THE COLLEGE OF EDUCATION (COE)

CONGRESS AND SENATE

BYLAWS

1. General

1.1 Meetings.

The Senate Chair shall schedule meetings of the Congress, the Senate, and the Senate Executive Committee (SEC).

Notice of regular meetings shall be distributed prior to the beginning of each semester but may be changed for cause during the semester with at least a week's notice.

Special meetings of the Congress or Senate may be called with advance notice of at least one week. Special meetings of the SEC may be called with advance notice of at least one day.

All regular meetings of the Congress or Senate shall be open to any member of the Congress.

Elected members of the Senate, or their alternates, and SEC members are expected to attend all meetings and to remain until the meetings are officially adjourned.

1.2 Agenda.

The Senate Chair is responsible for the preparation and distribution of agenda for meetings of the Senate and the Congress.

Agenda will be distributed to Senate and Congress members as appropriate at least three working days prior to the meeting dates.

Items for the agenda may be submitted in writing or email by any member of the Congress to the Senate Chair for consideration at least six days prior to the meeting date.

Any member submitting an item for the agenda must include enough detail to enable the Senate Chair to decide whether the topic is appropriate for Congress/Senate discussion, and must include contact information so the Senate Chair can clarify the topic if necessary. Any member (or a delegated representative of the member) submitting a topic is expected to attend the full Congress/Senate meeting for which it is scheduled, so that clarification can be obtained by the Congress/Senate if needed.

If the item discussion or documentation is extensive, it must be submitted to the Senate electronically to facilitate expeditious dissemination to members of the Congress/Senators

1.3 Voting.

Voting is determined by a majority of the votes cast with a quorum present.
Abstentions shall not be considered as votes cast.

Voting shall be by show of hands unless secret ballot is called for by any voting member.

1.4 Minutes.

Minutes of any meeting of the Congress, the Senate, and its committees shall normally be posted on a COE accessible electronic space as agreed to by the SEC within ten working days of the meeting.

1.5 Rules of Order.

The business of the Congress the Senate and the SEC shall be conducted according to guidelines of common sense and accepted practices of past Senate operations.

Should any controversy arise about the conduct of business, Robert's Rules of Order will be utilized.

2. CONGRESS

2.1 Meetings.

The Congress shall convene at least once during the academic year.

Special meetings may be held at any time called by the Senate Chair or by a vote of the Senate members present and voting at a regular meeting of the Senate.

2.2 Quorum.

The members present at any meeting shall constitute a quorum for the conduct of official business involving decision-making by the Congress. Any resolution or motion before the Congress shall be adopted or passed if it receives an affirmative vote of a majority of the votes cast by members present except as specifically noted in these Bylaws.

2.3 Agenda.

The agenda shall be set by the SEC and shall include, but not be limited to, any or all of the following items depending on the time of the year when the meeting is held: the introduction of new faculty and staff of the College; the presentation of personnel actions deserving public recognition; the reporting by the Senate Chairperson on the status of Senate matters; the reporting by the Treasurer on Senate finances; the reporting of Senate Committee Chairs summarizing the activities of their respective committees; and/or special items prepared by the SEC.

2.4 Actions.

Decisions by the Congress shall override decisions by the Senate and the SEC.

2.5 Officers.

Senate officers shall serve as officers of the Congress.
3. SENATE

3.1 Meetings.

During the academic year, the Senate shall normally meet at least once a month. Special meetings may be called by the Chair or by a majority vote of the SEC.

Notice of all meetings shall be distributed to all members of the Congress. Meetings shall begin no later than ten minutes after the scheduled start of the meeting and shall end on time.

3.2 Quorum.

One-half of the elected Senators (or their alternates) shall constitute a quorum for the conduct of official business requiring decision-making.

Proxy votes are not permitted.

3.3 Agenda.

The Senate Chair in consultation with the SEC shall determine the items to be included, the order of presentation, and the time limitations (if any) on item discussion, except that items previously tabled for continuation at the following meeting shall have precedence.

The agenda for each meeting shall include opportunity for Senate consideration of items not specified on the agenda; the Chair should protect some time near the end of each Senate meeting for this "new business," even if this limits discussion on agenda items.

3.4 Actions.

Any motion proposed and seconded shall be adopted if it receives the affirmative vote of a majority of votes cast by members present.

Senate actions should be communicated by the Chair to the Dean of the College and/or other person(s) with cognizance over the matter acted upon.

Senate decisions may be challenged within ten working days of the posting of such decisions in Senate minutes via a petition signed by at least ten (10) regular members of the Congress, specifying the particulars of such objections and requesting referral of the issue to the Congress for their consideration and decision.

Depending upon the urgency of the matter, the Chair shall either call a special meeting of the Congress or present the matter at a regularly scheduled meeting.

3.5 Terms of Office.

All elected Senators, officers and standing committee Chairs, shall commence service at the first meeting of the Congress or Senate during the year for which they are elected to office.

Senators shall serve for two years.

The immediate Past Chair shall serve for one (1) additional year as an "off-ratio", non-voting Senator beyond the term of office of Chair to ensure continuity between administrations and
ongoing Senate activities. “Off-ratio” means that the service of the Past Chair in the Senate is not included in the number of Senators representing his or her department or Center.

Where two or more Senators represent a single College unit their periods of service shall be staggered so that about one-half of the unit’s representatives are holdover Senators.

Officers and standing committee chairs shall be elected for one year.

3.6 Election of Senators.

Prior to 1 February of each year, the Vice-chair shall inform each department and division in the College of the number of Senate seats allocated to that unit, of the vacancies that need to be filled, and of the names of holdover Senators.

By March 1, each unit will conduct an election within that unit to fill existing vacancies and to identify alternates for elected Senators.

Any member of the Senate may be re-elected by the unit represented.

Alternates should be identified in order of votes cast, and should be called upon in that order for service, substituting for an elected Senator unable to attend. When it is confirmed by the unit that one of its regular Senators will no longer serve out the term for which elected, the unit will designate the first alternate as Senator to fill the unexpired term of office. Alternate Senators shall have the same vote and privileges as the elected Senator temporarily replaced.

Faculty and APT members of the Congress are eligible to serve as Senators after completing their first year of service in the College, but are encouraged to serve as members of Senate committees during their first year of service.

Should the immediate past Chair of the Committee on Curriculum and Program Planning not be a member of the Senate, that Chair serves as an ex-officio, non-voting member. A complete roster of Senators-elect and holdover Senators shall be prepared by the Vice Chair and posted on the COE Senate website and distributed to members of the Congress before the first meeting of the Senate in each academic year, and if and whenever changes in membership are sufficient to warrant.

Members of the College whose place of assignment is not on Oahu may be elected to serve as a Senator. The SEC will establish an electronic process for ensuring the participation of such a Senator in regular meetings of the Senate. Such a Senator is not eligible to serve as an officer.

3.7 Officers.

Senate officers shall include a Chair, Past-Chair, Vice-chair (who shall be Chair-elect), and Secretary-Treasurer.

They shall also be the officers of the Congress and the SEC.

3.7.1 Election of Officers.

Prior to 1 April, the Vice-chair shall canvass holdover Senators and Senators-elect to determine willingness to serve and to suggest nominees to the offices of Vice-chair and Secretary-Treasurer.
During the April meeting, a Vice-chair and Secretary-Treasurer will be elected to serve for the following academic year. Should the current Vice-chair not be able to serve as Chair for the following year, a new Chair will also be elected during the April meeting.

The Chair’s term expires at the beginning of the first regularly scheduled meeting of the academic year, and at that meeting the former Vice-chair assumes the office of Chair.

The term for the office of the Vice-chair shall commence on the date of the first regularly scheduled meeting of the Senate in the first year of a two-year term. To permit accession to the role of Chair in the second year the Senator elected to serve as Vice-chair must agree to serve as Chair during his/her second year in office.

The Secretary-Treasurer is eligible for re-election providing service continues as Senator.

In the event the Chair is vacated, the Vice-chair shall assume the office; if the Vice-chair is vacated, a new Vice-chair shall be elected.

If the Secretary-Treasurer vacates, a new officer shall be elected from among either the first or second year Senators.

3.7.2 Duties of the Chair.

The Chair shall preside at all meetings of the Senate, the Congress, and the SEC, and shall have general responsibility to see that the functions of each organization are carried out efficiently and effectively.

The Chair shall have the power to establish ad hoc committees, to state goals and time frames for such committees, and to appoint members and Chairs to accomplish those charges; the power to appoint Chairs to fill non-elected member seats on standing committees; and the power to appoint pro tem officers and standing committee Chairs when vacated until such time as new elections can be held.

The Chair shall serve as liaison with the College Dean.

The Chair will establish and disseminate agenda for Senate meetings, and submit appropriate reference background or documentation to prepare Senators for informed discussion on each topic.

To accomplish these duties and others specified or implied elsewhere in these Bylaws, the Chair, if a teaching faculty member, shall devote and be credited with one-fourth of a full time load (an equivalent of a 3-credit teaching load each semester) to the work of the Senate. If the Chair is not a teaching faculty member, the Dean and the division/department in which the Chair is employed shall make every effort to provide some recognition of the commitment required by service as Senate Chair, up to compensation equivalent to one-fourth of the Chair’s salary. This support can be used only for two purposes: 1) to pay one-fourth of the Chair’s salary or 2) to pay for additional clerical, research or other staff to assist the Chair with his or her current professional activities. The Chair and the director/chair of the Chair’s unit shall determine which use of these funds is most appropriate.

3.7.3 Duties of the Vice-chair.

In the absence of the Chair, the Vice-chair shall serve in all duties. The Vice-chair shall conduct all elections within the Senate, and coordinate all elections of Senators in the College. The Vice-
chair will maintain a current roster of Senators on the COE accessible electronic space. Within two weeks of the beginning of the academic year, the Vice-chair will post a calendar of the regularly scheduled meetings of the Congress, Senate, and SEC on the publicly accessible electronic space.

The Vice-chair shall be responsible for liaising with the Mānoa Faculty Senate (MFS). If the Vice-chair is not an elected COE MFS Senator, the Vice-chair shall attend the meetings or solicit a COE MFS Senator who is willing to serve as a liaison and report at each meeting of the COE Senate. Solicitation should first be of a COE MFS Senator who is also a COE Senator.

The Vice-chair shall also determine matters of representation of college departments/divisions in the Senate in accordance with Charter paragraph 3.1; coordinate the elections of Senators by departments and divisions; recommend the nomination of candidates for Vice-chair, Secretary-Treasurer, and each of the standing committee Chairs.

In April of each year, the Vice-chair (Chair-elect) shall submit to the SEC for approval, a budget outlining the business costs of operating the Senate during the next year beginning 1 June. The Vice Chair shall consult with the Dean in April about prospective funding for the Senate, and develop draft procedures, (e.g. dues) to accommodate any anticipated budget shortfall. These procedures shall be submitted to the Senate for discussion and approval at its first meeting of the next academic year.

3.7.4 Duties of the Past Chair.

The immediate past Chair shall serve as a member of the Senate Executive Committee and the Senate during the period 1 June to 30 June of the subsequent year to provide continuity and guidance.

3.7.5 Duties of the Secretary-Treasurer.

The Secretary-Treasurer shall be responsible for recording, duplicating and distributing all minutes of the Congress, the Senate and SEC.

The Secretary-Treasurer shall be responsible for the deposit, disbursement, and accounting for any funds acquired for use by the Senate.

3.8 Finances.

3.8.1 Operating Budget.

The SEC shall establish a budget in April of each year. The amounts requested shall be submitted to the Dean in April for allocation of funds as s/he may deem available.

Budgeted funds may be expended by the Chair for the stated purposes, or as approved by the Senate, through regular means of obligation against a fiscal account. All expenditures from the Senate budget must be co-signed by the Secretary-Treasurer.

3.8.2 Non-Business Costs.

To provide for costs inherent in the non-business operations of the Senate and Congress (aloha functions, personnel recognitions) annual "dues" may be assessed each member of Congress, to be collected by the Senator(s) from their respective departments or divisions and deposited with the Senate Secretary-Treasurer in the Senate account.
Withdrawal of funds from this account for non-business functions of the Senate shall be approved by the Chair and the Secretary-Treasurer.

3.9 Standing Committees.

Except for the SEC, any Senate committee with a continuing charge shall be designated a "standing committee" by the Senate; all other committees shall be ad hoc.

3.9.1 Operations and Rules.

All committee actions on Senate matters are recommendations to the Senate for their approval, rejection, or modification.

The committee shall provide the Senate with a clear statement of resolution or motion on each issue, accompanied by a brief summary of committee research, documentation, and discussion as appropriate, and alternative options, if available.

Each committee may establish its own rules for methods of receiving suggested topics for discussion/action, responding to such requests, and other committee matters, consistent with Senate rules.

3.9.2 Membership and Quorum.

Each standing committee - with the exceptions of the Committee on Curriculum and Program Planning and the Committee on Personnel - shall have a minimum of three (3) members selected from faculty or APT members of the Congress.

Those committees noted as exceptions above shall have a minimum of five (5) members selected from tenured faculty members of the Congress in the case of the Committee on Curriculum and Program Planning, and at least three (3) members, the majority of which are tenured faculty, in the case of the Personnel Committee.

It is recommended that each committee—with the exclusion of the Personnel Committee and the Governance Committee—include one (1) student member with full rights and responsibilities of participation including a vote.

A majority of members present shall constitute a quorum.

3.9.3 Selection of Members and Terms of Office.

Committee members shall be recruited by Committee Chairs and appointed by the Senate Chair and confirmed by the Senate.

Committee members shall serve for a period of twelve months commencing at the Senate meeting at which they are approved. Committee members may be reappointed for consecutive terms.

3.9.4 Election of Chairs and Term of Office.

Each standing committee, with the exception of the Committee on College Fellowship, shall be chaired by a Senator, elected by the Senate at its first regularly scheduled Senate meeting of the
academic year, to serve for one year commencing the date of that meeting. The chair of the Committee on College Fellowship may be any regular member of the Congress.

The committee Chair shall initiate action to provide for necessary and sufficient membership and leadership on each of the Senate committees and for department/division alternate representatives to the Senate; ensure the continuity and guidance of standing committees by the selection of the immediate past Chair to serve as a committee member.

Chairs are eligible for re-election providing they continue as Senators.

3.9.5 Duties of the Committee Chair.

It is the responsibility of each committee Chair to obtain from these Bylaws, the Senate Chair, previous minutes of the Senate and past practices of the committee, a clear and unambiguous charge for the committee and to communicate that charge to committee members. The Chair shall also recruit, select, and recommend to the Senate for appointment, non-elected members of standing and ad hoc committees.

The committee Chair shall call meetings of the committee as needed, but normally at least twice a semester, and shall report the status of committee matters to the Senate at least once each semester.

At the May meeting of the Congress, each committee Chair shall summarize the activities of the standing committee.

The Chair of each committee shall serve as a member of the SEC for a period of fifteen (15) months, extending three (3) months beyond the term of office as Chair, thus providing a liaison between the SEC and the standing committee represented by the Chair, and continuity to the SEC.

3.9.6 Committee on Curriculum and Program Planning (CCPP).

Functions of this standing committee shall include, but not be limited to, the following: reviewing proposals for College course additions or deletions, for the establishment of new programs or the disestablishment of old programs, or for major changes in existing College courses or programs, i.e., those which change the goals, intent, character, prerequisites, degree requirements, necessary faculty and/or fiscal resources of the course or program, or which impact on other courses or programs; developing or assisting in periodic reviews and evaluations of existing programs and curricula; recommending the appointment of ad hoc committees to carry out such reviews and evaluations; examining and refining academic goals and standards, professional ethics and policies reflecting such goals and standards; suggesting ways of improving faculty performance and planning for desired changes in academic programs and goals in accordance with the Academic Development Plan of the College.

With regard to the review of graduate programs and curriculum, the committee shall consist of one tenured member from each unit in the college having graduate faculty members. It is recommended that this member be the graduate Chair or his or her designee. The role of this committee shall include the study and recommendation of policies and procedures relative to graduate student admission criteria, qualifications for faculty appointment to graduate faculty status, and articulation among the college graduate programs, and articulation with the Graduate Division. The Associate Dean for Academic Affairs in the college shall serve as an ex-officio member of the committee.
3.9.7 Committee on Personnel.

This committee shall consist of a majority of tenured faculty. Functions of this standing committee shall include, but not be limited to, the following: reviewing matters relating to personnel policies of the College and their effect on members of the Congress in particular; developing new policies or policy changes affecting College personnel; determining the impact of proposed program or curriculum changes on personnel resource allocations in the College; investigating complaints of members of the Congress concerning personnel policies and practices not within the jurisdiction of collective bargaining agencies, except where such complaints reflect shared governance or intra-faculty governance. (See Governance Committee, below).

3.9.8 Committee on Budget and Facilities.

Functions of this standing committee shall include, but not be limited to, the following: reviewing matters relating to the College budget allocations and use of College facilities; developing new policies or policy changes affecting budget or facilities; determining the impact of proposed program or curriculum changes on College budget allocations or use of College facilities; investigating problems which arise in connection with policies affecting budget or facilities.

3.9.9 Committee on Student-Faculty Relations.

Functions of this standing committee shall include, but not be limited to, the following: reviewing matters relating to student admission and retention in College programs, and student relations with faculty and with other students; developing new policies or policy changes relating to student-faculty relations; determining ways of improving student-faculty relations and of increasing student participation in affairs of the College and in the activities of the Senate and its committees; investigating student complaints and grievances concerning College policies and practices which affect students, not including individual student grievances against individual faculty.

3.9.10 Committee on Diversity

Functions of this standing committee shall include, but not be limited to, the following: providing leadership in promoting the understanding of diversity, and providing assistance, in matters of diversity, in the recruitment, retention, and professional development of faculty and students.

3.9.11 Committee on College Fellowship.

Functions of this standing committee shall include, but not be limited to, the following: arranging and conducting social activities and events to promote fellowship among the faculty and staff of the College of Education; and determining ways of improving and building faculty relations with alumni and the community.

3.9.12 Committee on Governance.

Duties of this committee include the following:
(1) Publish and edit the College of Education Charter and Bylaws;
(2) Review new legislation for conformity with the Charter and Bylaws;
(3) Advise the Senate as to whether legislation and resolutions are of College of Education concern solely;
(4) Make non-substantive changes in the Charter and Bylaws;
(5) Advise the Congress and the Senate, its officers, committees, and members in all matters of organization and jurisdiction in the College of Education, in general, and the Senate, in particular,
on decisions and actions involving shared governance and intra-faculty governance.

(6) Issue, upon a formal request from a member of the Congress, legislative rulings interpreting
the Charter and Bylaws of the College of Education Congress and Senate. Such rulings shall
have the status of legislation until modified by Senate or Congress legislation. Rulings of the
committee must be published in the Agenda for the first regular meeting of the Senate or
Congress next following the committee's decision. All rulings of the Committee on Governance
not superseded by legislative action shall appear in an Appendix to the Charter and Bylaws of the
Congress and Senate of the College of Education.

(7) Supervise and render opinions on the procedural fairness of all College of Education
elections.

(8) Establish and oversee a process for the annual evaluation of the Dean and any Associate
Deans.

3.10 Ad Hoc Committees.

3.10.1 Operations and Rules.

These shall be the same as for standing committees. (See 3.8.1).

3.10.2 Establishment.

The Senate Chair shall establish ad hoc committees as necessary to accomplish the work of the
Senate as it evolves.

Senate vote shall not be necessary, but the Senate may challenge the need for any committee or
its charge, in which case a vote of the Senate shall be necessary to confirm the establishment.

The Chair must supply the committee with a statement of specific charge and a deadline for
completion of its work.

3.10.3 Membership and Quorum.

Committee size shall be a function of its charge, but in no case shall be fewer than three (3)
members, none of whom need be Senators. Whenever the charge to an ad hoc committee
concerns a vested interest of any department or division (as determined by the Chair),
membership shall include a member of that unit.

A majority of the membership shall constitute a quorum for business.

3.10.4 Selection of Members and Chairs.

The Chair and all members of ad hoc committees shall be appointed by the Senate Chair with
recommendations from the Vice-chair when time permits.

Appointment confirmations by the Senate are not necessary, but the Senate can challenge the
appointment of committee members or the lack of representation of College units with vested
interests (as determined by the Senate), or of various points of view on the purpose for which the
committee is established. In this case, all members of this ad hoc committee shall be subject to
Senate confirmation.

4. SENATE EXECUTIVE COMMITTEE (SEC)
4.1 Meetings.

During the academic year, the SEC shall meet as needed and may discuss agenda and make decisions via email.

During the summer recess, it shall meet whenever Senate action is needed as determined by the Chair.

4.2 Quorum.

One-half of the total number of SEC members shall constitute a quorum for the conduct of business.

4.3 Agenda.

The business of the SEC shall be a shared responsibility by all SEC members, but the Chair shall be responsible for seeing to it that current matters of concern to the members of the Congress, the Senate, and the College administration are brought before the SEC for their consideration.

4.4 Duties and Actions.

The SEC shall identify and arrange for Senate consideration or committee study, the issues and interests surrounding an agenda item concerning any of the functions of the Congress or Senate identified in the Charter.

(See "Preamble" and paragraphs 2.3 and 3.3 of the Charter).

During the summer recess the SEC may make decisions in the name of the Senate affecting any area of Senate interest, if it is determined by the Chair that a quorum of Senators would be impossible to achieve at a special meeting of the Senate, and if the decisions need to be made prior to the start of the new academic year. Immediately, upon making such a decision, the Chair will communicate that information electronically to all members of the Senate.

Such actions shall be reported by the Chair to the Senate at its first meeting of the academic year, and to the Congress in its September meeting.

4.5 Membership and Term in Office.

Membership on the SEC shall consist of Senate officers and the standing committee Chairs, or their designated alternates.

Members shall serve for a period of fifteen (15) months commencing at the first regularly scheduled Senate meeting of the academic year.

During the summer recess, members shall serve to provide continuity and guidance.

5. AMENDMENTS TO THESE BYLAWS

Procedures for proposing and voting on amendments to these Bylaws shall be determined by the jurisdiction of the amendments to be made.

5.1 Bylaws of the Congress.
Amendments to those Bylaws concerned with the Congress and its operations shall be proposed
and voted on in the same manner as amendments to the Charter.

(See Charter paragraphs 5.1 and 5.2).

5.2 Bylaws of the Senate.

An amendment to those Bylaws concerned with the Senate shall be proposed by written petition
signed by at least three (3) elected Senators.

It shall be submitted to the Chair who shall place it on the Senate agenda of the next regular
meeting. The Governance Committee shall report to the Senate on the impact of the amendment
on current policy and practice.

A vote of the Senate on any amendment shall be held on the first meeting following the meeting
at which the amendment was introduced and read.

An affirmative vote of a majority of votes cast by the Senate is sufficient to amend those Bylaws
concerned with the Senate or the SEC.