

**U.N.D. MUSIC DEPARTMENT BYLAWS  
Ratified October 8, 2002**

**I. THE FACULTY**

**A. General Statement**

The departmental faculty has jurisdiction over all matters concerning its own internal policies insofar as they do not conflict with other departments or with rules and regulations of the Senate and Council. It determines, within the limitations of the department's jurisdiction, the organization of the work of the department, matters of departmental policy and budget, and recommends new courses when deemed advisable.

The faculty members have as a primary goal the acquisition and dissemination of musical art and knowledge. They are teachers, scholars and creative artists. They are interested not only in teaching and making themselves available to students for counseling but in practicing the art of music and advancing the knowledge of it through scholarly work. Furthermore they are interested in their department, college, and university. They faithfully serve, to a reasonable extent, on committees in the department, the college, and the university, and serve as well in other university and community endeavors, including recruitment, development and musical performance. They strive at all times to see their teaching and service in the proper perspective of advancing the department as a whole, through mutual support and collaboration, as they see the department in its proper perspective as working with, and not competing against, other departments in sharing university resources.

A department draws on the strength of its members and utilizes their talents for its own betterment and that of the university.

The faculty member is subject to the "Statement on Faculty Responsibility," as stated in the UND Faculty Handbook.

**B. Composition of the Faculty**

The faculty of the Department of Music shall consist of emeritus faculty of the department and all persons who normally teach in the department and hold the rank of professor, associate professor, assistant professor, instructor, senior lecturer, lecturer, visiting professor, or temporary part-time appointee.

### C. Composition of the Voting Faculty

*Last amended January 15, 2015*

The voting faculty shall consist of all faculty employed by the department who are tenured, hold a tenured appointment, or hold a benefitted non-tenure-track appointment of at least half-time.

### D. Faculty Meetings

1. The chairperson of the department shall convene a meeting of the faculty at least once each semester during the academic year. Other meetings shall be called at the request of the chairperson, the executive committee or by one quarter of the voting faculty. A copy of the proposed agenda shall be distributed to each member of the faculty the day preceding the meeting. The agenda shall be prepared by the Chair or Executive Committee. Items for the final agenda may be submitted up to the morning of the meeting day.

### 2. Quorum for a Faculty Meeting

*Last amended April 27, 2015*

A quorum for any semester during the regular academic year shall consist of at least half of the number of voting faculty on appointment during that semester, exclusive of those on leave.

### 3. Faculty Approval

*Last amended 4/3/07*

Approval of any proposal submitted to a scheduled faculty meeting requires endorsement by a majority of legal votes cast, except for changes in the bylaws and elections of the chair. For urgent matters, a poll conducted by the chair may be substituted for a meeting vote, provided a quorum of faculty is consulted and the vote reported to the faculty in writing. The required majority will remain the same. The procedure for changing the bylaws is described in Section IX. In certain cases, if a majority of the voting faculty deems it appropriate, voting faculty on leave will be consulted on proposals.

## II. CLERICAL STAFF

The clerical staff shall consist of all department employees who are on budgeted salary, excluding faculty. Supervision of all staff members and part-time help is the responsibility of the chairperson, although direct supervision of some may be delegated to individual faculty.

### III. GRADUATE TEACHING ASSISTANTS AND TEMPORARY PART-TIME FACULTY

Supervision of temporary and part-time faculty and graduate teaching assistants is the responsibility of the chairperson, although direct supervision may be delegated.

### IV. THE DEPARTMENT CHAIRPERSON

*Last amended December 07, 2010*

The chairperson must hold a full-time appointment in the Music department. As a member of the voting faculty, the chairperson has full voting rights with the rest of the voting faculty on decisions relating to the internal policies of the department.

#### A. Selection

1. The chairperson may be selected from among the voting faculty or, if there is a tenure-track vacancy, by external national search, by request of two-thirds of the whole voting faculty and in concordance with the Dean of the College of Arts and Sciences. An election will be supervised by an election committee, which will normally consist of the members of the executive committee. If a member of the executive committee becomes a willing candidate for chairperson, then that individual will be replaced on the election committee by a non-candidate appointee of the executive committee. The election committee shall assure the full participation of all voting faculty in all phases of the selection process. The general procedures for the election of the chairperson are as follows:

##### a. Determination Ballot

In the event of a faculty vacancy, each member of the voting faculty shall vote for "Internal Search," or "National Search" by secret paper ballot. A two-thirds majority of the whole voting faculty and permission of the dean is required in order to initiate a national search. If such a majority is not achieved, an internal search will be conducted as described in Section IV.A.1.

##### b. Nomination Ballot

Each member of the voting faculty may submit up to three nominations, including self-nomination, by secret paper ballot.

##### c. Acceptability Ballot

1) The names of all nominees will be announced in department faculty meeting. Members of the voting faculty may write the name of each nominee they would find acceptable as department chairperson. The ballots will be delivered to the department secretary for counting, with verification by the election committee.

2) All nominees receiving votes of acceptability from at least a simple majority of the members of the voting faculty shall be declared candidates, unless they decline. It is appropriate for the election committee to encourage duly accepted people to run.

3) If no candidate is declared in (2), the election committee shall issue a call for new nomination ballots. A second acceptability ballot shall be taken as in (1) and candidates shall be declared as in (2). If this ballot produces no candidate, then the election committee, after conferring with the voting faculty, will meet with the Dean to determine further procedures to be followed for the selection of a chairperson.

#### d. Election Ballot

1) In the event that an acceptability ballot yields one or more candidates, the names of all candidates shall be announced in department faculty meeting.

2) If only one name is announced for election, voters will indicate their approval or disapproval of the candidate, and the ballots will be delivered to the Administrative Officer for counting, with verification by the election committee. If the candidate receives votes of approval from a two-thirds majority of the whole voting faculty, that individual will be declared elected. Otherwise the election committee, after conferring with the voting faculty, will meet with the Dean to determine further procedures to be followed for the selection of a chairperson.

3) If more than one name is announced, voters will write the name of the one candidate they wish to support, and the ballots will be delivered to the Administrative Officer for counting, with verification by the election committee. The nominee receiving votes from a two-thirds majority of the whole voting faculty will be declared elected. If no candidate receives such a majority, the process will continue on successive ballots by deleting the name of the person receiving the fewest votes on the preceding ballot until one individual receives votes from a two-thirds majority of the whole voting faculty. In the case of a tie, the election committee shall determine further procedures to assure the election of one individual by the department.

#### d. Appointment by the Dean

The election committee will recommend to the Dean that the person so elected be appointed as chairperson. It is understood that any member or members of the voting faculty may submit a minority report to the Dean at this time. Appointment of the chairperson is contingent upon the Dean's concurrence.

2. The chairperson may be selected from outside the department through a national search.

a. In response to the executive committee, or by petition of any member of the voting faculty, or through the results of the determination ballot described above (Section IV.A.1.a), the faculty as a whole may vote to seek a chairperson from outside the department.

b. A two-thirds majority vote of the whole voting faculty and permission of the Dean is required to initiate such an outside search. If such a majority is not achieved, then an internal search will be conducted, as described in section IV.A.1.

c. The executive committee may act as a search committee or may appoint a search committee of other members of the department.

d. Appointment of the chairperson under this procedure requires approval of the candidate by the Dean of the College and by a two-thirds majority vote of the whole voting faculty.

#### **B. Time of Election and Term of Office**

1. The chairperson's term of office will normally be three years, after which an election will be held.

2. Normally, the election of the chairperson will take place early in the second semester of the academic year. If a new chairperson is elected at that time, the term of office will begin on the first day of the fiscal year.

3. A chairperson who takes a leave or must be absent for an extended period before the term has expired may appoint, in consultation with the executive committee, the voting faculty, and the Dean, an acting chairperson to serve during this absence. If circumstances such as illness of the chairperson preclude such action, the executive committee, in consultation with the voting faculty and the Dean, will appoint the acting chairperson. This would not affect the timing of the elections, which would continue to be held every third year. In the event of resignation or circumstances which would not allow the chairperson to finish the term, the executive committee, after consulting the voting faculty and the Dean, would appoint an acting chairperson, if necessary, and set the time for the next election.

#### **C. Responsibilities and Duties of the Department Chairperson**

##### **1. General Statement**

The chairperson bears the final responsibility for directing the department. Such direction will follow the general policies agreed upon by the voting faculty or the executive committee, but the chairperson will be free to exercise personal judgment and authority as to implementation.

The chairperson's responsibility is to the department's faculty and student constituencies. Every effort should be made to enable them to contribute to the strength of the department and support their professional growth. The chairperson should provide opportunities for all members of the faculty to express their opinions and contribute, as appropriate, to the collective development of the department. The chairperson should manage the routine administration of the department with efficiency and a minimum of distraction to the faculty. The chairperson acts through and on behalf of the departmental faculty on significant matters, with the faculty deciding what is significant and what is not. At the same time, the chairperson is expected to exercise imaginative leadership in a democratic context, being free to initiate committees and other machinery for the investigation and implementation of new ideas, programs, research, faculty, and the like. The chairperson should provide liaison within the department, with other departments, with students, with college and university officials, with the public, and with related professional organizations

and individuals outside the university. The chairperson is subject to the statements on chairpersons' responsibilities in the Faculty Handbook. The chairperson usually has a one course teaching load per semester.

The chairperson shall have the same administrative responsibility during the summer session as during the regular academic year. In the event that the chairperson is not available to carry out the administrative responsibilities during the summer, an associate chair may assume those responsibilities. If an associate chair is not available, responsibility falls to the chair of the executive committee. In case none of the three are available, then the executive committee with the concurrence of the department shall recommend to the Dean another member of the department to assume these responsibilities with arrangements to be made with the administration concerning financial remuneration.

## 2. Relation to the Executive Committee

The chairperson will consult with the executive committee at least once each academic year or when the executive committee requests it. Any fundamental change in departmental bylaws, policy, or procedure must be presented to the executive committee and faculty as a whole for consideration and approval.

3. Areas of major responsibility of the chairperson in conjunction with designated committees, when appropriate, include the following:

- a. Operations: personnel, supplies, equipment, space
- b. Budgets: preparing new ones, managing old ones
- c. Teaching program: registration, teaching assignments, schedule of classes, curriculum
- d. Preparation of reports: to the University, the Federal Government, accrediting organizations, etc.
- e. Preparation of the agenda for faculty meetings
- f. Recruiting of faculty and staff
- g. Promotions and salaries
- h. Relations with the university administration and other departments, and student groups
- i. Public relations
- j. Faculty and GTA development: teaching, research and creative activities
- k. Appointment of committees except those designated as elected committees
- l. Arbitration of disputes between faculty members
- m. Evaluation of faculty, with the Personnel Committee, as described in the UND Faculty Handbook

## D. Annual Review

The chairperson's work will be reviewed annually by the executive committee which will solicit input from the department and make appropriate reports to the chairperson, the departmental faculty, and, when deemed necessary, to the Dean of the college.

## V. THE ASSOCIATE CHAIR OF THE DEPARTMENT

*Last amended April 30, 2013*

The Music Department reserves the right to appoint an associate chair and/or other associate administrative officer(s), according to departmental needs as perceived by the chair, the Executive

Committee, and the Music faculty. An associate chair or other such associate administrative officer must hold a full-time appointment in the Music department. As a member of the voting faculty the associate chair or other such associate administrative officer has full voting rights with the rest of the voting faculty on decisions relating to the internal policies of the department.

#### A. Selection

The department chairperson may appoint one associate chair, with other associate administrative officers deemed necessary by the chair, the Executive Committee, and the Music faculty. Department members may refuse appointment as associate chair or other such associate administrative officer.

#### B. Time of Appointment and Term of Office

An associate chair or other such associate administrative officer may be appointed at any time during a chair's term, according to perceived need, provided that the term of office of the associate chair or other such associate administrative officer end at the same time as the chairperson's. In case an associate chair or other such associate administrative officer resigns, another individual may be appointed to serve the remainder of the term. There is no limit on the number of terms a department member may serve as associate chair or other such associate administrative officer.

#### C. Responsibilities and Duties of the Associate Chair

The primary duties of the associate chair or other such associate administrative officer will be determined at the time the decision is made to appoint one. They may include, but are not limited to: the oversight of placement testing, the evaluation of graduate teaching assistants (GTAs) and part-time lecturers, the supervision and training of GTAs, coordination of department facilities or promotion, or supervision of the summer program, supervision of graduate studies, or departmental recruitment and development. The associate chair or other such associate administrative officer shall have the authority to act on routine administrative matters in the absence of the department chairperson. Teaching load reduction, elimination of one or more Department Committee duties (including the Personnel Committee), and/or stipend for the Associate Chair position are negotiable.

## VI. EXECUTIVE COMMITTEE

*Last amended 12/5/06*

### A. Composition and Procedures of the Executive Committee

#### 1. Composition

The executive committee will consist of three voting faculty members with no fewer than two holding tenured status. The department chairperson and, when one has been designated, the associate chair are not eligible to serve. The committee member serving the third year of a current term shall serve as chairperson of the executive committee. The department chairperson may be invited to attend committee meetings at the request of a majority of the executive committee and will act as a non-voting participant in their discussions. The chair may also request a meeting with the committee.

## 2. Procedure

The executive committee will meet at least once during the academic year with the department chairperson. Other meetings will be held as needed or when requested by the department chairperson, any member of the committee, or at least one quarter of the voting faculty.

The executive committee will set its own rules of procedure regarding agendas, voting, etc.

## B. Functions of the executive committee include the following:

1. Consultation and advisement with the chairperson concerning departmental matters. The committee shall act for and be responsible to the members of the department. While the executive committee may consult with the chairperson, at the chair's request, on disputes between faculty members, final arbitration of those disputes rests with the department chair. Disputes or grievances involving the chair shall be submitted to the College of Arts & Sciences for arbitration according to the College grievance procedure and shall not be the responsibility of the executive committee.

In the absence of the department chairperson and the associate chairperson, the executive committee shall have the authority to act on routine administrative matters.

2. Continual concern with the general policies, philosophy and well being of the department. This includes the anticipation or recognition of matters which should be called to the attention of the chairperson and faculty.

3. Periodic review of budgets, departmental programs, and course offerings, as needed.

## 4. Annual review

a. The executive committee will develop and conduct an annual administrative review of the department chairperson at the beginning of Fall semester. All department faculty and staff should be given an opportunity to participate.

i) A survey limited to the chair's actual responsibilities shall be administered by the executive committee. In addition to objective questions regarding these responsibilities, an opportunity for open-ended written response(s) shall be included.

ii) The results of the survey shall be tabulated by the executive committee and reported as anonymous responses. Report of the objective questions shall be done by numerical percentages, in two ways:



- a) The percentages shall be averaged for each question's results, for evaluation of the opinions about the chair's performance of that responsibility.
    - b) The percentages shall also be averaged by respondent, in order to detect any outlying results that could skew the averages.
  - iii. The open-ended written responses shall be collected and reported anonymously in a group to the executive committee, and to the chair, for his/her use in self-improvement. Any concerns noted by the executive committee shall be discussed with the chair and may, at the committee's discretion, be included in the material forwarded to the personnel committee.
- b. The results of this review will be submitted by end of the third week of the Fall semester to the department chairperson and the chair of the personnel committee.
  - i) The personnel committee shall write the chair's evaluation, taking into account 1) the narrative self-evaluation, 2) other material submitted by the chair, and 3) the tabulated objective survey results and any materials forwarded by the executive committee.
  - ii) The personnel committee chair shall sign the evaluation form on behalf of the committee.
  - iii) Opportunities for response/rebuttal by either the chair or the personnel committee shall follow standard College and University processes.
  - iv) The executive committee chair shall review the evaluation with the department chair and sign the evaluation form in lieu of the department chair's signature (where it appears on any other faculty review).
  - v) When complete, the evaluation shall be sent to the Dean of Arts and Sciences.
- c. According to normal University policy, the chairperson has the right to write a rebuttal. A copy of the rebuttal should be shared with executive committee.
- d. The executive committee should regularly assess the effectiveness of the review process and maintain archival records thereof to ensure transparency, reliability, continuity, and consistency.
- e. The chair of the personnel committee will send the final version of the entire performance review to the executive committee chair for signature in lieu of the department chairperson being reviewed, which will then be sent to the Dean of Arts and Sciences.

### C. Election of the Executive Committee

#### 1. Term of Office

Term of office for members of the executive committee will be three years. The terms will be staggered with one member elected each year. The committee member serving the third year of a current term shall serve as chairperson of the executive committee. After serving a three-year term, a member may not serve again on the executive committee for a period of one year. If a member resigns, goes on leave, or is unable to complete the term, the department chairperson will appoint a replacement if the absence is for a year or less. If the absence is for a longer period, the replacement will be elected by the voting faculty for the balance of the term.

#### 2. Time of Election

Elections of the Executive Committee will be held each spring, with the term of office to begin at the beginning of the next contract year.

#### 3. Voting Procedure

Those faculty members eligible for election shall be announced in faculty meeting by rank, sub-specialty, and other committee membership. All members of the voting faculty may vote. The person(s) receiving a simple majority of the votes will be declared elected. In the event that no person has received a majority of the votes for a particular position, ballots will be cast for the two persons receiving the highest number of votes. The name of any person tied with either of the two will also be placed on the ballot. Successive ballots will continue in this manner until one person receives a majority of the votes.

## VII. DEPARTMENT COMMITTEES AND OFFICERS

*Last amended August 20, 2010*

### A. Committees and Officers

1. Standing Administrative Committees are continuing committees carrying out established departmental tasks. These are the Executive, Personnel, and Scholarship Oversight committees. The composition of the standing committees will be:

Executive Committee: as stipulated in Section VIA of the Bylaws.

Personnel Committee: as stipulated in Section VIIIA of the Bylaws.

Scholarship Oversight Committee: 3-member committee elected by the faculty to a 3-year term. The terms will be staggered with one member elected each spring. The committee member serving the third year of a current term shall serve as chairperson

2. Ad Hoc Committees or Panels are created when needed and terminate at the completion of the designated task. Examples of such committees/panels could be: Curriculum, Distinguished Artist, Search, and Scholarship Audition. The number of faculty serving on Ad Hoc committees/Panels may differ according to need.

#### B. Committee, Panel and Officer Function

1. The tasks of the various committees, panels and officers will be assigned by the department chairperson in accordance with the Bylaws and Policies of the department. Provision will be made for recommendations from the executive committee and the departmental faculty.

2. Except for those committees, panels and officers empowered by the faculty to make decisions in certain areas, all departmental committees, panels and officers will present their decisions and recommendations to the chairperson and, when involving policy or decisions which are binding on the department, they must present their recommendations to the faculty for approval. In no case will a committee, panel or officer alone have the power to determine or change departmental policy.

VIII. FACULTY TENURE, PROMOTION, AND REAPPOINTMENT

*Last amended January 16, 2015*

A. Personnel Committee

The Personnel Committee will be a committee representative of the Department. This committee will make all recommendations regarding the tenure, promotion, and reappointment status of tenured and tenure-track faculty members in accordance with the Department's Policy for Faculty Promotion, Tenure, and Evaluation. See appendix A: 1.

IX. REVISIONS OF THE BYLAWS

The above bylaws, once adopted by the department, are subject to revision by the affirmative vote of two-thirds of the department's whole voting faculty. Written notification of the substance of any proposed revision of the bylaws must be distributed to each member of the voting faculty at least two weeks before said revision may be voted on. Bylaw revisions may be voted on only at faculty meetings.

#### X. MATTERS NOT COVERED IN THESE BYLAWS

Matters of departmental governance and policy not covered in these bylaws will be contained in the Music Department Policy Manual. See Appendix A: Policies and Appendix B: Procedures

B. Additions or emendations to the Music Department Policy Manual may be proposed by a member of the faculty, staff, or a department committee and voted on in regular faculty meeting. A simple majority of the whole voting faculty is required for passage.

## APPENDICES

### A: Policies

1. Academic Grievance
2. Concert Attendance Policy
3. Concert Admission Policy
4. Facilities Policy
5. Faculty Promotion, Tenure and Evaluation & Guidelines for its interpretation
6. Instrument & Locker Rental/Loan Policy
7. Music Library Policy
8. Recital Policy
9. Scholarship Policy
10. Sophomore Review Policy
11. Syllabus Policy
12. Ulliot Endowment Policy

### B: Procedures

1. Billing and Receiving Payments Procedure
2. Concert/Recital Procedures
3. Degree Recital Procedures
4. Facilities User Fees