

Graduate School of Education – New Brunswick
By - Laws

GRADUATE SCHOOL OF EDUCATION - RUTGERS, THE STATE UNIVERSITY OF NEW
JERSEY

BY-LAWS

May 13, 2005

These By-Laws were submitted by the Rules of Procedure Committee to the Faculty of the Graduate School of Education and adopted on February 2, 1968. Subsequent modifications were accepted by the faculty at its regularly scheduled meetings. The By-Laws are intended to be in consonance with University regulations. In any area of conflict, University regulations have precedence.

These By-Laws shall constitute the rules and procedures that will govern the conduct and business of the Graduate School of Education.

These By-Laws supersede all previous decisions as to procedures of the faculty of the Graduate School of Education.

For the purposes of these By-Laws the abbreviation GSE shall denote the Graduate School of Education. The term faculty shall refer to the faculty of the GSE. The term Department shall refer to the various organizational subdivisions within the GSE. The term Year shall refer to the academic year beginning September 1.

I. FACULTY MEMBERSHIP AND POWERS

A. Membership of the Faculty of the Graduate School of Education shall include:

1. President of the University and the Executive Vice President.
2. The Dean and Associate and Assistant Deans of the Graduate School of Education, if voting members of the faculty, as defined in B.1 of the GSE By-Laws, of the Graduate School of Education. Faculty member means a person holding tenure or a tenure track appointment, except as specified in A.4 of the Graduate School of Education By-Laws.
3. Members of the University faculty who hold appointments in the Graduate School of Education, including faculty members on leave, faculty members holding University appointments outside the GSE but whose tenure is in the GSE, and visiting faculty holding appointments in the GSE.
4. Officers of the University and representatives of other colleges and divisions who are nominated by the Dean or the faculty for a one year term and approved on a year-by-year basis by a majority of the voting members of the faculty present.

B. Voting Membership

1. Voting members of the faculty of the GSE shall be those faculty members listed in Article A, items 1, 2, and 3 who occupy 50 percent or more of a position in the current budget of the GSE except Assistant Instructors, Assistants, and anyone currently enrolled in a degree program of the school. A faculty member eligible to vote in the GSE and in another division of the University shall select the one in which he shall vote, and so notify the Dean's Office.
2. Within each department, there shall be a definition of voting membership.

C. Powers of the Faculty

1. The faculty shall have the power within the GSE to determine the basic departmental structure and degree programs of the GSE. In the exercise of this power the faculty must insure that the rights of faculty and students are protected and that the individuals most affected by a change in organizational structure be consulted prior to such change. Consultation, in this sense, refers to the opportunity to present statements and arguments regarding the proposed change to GSE committees and faculties involved, and to the faculty as a whole at least one regular faculty meeting prior to the meeting at which a vote is to be taken.
2. The faculty shall have such other powers as are not prescribed by other portions of the By-Laws and University regulations.

II. FACULTY OF THE GSE

Departments

1. Membership

Each faculty member who occupies at least 50 percent of a budget position in the GSE shall belong to a department in the GSE. The basic departmental structure of the GSE is as follows:

- a. The Department of Educational Theory, Policy, and Administration is comprised of four program areas: Educational Administration and Supervision, Social and Philosophical Foundations, Adult Education, Social Studies Education, and Vocational-Technical Education. Its scope includes social and humanistic studies of educational systems, education and work, and adult learning.
- b. The Department of Learning and Teaching is comprised of four program areas: Language Education, Literacy Studies, Early Childhood/Elementary Education, and Mathematics/Science/Technology Education. Its scope includes teaching and learning within and across disciplines and age groups, literacies related to languages and sciences, and applications of technology to education.
- c. The Department of Educational Psychology is comprised of four program areas: Learning, Cognition, and Development; Educational Statistics and Measurement; Counseling Psychology; and Special Education. Its scope includes lifespan psychological and educational development, quantitative research methods, theories of learning and cognition, and special education.

2. Duties and Powers

In addition to departmental functions as stated in the University Regulations, members of departments in the Graduate School of Education will:

- a. Develop master's and doctoral degree specializations to be submitted for program approval to the appropriate council or faculty.
- b. Contribute as appropriate to teacher education and certification activities.

III. OFFICERS OF THE GSE

A. Dean

As provided in the University Regulations: The Dean of each college shall be

responsible for its effective academic and educational administration and shall promote its efficiency by every approved means.

In addition, the powers and duties of the Dean shall include the appointment of certain members of the GSE committees, the recommendation of the budget, ex-officio membership on all committees, except as limited by these By-Laws.

B. Associate and Assistant Deans

The nomination for positions of associate and assistant deans will be recommended to the University by the Dean.

The associate and assistant deans will have such duties and powers as are delegated to them by the Dean.

C. Secretary

The secretary of the faculty shall be elected by the faculty for a term of one year or until a succeeding secretary is elected. The duties of the secretary of the GSE shall be:

1. To supervise a clerical secretary (usually from the Dean's office) who will take minutes of the faculty meetings and assist the secretary of the GSE as necessary.
2. To maintain a record of all actions taken by the faculty.
3. To supervise the publication and distribution of minutes and send to each member of the faculty and the Secretary of the University a record of all faculty actions not later than two weeks following the meeting.
4. To maintain and hold available for references an up-to-date compilation of the By-Laws.

IV. MEETINGS OF THE FACULTY

A. Meetings

1. Regular Meetings. At least three regular meetings of the faculty shall be held each semester at the call of the Dean. The first regular meeting shall be held within one month of the commencement of the fall semester.
2. Special Meetings. Special meetings of the faculty may be held at the call of the President of the University or of the Dean on written request of at least 25 percent of the voting members of the faculty.
3. Quorum. Only faculty Members whose current assignment is substantially to the programs of the GSE shall be counted toward determining the numbers necessary to a quorum and as being present for purposes of determining whether the conduct of business may proceed. A substantial assignment, for the purposes of this section, shall consist of at least 50 percent of assigned duties excluding thesis and dissertation advisement. A quorum shall consist of a simple majority of such faculty. Faculty not included in quorum counts retain all other privileges of membership.

B. Conduct of Meetings

1. Presiding Officer. The Dean, or someone designated by the Dean, shall preside at regular or special meetings of the faculty. In the event of failure of someone to be so designated, the faculty shall elect a presiding officer for that meeting.
2. Order of Business. The order of business at the regular meetings of the faculty shall be that normally used in business meetings, at the discretion of the presiding officer, but

shall always include an opportunity to present new business.

3. Rules of Order. The procedures of Roberts Rules of Order shall be used. The Dean shall appoint a parliamentarian to advise the faculty on procedure, if necessary.

V. COMMITTEES OF THE GSE SHALL BE AS FOLLOWS:
(* denotes a committee mandated by University Regulations)

- A. The Committee on Admissions and Scholastic Standing*
- B. The Advisory Committee on Appointments and Promotions*
- C. The Committee on Review*
- D. The Committee on Courses of Study*
- E. The Committee on Rules of Procedure*
- F. Committee on Planning and Resources*
- G. Teacher Education Committee
- H. Commencement Committee
- I. Student Grievance Committee

To further the work of the GSE the Dean and/or the faculty may appoint Ad Hoc committees as deemed necessary.

Election of all committee members-at-large to standing committees for a given year shall occur on or by the last regularly scheduled faculty meeting of the previous academic year. A list of nominations shall be sent to each voting member not less than a week in advance of the election date.

1. Committee Membership

The appointed members shall be those appointed by the Dean. Faculty members selected at large shall be chosen by vote of the faculty. Faculty members selected by departments shall be chosen by a vote of their respective department faculty. Students selected by departments shall be chosen following broad postings of announcements to solicit student volunteers. Membership on a committee shall be for one year unless otherwise indicated.

A faculty member who is elected to more than one at-large position may select which one or more committee they will join; the next highest vote recipient on the committee that is not selected by this faculty member shall be elected to that committee.

At the pleasure of the faculty the membership of any committee except Committees B, C, E and F may be increased.

Members elected at-large by the Graduate School of Education faculty shall be voting members of that faculty, and members elected by the departments shall be voting members of the departments.

The quorum for GSE committees will be attendance of at least 50% of the faculty plus a minimum of one student member. Student representatives to committees shall have full voting power unless specified otherwise in the By-Laws.

2. Ex-Officio Membership

Any officer of the University may serve as an ex-officio member of any committee at the invitation of the committee concerned. Ex-officio members shall have the privilege of voice but not vote. The Dean shall be an ex-officio member of the committees of the GSE, excluding the Committee on Review and the Committee on Appointments and Promotions. The Dean may designate a representative to serve in his/her stead in any situation where he/she, the Dean, holds ex-officio status.

3. Organizational Meeting

Each committee shall elect, from among its voting membership, a chairperson and a secretary who shall keep minutes of its actions. Each standing committee shall hold an organizational meeting not later than October 31 each of year.

4. Records

Such minutes of each committee as are kept shall be filed in the office of the Dean at the end of each year. Minutes shall be stored for a period of not less than three years.

Any minutes of the Committee on Appointments and Promotions and the Committee on Review shall be strictly confidential and shall be kept only for use by the respective committees or by anyone authorized by those respective committees.

A. **The Committee on Admissions and Scholastic Standing**

1. Membership

The Committee will be composed of one faculty member and one student from each department.

2. Duties and Powers

The duties and powers of this committee shall be

- a. To review policies of the faculty concerning student admissions, scholastic standing, and academic progress and to recommend to the faculty any changes in policy, and to resolve any disputes concerning admissions.
- b. To establish procedures for implementing faculty policy on admissions and scholastic standing and to establish procedures for deciding upon student appeals to those policies.
- c. To review documents bearing on student appeals of faculty decisions regarding admissions, scholastic standing, and academic progress and to render a decision in these cases.
- d. For the faculty members of the committee, to solicit, identify, and recommend to the Dean candidates to receive scholarships and fellowships.

B. **The Advisory Committee on Appointments and Promotions**

1. Membership

There shall also be at least one Advisory Committee on Appointments and Promotions in each faculty. An Advisory Committee on Appointments and Promotions shall consist of from four to six tenured faculty members from allied disciplines. The members shall be appointed by the Dean, and the Dean shall have the option of including on the Committee one or more faculty members from other units of the University. Deans will consult with their faculties as to the number of Advisory Committees on Appointments and Promotions in their unit, their sizes, and their composition by discipline or field. A member of an Advisory Committee on Appointments and Promotions shall not participate in an evaluation of an appointment, reappointment or promotion to a rank higher than his or her own.

2. Duties and Powers

The duties of an Advisory Committee on Appointments and Promotions shall be to advise the Dean of the faculty, college or school as to appointments, reappointments, promotions, retirements, or personnel procedures generally. In the case of appointments, reappointments, or promotions into and within tenure rank, the recommendations of the Committee will also be forwarded by the Dean to the Executive Vice President. The Committee may also on its own initiative make suggestions as to personnel matters to administrative officers.

C. The Committee on Review

1. Membership

This Committee shall consist of four members, two elected by the faculty at large and two thereafter appointed by the Dean. Two alternate members, one elected and one thereafter appointed by the Dean, shall be available to fill parallel vacancies on the Committee.

In the selection of elected members, the faculty member receiving the third highest number of votes shall serve as the elected alternate. The Dean shall thereafter designate the appointed alternate. In the event that the elected alternate is from the department of the appellant, the Dean shall name that faculty member receiving the next highest number of votes to fill the vacancy.

No member of the appellant's department shall serve on the Committee on Review when the case of that appellant is under consideration. In the event that the appointed alternate is from the department of the appellant, the Dean shall specify a second appointed alternate. No Committee member shall sit or have sat on any case at more than one level of review.

Membership shall be open only to faculty on indefinite tenure. Of the six members (four regular and two alternate) of the Committee no more than two members shall be from the same department. Faculty members on approved leave of absence retain all privileges of membership.

2. Duties and Powers

Duties and powers of the Committee shall be

- a. As specified in the faculty personnel grievance procedure contained in the agreement between the University and Rutgers Council of AAUP, (to hear charges of violation of established University regulations and procedures or provisions of the agreement regarding the failure to award tenure, promotion or reappointment to the grievant, and render decisions concerning same) as specified in University Regulations.
- b. To hear any charges other than those covered by the faculty personnel grievance procedure and advise the proper authority regarding the same.
- c. To counsel and advise any member of the faculty who seeks advice with respect to any personnel problem, other than one covered by the faculty personnel grievance procedure.

D. Committee on Courses of Study

1. Membership

The Committee will be composed of one elected faculty member from each department and one student from each department.

2. Duties and Powers

- a. To recommend to the faculty approval of all new, revised or eliminated courses, services, and programs in terms of their relationship to the functions of the GSE.
- b. To distribute to the GSE faculty all recommended courses, services, and programs prior to the GSE meeting at which they will be voted on.

When services or programs have been previously recommended by the Teacher Education Committee, the Committee on Courses of Study shall recommend and distribute these services or programs at least four days prior to the GSE meeting at which the recommended services and programs will be voted on.

When courses, services, or programs have not been previously recommended by the Teacher Education Committee, the Committee on Courses of Study shall recommend and distribute these services or programs at least two weeks prior to the GSE meeting at which the recommended services and programs will be voted on.

- c. To review periodically existing offerings of the GSE.
- d. To study ways of utilizing and evaluating courses.

E. Committee on Rules of Procedure

1. Membership

The Committee will be composed of six members: one faculty member elected by each department and one student from each department.

2. Duties and Powers

- a. To consider and recommend changes in By-Laws at least once each year.
- b. To compile all changes of the By-Laws annually and to distribute a revised document at the first meeting of the faculty in the fall.

F. Committee on Planning and Resources

1. Membership

The committee will be composed of the chairperson of each department, the Associate Dean for Academic Affairs, the Ph.D. Director, and one faculty member elected from each of the three departments.

2. Duties and Powers

- a. The committee shall represent the faculty in consultation with the Dean, for the following purposes: first, to establish criteria and systematic procedures for determining faculty consensus concerning goals and priorities; second, to recommend and review programs and projects in which the GSE might engage in furtherance of its goals; third, to recommend priorities in program development, deployment of faculty and staff in teaching, research, and service assignments; fourth, to review the asking and working budgets of the GSE in order to make recommendations concerning budgetary proposals and allocations.
- b. The committee shall be responsible for fully reporting its activities and decisions to the faculty through normal procedures. Full minutes shall be kept and distributed to departments for discussion. At least one report to the faculty as a whole on the committee's review of the asking and working budgets shall be made each semester.

G. Teacher Education Committee

1. Membership

The committee will be composed of one faculty representative from each of the approved teacher certification programs (currently math, science, English, social studies, world languages/ESL, early childhood/elementary, special education) and two additional members from the Department of Educational Theory, Policy, and Administration, and two from the Department of Educational Psychology. Each member shall be elected to membership by the respective constituency. The Director of Teacher Education Programs will be an ex-officio member of the committee.

2. Duties and Powers

- a. To monitor, consider, and recommend to the GSE faculty through the Courses of Study Committee changes in:
 - i. the structure and requirements of the teacher certification programs offered by the GSE.
 - ii. the ways in which teacher education Common Core courses are offered and staffed.
 - iii. the ways in which the field components of the teacher education programs are implemented.
- b. To consider and recommend to the GSE faculty through the Courses of Study Committee new and modified teacher education courses, programs, services, and required courses.
- c. To distribute to the Courses of Study Committee and the GSE faculty all recommended teacher education courses, programs, and services two weeks prior to the GSE meeting at which they will be voted on.
- d. To consider and make recommendations to the GSE faculty concerning any other issues pertinent to the operation of the teacher education programs.
- e. The committee shall be responsible for making a report to the GSE faculty at least once each year on the state of the GSE's teacher education programs.

H. The Commencement Committee

1. Membership

The Committee will be composed of two faculty members elected for two-year terms by each department, with one member elected each year, and one student elected for a one-year term by students in each department.

2. Duties and Powers

The duties and powers of the full committee shall be

- a. To nominate to the GSE faculty a speaker to deliver the commencement address.
- b. To nominate to the GSE faculty recipients of the Distinguished Leader in Education awards.

Additional duties of the faculty members of the committee shall be

- c. To determine the winners of GSE Alumni Association dissertation awards to be presented at the commencement ceremony and to determine the procedures for soliciting nominations.

I. Student Grievance Committee

1. Membership

The Student Grievance Committee (SGC) shall be composed of two tenured faculty members elected by each department and two students selected by each department (6 faculty, 6 students). Each grievance or disciplinary action will be heard by an ad hoc subcommittee composed of two faculty and two students selected in rotation from a random ordering in rotation from the full committee membership. Each subcommittee will select a chair. Members selected to a subcommittee may recuse themselves for cause and be replaced by the next member in the rotation; recused members would be selected on the next grievance heard by the committee.

2. Duties and Powers

- a. The Student Grievance Committee shall hear grievances brought by students

- against GSE faculty according to the procedure described in #3 below.
- b. Grievances under this procedure shall be limited to allegations brought by students of violations of University academic policy, GSE academic policy, GSE departmental policy, or academic practice in the GSE or its departments.
- c. The Student Grievance Committee may not substitute its substantive academic judgment for that of GSE faculty.
- d. On grievances brought to this committee, the designated subcommittee will have the duty and power to submit a fact-finding report and recommendations to Dean and to the Associate Dean of Academic Affairs.
- e. This committee will **not** address the following:
 - i. Appeals regarding admissions, scholastic standing, and academic progress, which will be addressed by the Admissions and Scholastic Standing Committee according to its procedures.
 - ii. Harassment allegations that fall under university policies on harassment, which will be addressed via procedures specified by the university.
 - iii. Grievances pertaining to the Ph.D. program, which will be addressed via Graduate School-New Brunswick procedures.
 - iv. All allegations concerning academic integrity, which shall be dealt with under University Student Disciplinary Hearing Procedures.
 - v. Allegations by Faculty against students and students against students.

3. Procedure

- a. Students alleging violations must make every effort to resolve the matter through timely informal discussion with the parties involved. Informal resolution can take place any time.
- b. Within six calendar months of the alleged violation, the student (hereafter, the grievant) may initiate a grievance by informing his/her department chair in writing. (If the grievance is against the department chair, the letter shall be forwarded to the Dean or the Dean's designated representative.) The letter shall:
 - 1. Ask for a meeting with the department chair (or with the Dean or the Dean's designated representative, if the grievance is against the department chair)
 - 2. State the regulations or practice which has been violated
 - 3. State who allegedly committed the violation and when the violation occurred
 - 4. Give dates and brief summary of informal attempts to resolve the grievance
 - 5. Request an appropriate procedural remedy
- c. The department chair, within 10 working days of receipt of the letter, shall meet jointly with the grievant and the parties grieved against, consider all the available evidence, and either:
 - 1. Resolve the grievance to the satisfaction of all parties involved or
 - 2. Refer the grievance to the Dean or the Dean's designated representative and so notify the grievant
- d. Within 10 working days of receipt of the referral from the chair, the Dean or the Dean's designated representative shall meet jointly or individually with the grievant and the parties grieved against, consider all the available evidence, and notify the grievant in writing of his/her disposition of the matter. The letter shall give the grievant the option of referring the matter to the SGC by writing a letter to the Dean or the Dean's designated representative within 10 working days.

- e. The grievant may request a hearing with the SGC by notifying the Dean or the Dean's designated representative in writing within 10 working days of the grievant's receipt of the letter.
- f. If the grievant requests that the matter be referred to the SGC, the Dean or the Dean's designated representative shall, after consulting with the chair of the SGC, provide written notification of the constitution of a SGC subcommittee to the grievant and the faculty grieved against. This notification will be provided within 5 working days of receipt of the grievant's request and will inform each party:
 - 1. Of the membership of the subcommittee, specifying the subcommittee chair
 - 2. That he/she may present all relevant evidence and witnesses before the subcommittee
 - 3. That he/she may be accompanied by an advisor who is not an attorney
 - 4. That he/she may present documentary evidence to the subcommittee within 10 working days of receipt of this notification
- g. The grievant may challenge participation of any committee member for cause before the commencement of the hearing. The committee shall decide if it is appropriate for the challenged member to continue. If the challenge is sustained, the vacancy will be filled in rotation from other available committee members.
- h. Faculty may also challenge participation of any committee member for cause before the commencement of the hearing. The committee shall decide if it is appropriate for the challenged member to continue. If the challenge is sustained, the vacancy will be filled by the other parallel available committee member, and then the grievant will be apprised of the revised committee as specified with the right to challenge any new members, as in (g) above.
- i. Within 10 days of receipt of the notification of the composition of the subcommittee, the grievant and the parties grieved against will provide a list of potential witnesses and any documentary evidence to be considered by the committee.
- j. At the hearing, which will be held at a time designated by the chair of the subcommittee, and within 25 working days of the constitution of the subcommittee, the grievant may be accompanied by an advisor who is not an attorney. Faculty may also be accompanied by an advisor who is not an attorney. The grievant and the parties grieved against may present evidence and witnesses either in person or in writing. The grievant and the parties grieved against will be given an opportunity to present all relevant evidence and testimony, to respond to claims made, and to rebut evidence and testimony. Questions may be asked by committee members or advisors.
- k. The grievant or the parties grievance against, or their advisors, may request during the hearing that additional witnesses be called to address points that arise in the hearing. The subcommittee will judge whether to grant any request(s). If a request is granted, the chair of the subcommittee will suspend the hearing to call any additional witnesses. The hearing will resume at a time and date determined by the subcommittee chair. This may range from within a few minutes of the suspension to within 10 working days of the suspension.
- l. Within 10 working days of the conclusion of the hearing, the committee will issue a draft of a fact-finding report and recommendations to the grievant and to the parties grieved against.

- m. Within 10 working days of receipt of the fact-finding report, the grievant and the parties grieved against may provide a written response challenging any of the assertions of the fact-finding report.
- n. Within 10 working days of receiving the responses of the grievant and the parties grieved against, the subcommittee will make any desired revisions to the report in response to the responses of the grievant and the parties grieved against. The subcommittee will issue the final fact-finding report and recommendations to the grievant, to the parties grieved against, and to the Dean and the Associate Dean for Academic Affairs.
- o. The Dean will issue a decision in the case within 10 working days of receipt of the report from the grievance committee.
- p. Extensions of time limits which are specified above may be granted by mutual written consent.
- q. The findings of the committee are binding within the limits of university and GSE regulations.
- r. No reprisals shall be taken against any student, advisor, witness, or member of the SGC for participation in the grievance process. Claims of any such reprisals shall themselves be grounds for grievances.

VI. OTHER GSE BODIES

A. Dean's Administrative Council

1. Membership

The Council will be composed of the Dean and chairpersons of the departments, the Associate Dean, and other members as are appointed by the Dean.

2. Duties and Powers

The Council shall function as a method of communication between the Dean and staff, and the faculty and staff. As such, the entire range of operations in the University and the GSE are within the province of the Council for purposes of information and discussion but the Council (as distinct from its several members) shall hold no decision-making powers on matters of policy.

B. Student Advisory Council

1. Membership

The Committee will consist of three students, one from each department, selected by procedures deemed appropriate by the department concerned and certified by the department chairperson.

2. Duties and Powers

- a. Place items on the agenda of faculty meetings, or meetings of any standing or ad hoc committee.
- b. Present its viewpoints and recommendations to the general faculty meeting, to the various other faculty meetings, or to any standing or ad hoc committee by written communication and/or formal oral presentation.
- c. Administer funds received from the university's student activities fees budget and any funds that might be allocated by the dean.
- d. Sponsor workshops, seminars, or other events that are of academic interest to students.

- e. Assisting in recruiting student volunteers for GSE committees.

VII. DEPARTMENT CHAIRPERSON

Chairperson

The rights and duties of the chairperson are outlined in the University Regulations and are directly applicable to those departments whose budgets are administered by the Graduate School of Education. In addition, the department chairpersons will be responsible for effective collaboration with faculties, including the support of core courses and interdisciplinary offerings.

A. Eligibility to Serve as Chairperson

1. Any tenured member of the department who is a professor or associate professor is eligible to serve as chairperson provided that s/he occupies at least 50 percent of a budget position of the department and is a voting member of the GSE.
2. If a member of the faculty occupies 50 percent of a budget position in each of two departments in the University, s/he shall decide in which s/he is eligible for candidacy as chairperson.

B. Term of Office of Chairperson

1. The department chairperson term of office shall normally be three years.
2. If it is necessary to appoint an acting chairperson for a term longer than six months, the department shall nominate to the Dean a person to serve in this capacity according to the procedure for the Nomination of Chairperson.

C. Nomination of Chairperson: The procedures are described in University Regulations.

1. By the midpoint of the semester prior to the expiration of the term of the Chairperson, or in the event of a vacancy, the Rules of Procedure Committee shall poll the members of the department eligible to vote. The ballot shall contain the names of all eligible members except those who have withdrawn their names (professors and associate professors). Each member shall vote for one choice on the ballot. The ballot shall be returned to a person designated by the Chairperson of the Rules of Procedure Committee without signature and in an unmarked envelope. Ballots shall be counted and the count certified by the Rules of Procedure Committee. The candidate receiving the votes of a majority of those eligible to vote shall be the nominee of the department to the Dean. The results of the elections will be made available to the faculty by memorandum immediately upon certification by the Chairperson of the Rules of Procedure Committee.
2. If no candidate receives a majority on the first ballot, or if the candidate receiving a majority declines to serve, the Committee on Rules of Procedure shall prepare a second ballot containing the names of the two highest candidates or, in case of a tie for first place, the names of those involved in the tie. From this point on, the procedure shall be that set forth in Paragraph 1 above. In case of a tie for second but not first place, the names of the highest candidate and those involved in the tie shall be placed on the second ballot. In such case, the procedure shall be that set forth in Paragraph 1 above, except that each voting member shall cast two votes, one each for two different candidates. The two highest candidates' names will then be presented to the department by the Committee on Rules of Procedure on a third ballot, on which there shall be one vote per voting member. If ties still exist after the second ballot results are tallied, the

matter shall be referred to the Committee on Rules of Procedure for development of a procedure which will eliminate all but the two highest placed nominees.

D. Eligibility to Vote for Nomination of Chairperson

1. Any member of a department at the rank of instructor or above shall be entitled to vote subject to the limitations of the following sections.
2. If a member of the faculty occupies 50 percent of a full budgeted position in each of two departments of the University, the faculty member shall notify the department chairperson by October 1 of each academic year the department/division in which to vote.
3. No persons shall be eligible to vote for a candidate for chairperson in any department in the GSE which provides less than 50 percent of their budgeted position.
4. Members of a department otherwise eligible shall not vote for a department chairperson if their services to the department are terminating at the end of the current academic year.
5. A faculty member who has been given a terminal one-year appointment for the coming year shall not vote for a department chairperson at any time after notification of such terminal appointment.
6. Members of a department on leave of absence and otherwise eligible may vote for department chairperson providing the leave does not exceed one year.