

OFFICE OF THE VICE PRESIDENT, ACADEMIC ADMINISTRATION
213 MORRILL HALL • MINNEAPOLIS, MINNESOTA 55455

October 12, 1971

MEMORANDUM TO: Provosts and Deans

FROM: William G. Shepherd, Vice-President, Academic Administration

William G. Shepherd

The attached Guidelines for the Development and Review of College Constitutions, with Particular Reference to the Powers and Duties of Deans was discussed in the October 4, 1971, meeting of the Administrative Committee and recommended by that Committee to the Board of Regents for its approval. The Board approved the Guidelines on October 8, 1971.

Inasmuch as this document is now in effect and available for your use, may I ask each of you to initiate the consultative procedures appropriate for your unit to review your constitution for each of the articles listed in the Guidelines. Units that do not now have a constitution are strongly urged to prepare such a document using the attached articles as a guide to insure minimum necessary content in the new document. When revised constitutions or new constitutions have been approved at the campus or collegiate level, they should be forwarded to my office for review and presentation to the Board of Regents for its final approval.

As you revise or prepare a constitution, may I request that you bear in mind the distinction between constitutions and by-laws. By-laws usually present a more detailed set of procedures for operating under an approved constitution. They may change more frequently than the constitution itself as new procedures develop that appear to be more effective and that still are in conformity with the over-riding provision of the constitution. Regents' approval is required for collegiate constitutions, not for by-laws.

It is my hope that the revision of all existing constitutions and the approval of new constitutions can be accomplished throughout the University by the beginning of the Fall Quarter, 1972.

WGS:ska

Attachment

September 17, 1971

Minnesota State

GUIDELINES FOR THE DEVELOPMENT AND REVIEW OF COLLEGE
CONSTITUTIONS, WITH PARTICULAR REFERENCE TO THE POWERS AND
DUTIES OF DEANS

Articles

Article I

The first Article in a College Constitution must state that the powers a College exercises are delegated by the Board of Regents in accordance with the Constitution of the University Senate which stipulates that such powers are extended by the Regents to the President, the University Senate, and the several faculties. This Article should also state that these powers may be modified by subsequent action of the Board of Regents.

The purposes of the College should be described or stated either in a preamble to the Constitution, or in Article I of the Constitution.

Article II

The second Article in a College Constitution should define the role, authority and the responsibilities of the Dean of the College. This Article should state that the Dean of the College shall be appointed by the Board of Regents upon the recommendation of the President of the University. The Constitution should specify what search and consultative procedures will be used to nominate candidates to the President. The appointment of Deans of Colleges shall henceforth be for stipulated terms of office (which may differ depending upon the circumstances in the given College) with the possibility of reappointment following a review initiated by the President near the end of the stipulated term. (The President has the power, of course, to initiate an earlier review if he deems it advisable.)

This second Article should further state that the Dean is the Chief Executive Officer of the College, that he shall have general administrative authority over College affairs, and that he shall make recommendations to the President on all faculty appointments, promotion, tenure and salary adjustments following established consultative procedures in the College. The Constitution should specify or describe these procedures.

The second Article should make it clear that the Dean of the College shall provide leadership for formulating policies, introducing and testing educational ideas and proposals, stimulating College discussions leading to improvement of the educational program of the College. These responsibilities include both the strengthening of the College and its program and the interpretation of that program to the University and the community. This Article should also include provision for a system which will ensure review of departments at periodic intervals.

Finally, this Article should include a statement which makes explicit the fact that the Dean, as Chief Executive Officer of the College, shall have final authority to make budgetary recommendations to the President, after completion of established consultative procedures within the College.

Subsequent Articles in College Constitutions may and likely will specify further and more specific powers, duties and responsibilities of the Dean of the College, as for example the manner of appointment of standing and ad hoc college committees. The relationship of the Dean to the faculty of the College will also likely be further explicated in later Articles of the Constitution. However, each College Constitution must include the substantive points enumerated above as a minimum definition of the powers and duties of Deans.

Articles Relating to Other Aspects of Collegiate Governance

These Articles should cover the definition of the faculty of the College, should make clear the voting rights of faculty and their responsibilities. These responsibilities have been recognized by the faculty in the Senate statement of December 3, 1970, Academic Freedom and Responsibility. The Articles should also indicate that procedures for removal of faculty for cause will be followed, as outlined in the Regulations Concerning Faculty Tenure.

These Articles should stipulate the procedures to be followed in identifying, nominating and recommending the appointments of chairmen or heads of departments within the collegiate unit. The Articles should provide for stipulated terms of office for chairmen or heads, periodic reviews and the possibility of reappointment. These Articles should define the structure, function and composition of standing College committees, and state the procedures for governance within the College. The latter statement or statements should cover grievance and appeals procedures within the College.

These Articles should provide guidelines for student participation in the Amendment of existing College Constitutions. It is assumed that students will be participant in the development of new College Constitutions. These Articles should also make clear how students relate to the committee structures, the governance procedures, and the grievance and appeal procedures within the College.

Articles Dealing with External Relationships of the College to the University

It is essential to include in the Articles of the Constitution statements that define the relationship of the College and its faculty to all-University and Campus governing bodies, e.g., the University Senate and the Campus Assemblies. All Articles of College Constitutions must be compatible with the provisions of the appropriate Assembly Constitution and the Senate Constitution.

Variation in the College Constitutions

The Articles of the collegiate Constitutions will necessarily reflect the variations in the missions, size and complexity of the collegiate units. Hence, a complete model Constitution cannot be developed, but the foregoing should delineate the essential features of any collegiate Constitution.

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