

**THE CONSTITUTION AND BYLAWS
of the
UNIVERSITY OF MINNESOTA, DULUTH
and the
DULUTH CAMPUS ASSEMBLY**

THE CONSTITUTION

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PREAMBLE

The University of Minnesota Duluth, being committed to the promotion of critical thinking, basic values, leadership and social responsibility, broad cultural and intellectual interests, communication, and vocationally useful skills, adopts this constitution for the better realization of these purposes.

ARTICLE 1. GENERAL POWERS

1. Distribution of Powers Delegated by Regents

All matters relating to the mission of the University of Minnesota Duluth, consistent with actions or policies of the regents of the University of Minnesota heretofore and hereafter taken or established, are committed to the president, the chancellor, the Duluth Campus Assembly, the UMD Student Association and the several colleges and schools and their respective faculties as herein provided. The authority of the Duluth Campus Assembly shall be exercised subject to the provisions of regents' policies as amended from time to time, including collective bargaining agreements as approved by the regents.

ARTICLE 11. CHANCELLOR OF DULUTH CAMPUS

1. Position and Authority

a. The chancellor shall be the president's chief representative on the Duluth campus. As executive officer of the University of Minnesota Duluth, the chancellor shall have general administrative authority over the campus. The chancellor with the senior administrative officers shall provide leadership for formulating policies, for introducing and testing educational ideas and proposals, and for stimulating campus discussions leading to improvement of the educational programs of the campus. These responsibilities include both the strengthening of the campus and its programs and the interpretation of those programs to the University and the community. The chancellor may delegate such authority and, after consultation with the Executive Committee, appoint such chancellor's advisory committees as are necessary to perform successfully the duties of the chief administrative officer. Chancellor advisory committees may be augmented at the discretion of the Executive Committee with a representative of the assembly to be appointed by the Executive Committee.

b. The chancellor shall be accountable for the expenditure of funds and shall be responsible for the preparation and presentation of budget recommendations to the president. However, in view of the necessary weighing of educational policies and objectives involved, the budget shall be prepared by the chancellor in consultation with the appropriate deans, directors, and the Executive Committee.

c. The chancellor shall make recommendations to the president for the appointment of senior officers and administrative heads of the major academic units defined in Article IV. The chancellor shall allocate budgets to these units in consultation with the unit administrators.

d. The chancellor may suspend implementation of any action taken by the assembly, by any college or school, or by any other constituency and ask for a reconsideration of such action. A written explanation for the suspension will be provided at the request of the Executive Committee. If the chancellor and the assembly, or the chancellor and a college or school, or other constituency do not

reach agreement on the action, the question may be appealed to the president and the regents by the assembly or other constituencies.

2. Selection, Appointment and Review of Chancellor

The chancellor shall be appointed by the regents upon the recommendation of the president of the University. A search committee, appointed by the president from the faculty, professional staff, student and civil service nominees submitted by the Executive Committee, and from other groups as deemed advisable, shall conduct an exhaustive search and nominate candidates whose names shall be forwarded to the president for consideration. The chancellor of the Duluth campus shall be appointed by the Board of Regents for an initial fixed term of three years. In the third year of the initial appointment, the president, in consultation with the Executive Committee, shall appoint a review committee including faculty, professional staff, student, and civil service representation, and such persons as deemed advisable, to conduct a major review of the chancellor. Subsequent appointments for the incumbent chancellor shall be annual and renewable, based each year on a performance evaluation carried out in accordance with University policy. Every five years or at any time the president or the Executive Committee deems it advisable, this annual review will take the form of a major review to be carried out by a committee appointed by the president, who in consultation with the Executive Committee, shall appoint a committee including faculty, professional staff, student and civil service representation, and such other person as deemed advisable.

3. Selection, Appointment and Review of Chancellor's Senior Officers

The chancellor's senior officers shall include those holding the title of vice chancellor. They shall be appointed by the regents upon recommendation of the president and the chancellor. A search committee, appointed by the chancellor from the faculty, professional staff, student and civil service nominees submitted by the Executive Committee, and from other groups as deemed advisable, shall conduct an exhaustive search and nominate candidates whose names shall be forwarded to the chancellor for consideration. The chancellor's senior officers shall be appointed by the Board of Regents for an initial fixed term of three years. In the third year of the initial appointment, the chancellor, in consultation with the Executive Committee, shall appoint a review committee including faculty, professional staff, student and civil service representation, and such persons as deemed advisable, to conduct a major review of the chancellor's senior officers. Subsequent appointments for the incumbent chancellor's senior officers shall be annual and renewable, based each year on a performance evaluation carried out in accordance with University policy. Every five years or at any time the chancellor or the Executive Committee deems it advisable, this annual review will take the form of a major review to be carried out by a committee appointed by the chancellor, who in consultation with the Executive Committee, shall appoint a committee including faculty, professional staff, student, and civil service representation, and such other persons as deemed advisable.

ARTICLE III. DULUTH CAMPUS ASSEMBLY

1. Composition

The Campus Assembly shall be composed of the president, the chancellor, the chancellor's senior officers, the deans, the president of the University Education Association, Duluth, the president of the Student Association and the members of assembly standing committees.

2. Powers in General

a. The assembly shall have the authority and responsibility to make recommendations to the chancellor on educational matters concerning the Duluth campus. The assembly shall not have responsibility for the internal affairs of a single college or school, except where these materially affect the interests of other colleges, schools, or other major academic units. These powers shall be exercised within the framework of policies established by the regents.

b. The assembly or its appropriate committee shall have the responsibility of advising the chancellor or her/his designee on such administrative matters as deemed appropriate by the assembly.

c. The assembly or its appropriate committee shall have the responsibility of advising the chancellor or her/his designee on such student concerns as deemed appropriate by the assembly.

d. The Campus Assembly shall communicate as necessary and appropriate with campus governing bodies on other campuses of the University and with other educational institutions.

3. Campus Assembly Committees

a. The assembly, by appropriate bylaws, may create standing committees charged with such responsibility as the assembly has the power to confer.

b. The assembly may establish special committees to make recommendations on special topics of campus concern.

c. Faculty, students, professional staff, and civil service staff shall be eligible to serve on assembly committees.

d. Each faculty constituency designated in the bylaws shall establish its own procedures for electing representatives to assembly committees, in accordance with this constitution and bylaws. Elections shall be by secret ballot, and all elections shall be completed no later than the end of the twelfth week of spring semester except as may be necessary in the first year of implementation of this constitution.

e. One-third, or as near one-third as possible, of faculty representatives in each faculty constituency shall be elected each year. All such representatives shall normally serve for a term of three years beginning on July 1 following election, and shall be eligible for re-election one year after the expiration of their previous term.

f. Representatives of the student constituency shall be selected no later than the end of the twelfth week of spring semester of each year by procedures established by the UMD Student Association. Students normally serve a term of one year, and shall be eligible for a maximum of three terms of service.

g. Professional staff members of assembly committees shall be selected no later than the end of the twelfth week of spring semester of each year. All such representatives shall normally serve for a term of three years beginning on July 1 following election, and shall be eligible for re-election one year after the expiration of their previous term.

h. Civil service staff members shall be selected no later than the end of the twelfth week of spring semester each year. All such representatives shall normally serve for a term of three years beginning on July 1 following election, and shall be eligible for re-election one year after the expiration of their previous term.

i. No alternates shall be recognized by the assembly or its committees except as provided in the bylaws Article II. 6. a.

4. Campus Assembly Officers

a. The Executive Committee shall elect from its membership a chairperson, who shall also serve as the chairperson of the Campus Assembly, and a vice chairperson, who shall also serve as the vice chairperson of the Campus Assembly.

b. In the absence of the chairperson, the vice chairperson shall preside at assembly meetings. In the absence of the chairperson and the vice chairperson, the assembly shall designate a member who shall preside.

c. A clerk appointed by the chancellor shall record minutes of all meetings of the assembly, and shall submit minutes of the meetings to all voting members of the assembly, make one copy available in each departmental/program office, and establish an official file of minutes in the UMD Library.

d. An assembly parliamentarian shall be appointed by the Executive Committee in consultation with the chancellor. The parliamentarian shall advise the Executive Committee on parliamentary issues arising in the determination of the agenda and shall advise the chair on parliamentary matters in the conduct of assembly meetings.

5. Campus Assembly Agenda

The agenda of each assembly meeting shall be determined by the Executive Committee. The clerk shall have deposited in the campus mailboxes of each assembly member a copy of the agenda at least 48 hours before the time of the meeting of the assembly. The clerk shall make available to others copies of the agenda as the assembly may direct.

6. Campus Assembly Meetings - Call - Quorum

a. At least two regular meetings of the assembly shall be held during each academic year with at least one meeting occurring per semester. Special meetings shall be called at the request of the president, the chancellor, the Executive Committee, or any ten members of the assembly. Any person may attend assembly meetings and shall be entitled to speak at the discretion of the chair. Only members of the assembly shall be entitled to offer motions and to vote on any issue.

b. A quorum shall consist of simple majority of the total voting membership of the assembly.

c. Approval by mail ballot of any issue shall require a two-thirds majority of votes cast, providing that a quorum of assembly members cast ballots.

ARTICLE IV. ACADEMIC ORGANIZATION

1. Academic Units

The organization of the Duluth campus shall be in the form of major units such as schools and colleges. Establishment and disestablishment of any such units shall require consultation with the Executive Committee of the Campus Assembly.

2. Constitutions for Academic Units

Colleges and schools shall establish their own constitutions and bylaws, but these shall not be in conflict with this constitution or its bylaws and these constitutions must be approved by the Board of Regents prior to implementation.

ARTICLE V. UNIVERSITY OF MINNESOTA DULUTH, STUDENT ASSOCIATION

1. The assembly recognizes the University of Minnesota Duluth, Student Association as the official representative of the UMD student body on matters of student concern.

ARTICLE VI. PROFESSIONAL STAFF

1. Professional staff shall comprise all non-faculty academic staff and professional civil service staff as defined in the bylaws.

ARTICLE VII. CIVIL SERVICE STAFF

1. Civil service staff shall comprise all full-time civil service employees not otherwise represented as defined in the bylaws.

ARTICLE VIII. CONSTITUTIONAL INTERPRETATION

1. When questions of interpretation of this constitution or its bylaws arise, they shall be resolved by the standing assembly Executive Committee.

ARTICLE IX. CONSTITUTION AMENDING PROCEDURE

1. This constitution can be amended in part or replaced in its entirety by a two-thirds majority vote of all members of the assembly. Any proposed amendment or replacement constitution shall be endorsed by at least five members of the assembly, listed as an official agenda item, and presented for information and possible revision at a meeting of the assembly. The text of the amendment or replacement constitution shall be presented in writing to each member of the assembly individually. Vote on the amendment or the replacement constitution shall take place by a mail ballot no sooner than five days after the above provisions have been met. Amendments to this constitution, or a replacement constitution shall be effective the day after receiving approval of the regents unless otherwise specified in the amendment or in the replacement constitution. However, no suspension, amendments, or a replacement constitution shall become effective until the exclusive representative of the faculty, the Executive Committee of the Campus Assembly and the Executive Committee of the Student Association have had an opportunity to meet and confer with the regents' designated representatives concerning the proposed changes.

ARTICLE X. ADOPTION AND AMENDMENT OF BYLAWS

1. Bylaws under this constitution may be enacted, amended, or repealed by a two-thirds majority vote in a regularly scheduled meeting of the assembly, a quorum being present. Any such proposed action shall be endorsed by a least five members of the assembly and listed as an official agenda item for a regularly scheduled meeting of the assembly. The full text of the proposed action, together with a rationale for it, shall be presented in writing in the call for the meeting at which it is to be considered for passage and shall be e-mailed to those assembly members having e-mail availability no less that six calendar days prior to the meeting. Such a proposed action may not be amended on the floor of the meeting; it may be referred to the Executive Committee for further consideration.

ARTICLE XI. JURISDICTIONAL QUESTIONS

1. Controversies between major academic units concerning matters of jurisdiction shall be resolved by the chancellor after consultation with the Executive Committee of the Campus Assembly.

THE BYLAWS

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ARTICLE I. ASSEMBLY RULES OF ORDER

1. Unless otherwise provided in the constitution or these bylaws, or provided by special rules of order adopted by the assembly, The New *ROBERTS RULES OF ORDER* shall be followed by the assembly and its committees.

2. On the floor of the assembly a policy recommendation of a standing committee may be adopted, amended, or referred to the Executive Committee for reconsideration.
3. The agenda of the assembly shall adhere to the following format: (1) Report of the Chair, (2) For Action by the Assembly, (3) New Business (items under this heading may not be acted upon).
4. Actions of the assembly shall require a simple majority of members present and voting.

ARTICLE II. ASSEMBLY MEMBERSHIP AND ELECTIONS

1. Faculty

- a. For purposes of electing faculty representatives to the assembly and its standing committees, the faculty members shall vote within each of the following units: (1) School of Fine Arts; (2) School of Business and Economics; (3) School of Medicine; (4) College of Liberal Arts; (5) College of Science and Engineering; and (6) College of Education and Human Service Professions, and all UMD faculty not within a collegiate unit.
- b. The Executive Committee shall inform each unit of the number of faculty representatives that it is entitled by these bylaws to elect to each assembly standing committee. To make this possible for the first year of operation of this constitution, before an Executive Committee can be established, the chancellor shall assume this duty. The duty of determining which faculty representatives from each unit serve for one, two, and three years in order to initiate the three-year rotation shall be assumed by the Executive Committee upon its selection.

2. Students

- a. The Executive Committee shall inform the Student Association of the number of student representatives to be selected for each committee in advance of the selection process.

3. Professional Staff

- a. Professional staff eligible for membership in the assembly shall include all full-time individuals holding professional/administrative academic appointments and all full-time individuals holding schedule A and MSP civil service appointments.
- b. The assembly shall inform the Professional Staff Council the number of professional staff to be elected to each Assembly committee.

4. Civil Service Staff

- a. Civil service staff eligible for membership in the assembly shall include all full-time civil service employees not otherwise represented.
- b. The Executive Committee shall inform the director of human resources of the number of civil service representatives to be elected to each assembly committee.

5. Absence Rule

- a. A member of the assembly shall be said to have neglected a meeting if the member does not attend a meeting of the assembly or an assembly standing committee and does not notify the clerk of the appropriate body of the impending absence.
- b. A member of the assembly shall forfeit membership by neglecting three consecutive meetings.

- c. The clerk of the assembly shall notify any member who will forfeit assembly membership by neglecting the next meeting of the assembly.
- d. A member whose membership has been forfeited may appeal to the Executive Committee for reinstatement.

6. Vacancies

a. Vacancies that are to occur July 1 in unexpired terms of representatives to the assembly and its committees shall be filled for the remainder of those terms at the regular spring selection period. Any vacancy that may occur after July 1 shall be filled by an alternate selected by the unit or group represented: the alternate shall serve until the next regular election, at which time the unexpired term shall be filled. Should any member of the assembly be on leave of one semester or more in length, an alternate from the unit represented shall serve in his or her stead during the period of leave. The alternate shall be the person who received the next highest vote total in the election of the regular assembly member. Should that person be unable to serve as an alternate, the person with the third highest vote total shall be designated the alternate.

ARTICLE III. ASSEMBLY COMMITTEES

- 1. The standing committees of the assembly shall include the following: Executive Committee, Committee on Educational Policy, Student Affairs Committee, Campus Budget Committee, Campus Physical Facilities Committee, and the Campus Athletic Committee.
- 2. The Executive Committee shall appoint a chairperson and a vice chairperson for each assembly committee, and shall elect a chairperson and vice chairperson for itself. The chairperson of the Executive Committee shall be the chairperson of the Campus Assembly, and the vice chairperson of the Executive Committee shall be the vice chairperson of the Campus Assembly. (See constitution, Article III.4.a.)
- 3. The ex officio representative on each standing committee shall designate a person from his or her office to serve as clerk for that committee. The clerk shall be present at all meetings and will record minutes and perform other support functions as directed by the chairperson of the committee and approved by the ex officio member. The clerk shall also file copies of all minutes and other committee documents with the UMD Library.
- 4. Standing committees of the assembly may establish such subcommittees as they deem necessary to fulfill their responsibilities, but members of subcommittees who are not members of the standing committee shall not be members of the assembly. Each standing committee shall determine the composition of its subcommittees. The charge and membership of each subcommittee shall be reported to the Executive Committee upon its establishment.
- 5. The Executive Committee may appoint such assembly special committees as are deemed appropriate, subject to the following limitations:
 - a. Only those matters of concern which fall outside the responsibilities of the standing committees shall be assigned to special committees.
 - b. A special committee shall have a specified period of existence and shall be considered dismissed upon acceptance of its report by the assembly.
 - c. The Executive Committee shall upon its appointment provide each special committee with an explicit written statement of its charge, expected product, duration, and interim reporting requirements.

ARTICLE IV. FUNCTIONS AND DUTIES OF STANDING COMMITTEES

1. The Executive Committee is charged with oversight of all assembly responsibilities. It shall monitor all areas of policy concern of the assembly and shall take initiative in assigning policy review/policy formulation tasks to other assembly standing committees, and when appropriate, it shall establish special committees for this purpose. The Executive Committee shall receive all reports and recommendations from other assembly committees and shall work with the chancellor in setting the agenda for assembly meetings. The Executive Committee shall supervise all campus elections of members of assembly committees. The Executive Committee shall be empowered to take interim action on behalf of the assembly in any matter except amendment of the constitution and bylaws but any such action shall be placed on the agenda of the next regular meeting of the assembly for reconsideration by the full membership of the assembly. The Executive Committee shall serve as liaison between the assembly and the administration and shall make recommendations to the chancellor on all matters of constitutional interpretation.

2. The Committee on Educational Policy shall consider educational goals and priorities for the total campus and shall make recommendations appropriate to this end to the assembly. It shall develop policies concerning overall degree requirements including liberal education requirements and policies concerning all educational programs which have substantial impact on more than one collegiate unit. The Committee on Educational Policy shall consider policies and priorities in the development of educational support services including the library and UMD Information Technology Systems and Services. The committee shall be responsible for policies concerning registration and grading, and shall forward recommendations to the assembly concerning the educational aspects of programs and activities which conflict with regularly scheduled instructional activities.

3. The Committee on Student Affairs shall formulate major policies for all campus-wide student programs and activities, serve as the appellate body for the administration of the Student Conduct Code, and provide liaison between the assembly and student government committees which are active in student affairs.

4. The Campus Budget Committee shall translate the campus plan into a proposal of prioritized allocations and recommend adjustments in expenditure plans consistent with funding provided. The Campus Budget Committee shall in consultation with the Executive Committee be empowered to advise the chancellor or her/his representative on behalf of the assembly on campus budget matters.

5. The Campus Physical Facilities Committee shall have overall responsibility in the development and updating of a long-range physical facilities plan and shall monitor and report on the adherence to the plan. The committee shall review and monitor campus legislative capital requests.

6. The Campus Athletic Committee shall review and provide oversight to the athletic programs at UMD. Issues shall include, but are not limited to, such things as athletes' academic progress, facilities, conference issues and concerns, scheduling, public relations, audits, etc. The committee will also be responsible for monitoring completion of the institution's self study required by the NCAA. The Campus Athletic Committee shall, in conjunction with the Executive Committee, be empowered to advise the chancellor or his/her representatives on behalf of the assembly on campus athletic matters.

ARTICLE V. MEMBERSHIP AND COMPOSITION OF THE ASSEMBLY COMMITTEES

1. Executive Committee

The Executive Committee shall be composed of the chancellor, one faculty representative from each collegiate unit, three student representatives, one professional staff representative, and one civil service representative. The chairperson of the Executive Committee shall be the chairperson of the Campus Assembly, and the vice chairperson of the Executive Committee shall be the vice chairperson of the Campus Assembly.

2. Committee on Educational Policy

The Committee on Educational Policy shall be composed of the vice chancellor for academic administration, one faculty representative from the School of Medicine, two faculty representatives

each from the School of Business and Economics, the School of Fine Arts, the College of Education and Human Service Professions, four faculty representatives each from the College of Liberal Arts and the College of Science and Engineering, four students, two professional staff representatives, and one civil service representative.

3. **Student Affairs Committee**

The Student Affairs Committee shall be composed of nine students, the vice chancellor for academic support and student life, one professional staff representative, and one faculty member from each collegiate unit.

4. **Campus Budget Committee**

The Campus Budget Committee shall be composed of the vice chancellor for finance and operations, two faculty members from each collegiate unit except the School of Medicine, which shall have one, two student representatives, one professional staff representative, one civil service representative, and one representative appointed by each of the vice chancellors.

5. **Campus Physical Facilities Committee**

The Campus Physical Facilities Committee shall be composed of the director of facilities management, one faculty member from each collegiate unit, two student representatives, one professional staff representative, two civil service representatives, and one representative appointed by each of the vice chancellors.

6. **Campus Athletic Committee**

The Campus Athletic Committee shall be composed of five faculty members, one from each undergraduate collegiate unit, one professional staff member, one civil service staff member, one student representative, and one Executive Committee member to serve as liaison to the committee (one-year annual appointment). The athletics director and faculty athletics representative shall be ex officio members of the committee. No voting member of the committee may be affiliated in any way with the athletics program other than the athletics director and the faculty athletics representative.

7. **Membership Limitation**

No one may serve on more than one standing committee of the assembly concurrently.

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