disputed Action(s):

Did You File The Dispute(s) In Another Forum (such as might occur with Sexual Assault

or Sexual Harassment)? If so, what agency(ies)?

This form must be filed with your Dean or Director, with copies to the offices indicated below, within 180 days of the date written notification of the action(s) you dispute was received, or reasonably could be assumed to have been received, by you. The process is available to all regular and supplemental instructional and primary research staff qualifying as faculty members under Regents' Bylaw 5. Your signature below indicates that you have read the faculty grievance policy of your academic unit (available at the Dean or Director's or the SACUA office) and understand it, and that you will explore (or have explored) resolution of these disputed matters through your unit ombudsperson and through the University's Faculty Consultation and Conciliation Service [Mediation Services], Academic Human Resources Office, even though requesting formal meetings with the Grievance Review Board (GRB) which now will be established. You need have no more written exposition of your circumstances in dispute to initiate your grievance than is possible on this brief form, but you will need as extensive documentation as you wish by the time your GRB first meets formally. Note that the first meeting of the GRB will be without either grievant or respondent present and will deal with grievability of the issues, technical matters of procedure, establishing meeting times, etc. Neither further communications not known in advance by you, nor counsel or representatives of you or the respondent, will be present at that initial meeting. Filing this form will have no effect on your employment status, neither prolonging nor shortening it. Be sure to read carefully and thoroughly all of the appended instructions and information, as well as your unit faculty grievance policy; and please keep a copy of this application.

Signature of Grievant:

With your concurrence, this procedure requires the transmittal of copies of the GRB final decision, the Dean or Director's response to the GRB decision, the procedural appeal decision, the Dean or Director's response to the procedural appeal decision, the substantive appeal decision, the Dean or Director's response to the substantive appeal decision, and the final decision to the Executive Assistant to SACUA for the confidential use by the Faculty Grievance Monitor (FGM). These items are used solely by the FGM for the

purpose of creating an independent institutional memory of the process and assessing the adequacy and performance of the process across all units and over time. I concur that the above documents shall be provided to the FGM.

Signature of Grievant:

If the final decision of this grievance procedure ultimately finds in your favor, the FGM shall contact you three months after the final decision to ascertain whether, in your opinion, the provisions of that favorable final decision have been adequately enforced and implemented. To assure such compliance and the valid authority of the grievance process, the FGM will convey your opinion to the Provost (along with copies to you and your Dean) for further action if appropriate. I consent to the above inquiry and reports.

Signature of Grievant:

cc:
SACUA Faculty Grievance Monitor, 6048 Fleming Administration Building,
1340
Academic Human Resource Office, 2072J Administrative Services, 1432

FORM TO WITHDRAW INITIATED FACULTY GRIEVANCE

Date:

Name (please print or type):

Rank:

Academic Unit:

Action(s) Disputed Regarding Aspects of Your Employment:

Date of Written Notification of Action(s) Disputed:

Respondent Designated In Disputed Action(s):

Resolution of Dispute(s) Requested:

Did You File The Dispute(s) In Another Forum (such as might occur with Sexual Assault or Sexual Harassment)? If so, what agency(ies)?

This form should be filed with your Dean or Director and the other offices indicated below as soon as possible after you decide to withdraw this grievance you have initiated. Filing this form will have no effect on your employment status, neither prolonging nor shortening it. Be sure to read carefully and thoroughly any appended instructions and information, and please keep a copy of this Withdraw Form.

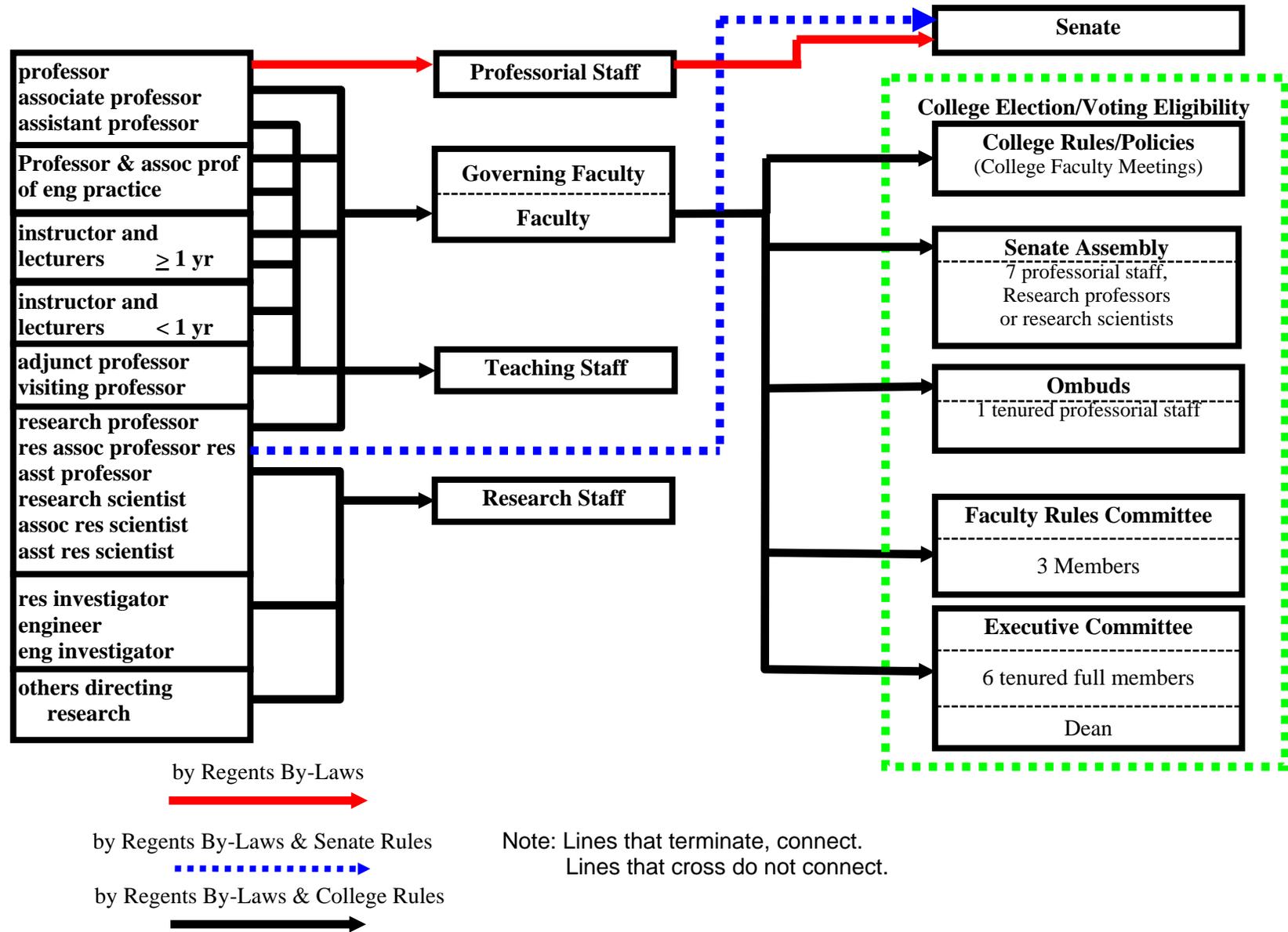
Signature of Grievant:

cc: **Dean or Director,**

SACUA Faculty Grievance Monitor, 6048 Fleming Administration Building, 503 Thompson, Ann Arbor, MI 48109-1340

Academic Human Resource Office, 2072J Administrative Services Building, 1001 Greene St., Ann Arbor, MI 48109-1432

APPENDIX I. REPRESENTATION OF FACULTY VOTING RIGHTS IN THE COLLEGE OF ENGINEERING



APPENDIX II. BYLAWS OF THE BOARD OF REGENTS (Selected Sections)

Sec. 4.01. The University Senate

The University Senate shall consist of all members of the professorial staff, the executive officers of the University, the deans of the schools and colleges, (and) such members of the research and library staff as may be designated in accordance with standards and procedures approved by the Senate Assembly...

Sec. 5.01. Definitions (revised October 2003)

As used in these bylaws:

1. The term faculty shall include members of the teaching and research staff together with the executive officers, the directors of various teaching, research, and library units, research associates, curators, and persons with similar duties.
2. The term professorial staff shall include professors, associate professors, and assistant professors.
3. The term governing faculty, when used in connection with a school or college, shall include those members of the school or college who are professors, associate professors, (and) assistant professors...The governing faculty shall include instructors and lecturers who hold appointments of one-half time or more; provided, however, that such instructors and lecturers may vote at faculty meetings only if they have held appointments for one or more years and are authorized to vote by a majority of the professorial staff of the appropriate school or college. The governing faculty may include clinical professors, clinical associate professors, clinical assistant professors, research scientists, associate research scientists, assistant research scientists, research investigators, research professors, research associate professors, and research assistant professors when authorized by, and in accordance with, the policies and bylaws of the appropriate school or college.
4. The term teaching staff shall include professors, associate professors, assistant professors, instructors, lecturers, and teaching fellows.
5. The terms teaching fellow, teaching associate, teaching assistant, student assistant, research assistant, technical assistant, and assistant shall be used to designate junior appointees who participate in the process of teaching and research but do not possess faculty rank. Students in these classifications shall have student status.
6. The term *university year*, as used in connection with appointments of members of the faculty and other personnel, contains any two terms in the calendar, as defined for the year in question. Faculty members are expected to participate in the orientation, registration, and commencement.

Sec. 5.02. Governing Bodies in Schools and Colleges (revised January 1993)

In each school, college, or degree granting division of the University...the governing faculty shall be in charge of the affairs of the school, college, or division, except as delegated to the executive committee...

Sec. 5.03. Powers and Duties of the Governing Faculties

The faculty of each school and college shall from time to time recommend to the Board for approval such regulations as are not included within these Bylaws and which are pertinent to its structure and major operating procedures, such as departmental organization, requirements for admission and graduation, and other educational matters, the determination of which is within the peculiar competence of the faculties of the several schools and colleges. All such recommendations when approved by the Board shall be recorded in the Proceedings of the Board of Regents.

Subject to the ultimate authority of the Board, the faculty of each school and college is also vested with plenary powers to make rules and regulations concerning other matters such as grading regulations, class attendance, committee organization and related internal matters. All such regulations shall be recorded in the minute books of the adopting authority and filed with the secretary of the University.

Each faculty shall provide suitable instruction for the students enrolled in its school or college. Each faculty shall recommend to the Board students under its jurisdiction who qualify for University degrees. It shall, subject to the Board, possess such other powers as are necessary to the performance of its duties.

Sec. 5.04. Faculty Procedure

Each faculty shall adopt rules for its own government and procedure and shall appoint a secretary, define the secretary's duties, and keep a record of faculty action.

In the absence of specific rules to the contrary, the rules of parliamentary procedure as described in Robert's Rules of Order shall be followed by school and college faculties, committees, boards, and other deliberative bodies.

Sec. 5.05. Faculty Communications to the Board

Each faculty shall submit its communications to the Board in writing through its dean...and through the president of the University. Each dean shall endorse faculty communications, making appropriate explanatory statements as needed.

Sec. 5.06. The Deans and Executive Committees

The dean or director, or administrative head of a school, college, or department of instruction or research shall be appointed by the Board on recommendation by the president to act as executive officer of the school, college, or department.

If an executive committee has been created by the Board for the school, college, or department, the dean, director, or head shall be assisted by the executive committee of which he or she shall be ex officio the chair. The executive committee in addition to assisting with administrative functions shall be charged with the duties of investigating and formulating educational and instructional policies for consideration by the faculty and shall act for the faculty in matters of budgets, promotions, and appointments.

Sec. 6.01. General Purpose

The schools and colleges are maintained for the purpose of serving the state and the nation through (1) providing instruction; (2) conducting scholarly investigations and research in those branches of knowledge that form the basis of modern culture, professional practice, and leadership in our business and industrial society; and (3) applying this knowledge to the solution of the problems of our society.

The management of the affairs of the schools and colleges, subject to Regental approval, is placed in the governing faculties, the deans, and the executive committees.

Sec. 11.17. The College of Engineering Executive Committee

The executive committee shall consist of the dean and six members of the faculty to be appointed by the Board on recommendation by the president. The appointed members shall hold office for three years and shall not be eligible for reappointment until after the lapse of one year. The terms shall be so adjusted that two shall expire each year. The dean shall chair the committee.

APPENDIX III. EXECUTIVE COMMITTEE GUIDELINES

Subject: *College or Department Committees.* (See VII.A.2.)

General guidelines for the appointment and administration of committees are:

- Members of continuing committees shall be appointed for definite terms of office.
- Selection of committee members shall take into account a distribution among departments and ranks.
- Appointments shall take into account other responsibilities and services of the appointee, with assurance of availability for the service required by the Committee.
- Ex officio members shall have the right of vote.
- Each standing committee shall report periodically to the Faculty (at least annually) and other committees as necessary for the performance of their assignments.
- In order that any business may be considered official at the meeting of any committee, a quorum must consist of a majority of the faculty members of the committee.
- A majority vote of members of any committee present at a meeting is necessary for action.

Subject: *Students Serving on College or Department Committees.* (See VII.A.3.)

General guidelines for organizing and operating Committees on which students serve as members are:

Committee composition and operation are to be developed by the current faculty members of the Committee in cooperation with student representatives appointed by the Engineering Council. Experience has shown that the work of committees is accomplished largely by consensus. Any question not settled by a consensus may be referred to the Executive or Department Committee for decision.

Student members shall be recommended by Engineering Council on the basis that they are qualified to serve objectively as representatives of student opinion, and in any situation in which the student members have the right to vote on a committee their appointment shall be approved by the Executive Committee. Similar procedures may be developed by each department for student service on departmental committees.

Any student appointed to serve on a committee must have completed at least one term and be in good scholastic standing according to the Rules of the College. In the interest of keeping a student's schedule within reasonable bounds, he/she shall not serve on more than one committee at a time.

A student serving on a committee shall keep the Chair informed of his/her address and be given due notice of meetings and agenda.

In no case shall failure of appointed students to attend or participate in a meeting act to annul the decisions of the committee.

Revision of these Guidelines shall be approved by Engineering Council.

Subject: *Appointments, Promotions, and Tenure.* (Reference VIII.A.)

Guidelines on appointments and/or promotions relating to the three ranks of Assistant Professor, Associate Professor, and Professor, to Distinguished University Professor, and to Adjunct Professor are as follows:

Assistant Professor:

The new appointee to the faculty who has recently completed his/her doctorate and has limited professional experience will be appointed as Assistant Professor. A typical initial appointment period will be for three years. During this period he/she will be given guidance and assistance, in both teaching and research, by his/her department chair and his/her colleagues, with a view toward the development of his/her full potential as a faculty member.

Even though the time a faculty member serves as an Assistant Professor is a period in which a careful evaluation is made of his/her performance, every precaution should be taken to insure that only outstanding prospects are appointed at this level.

Only those Assistant Professors who prove to be truly outstanding will be promoted to Associate Professor. When a department is convinced that an Assistant Professor has demonstrated sufficient accomplishment and ability through his/her teaching, research, and service, it may recommend a promotion and will submit suitable documentation to the Executive Committee to assist it in making a decision.

Promotion to Associate Professor does not automatically grant tenure. The tenure decision may accompany a promotion but the decision on tenure will be taken independently of the promotion request. It is the policy of the Executive Committee that an Assistant Professor who is not recommended for tenure at the end of his/her sixth year of service will at that time be given a written notice to that effect and will be given a one year terminal appointment.

Associate Professor:

Appointment to the rank of Associate Professor is given only to persons of established professional stature who have demonstrated scholarly or creative ability, established a strong base of research and are superior in teaching ability.

The appointment as Associate Professor does not automatically carry indeterminate tenure. As described below, the tenure decision in the College is a separate decision from appointment or promotion but may be made concurrent with them.

Professor:

Promotion or appointment to the rank of Professor is based on a record of accomplishments and contributions in teaching, research, and service such as to qualify one as a national and international leader in his/her field. The appointment to Professor is formal recognition that the individual has generated professional momentum which will reflect itself in the strength of the College for the balance of his/her active career.

His/her contributions and judgment will continue to determine the pattern of engineering education deemed to be responsive to the needs of the future.

Promotions to this rank would normally be from previously tenured faculty. New appointments from outside the existing faculty normally will be without tenure and as with the other grades the tenure status will be determined independently.

Distinguished University Professor:

A faculty member in the grade of professor may be appointed as "Distinguished University Professor." Such appointment shall be in recognition of distinguished achievement and reputation in the appointive field of scholarly interest as a member of the faculty of the University. A distinguished university professorship shall be held by the appointee during the period of his/her active service as a member of the faculty of the University, with the understanding that upon the termination of active service the position and the title shall be vacated. Each appointee shall be entitled "Distinguished University Professor," to which title shall be attached the name of a person of distinction in the same general field of interest, preferably a person formerly associated with the University. Appointment to distinguished university professorships shall not modify the status of appointees as members of the respective faculties.

Adjunct Professor:

Persons whose primary employment responsibilities lie outside the University may be appointed as adjunct professor, associate professor, or assistant professor in order to supplement the instructional program of a department, provided the appointee has the major share of the teaching responsibility for at least one course a year.

The standards of appointment shall be the same as for the respective professorial grades.

Appointment as an adjunct faculty member is for a term of up to three years without tenure and not subject to staff benefits.

The foregoing guidelines do not preclude the appointment or promotion of a candidate without a doctor's degree but otherwise qualified.

Guidelines on tenure are as follows:

The maximum time a faculty member, other than adjunct, can hold non-tenured appointments at instructor and/or professorial ranks combined is seven years. A faculty member who has served six years and is not recommended for tenure by the Executive Committee at that time will be given a one year terminal appointment. Since tenure depends in part on faculty requirements, no assurance of the granting of tenure can be given even to those whose performance is satisfactory.

Each year the Executive Committee gives specific attention to the total number of tenured positions in the College in order to insure adequate flexibility and fiscal responsibility. The current high tenured position of the College has prompted the Executive Committee to make the following policy decision:

The Executive Committee will in general not consider appointments to tenure at any rank until the full six years of University of Michigan service have been completed.

Departments are to prepare recommendations for tenure in the same manner as they do recommendations for promotion. Specific consideration will be given by the department and the Executive Committee to:

- The need for faculty members within the specific area of expertise of the faculty member under consideration;
- The number of faculty members who hold tenured positions in the department and the College at that time; and

- The qualifications of the faculty member considering his/her total record of accomplishment in teaching, research, and service.

In summary, appointments, promotions, and the granting of tenure are not automatic nor do they simply depend on length of service. All such actions must be recommended and made on the basis of demonstrated merit. It is assumed that, as members of the staff mature in experience, they will become more effective teachers, researchers, and scholars. To that extent the qualifications for appointment, promotion, and tenure will be progressively more exacting at each successive rank.

Subject: *Outside Employment* (Reference IX.B.)

A faculty member holding a 100% appointment is limited to outside consulting to not more than four days per month on the average or thirty-six days during the University year. Such privileges are increased normally by about one day per month for each 5% reduction in appointment level. Only in most exceptional cases should this fractional appointment be less than 80% on a continuing basis.