UNIVERSITY OF MASSACHUSETTS BOSTON
COLLEGE OF NURSING AND HEALTH SCIENCES

BY LAWS

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PREAMBLE
The goals of the College of Nursing and Health Sciences (CNHS) are advanced through the joint efforts of all members of the College community. This document describes the roles and responsibilities of the community members. All members of the CNHS shall participate in the governance of the College as specified in the Red Book and through the representative and administrative bodies defined in this Constitution.

ARTICLE I. UNIVERSITY GOVERNANCE

Section 1. The University of Massachusetts, established by the General Court of the Commonwealth of Massachusetts, is governed by the Board of Trustees. The principal academic and executive officer of the University of Massachusetts is the president. The chief academic and executive officer of the University of Massachusetts Boston is the Chancellor. The chief academic officer of the University of Massachusetts Boston is the Provost. The chief academic and executive officer of the College of Nursing and Health Sciences is the Dean.
Section 2. The provisions of these College By Laws shall be exercised to the extent compatible with the provisions of the Constitution of the Faculty Council. In case of conflict between provisions of the By Laws of the College of Nursing and Health Sciences and the Constitution of the Faculty Council, or between the Constitution of the Faculty Council and any act of a component of governance of the College of Nursing and Health Sciences, the Constitution of the Faculty Council shall take precedence.

Section 3. Governance at the College level shall be subject to the authority of the Dean, the Provost, the Chancellor and the President, and to the final authority of the University Board of Trustees, and shall be in accordance with the general laws of the Commonwealth of Massachusetts, By Laws of the Board of Trustees, and such rules, regulations, and restrictions as the Board of Trustees may promulgate, including the operative collective bargaining agreement.

ARTICLE II. GOVERNANCE IN THE COLLEGE

Section 1. Joint Effort and Primary Responsibility

A. Recognizing that the variety and complexity of the University’s tasks require the interdependence of the governing Board, administration, faculty, staff, and students, the Board of Trustees formally adopts the principle of joint effort in governance. Joint effort shall take a variety of forms. Depending on the issue and situation, one or another component of the University shall propose, review, advise, endorse and/or enact recommendations. In all instances, however, the principle of joint effort requires that components within the University remain sensitive to the interests of other components (Adapted from T73-098).

B. The Board of Trustees further recognizes that certain components of the University have, “by virtue of interest, training and experience, a special concern and competence in certain areas ... These components shall have primary responsibility in their areas of special competence and concern.”

C. Wherever the phrase “primary responsibility” occurs in these By Laws, it is defined as in the Trustee Document “Academic Personnel Policy of the University of Massachusetts,” T76—081, Section 1.7:

“As defined in Trustee Document T73—098, (primary responsibility) is the capacity to initiate recommendations after appropriate consultation, which shall be overruled only by written reasons stated in detail.

a. The faculty shall have primary responsibility in academic matters and matters of faculty status.

b. The Dean shall have primary responsibility in matters of planning, development and budget.”
Section 2: Components of Governance

The components of governance shall be the following:

A. **Dean**: As leader and Chief Executive Officer of the College, the Dean oversees and directs the educational work of the College and attends to the efficient management of the College. He/she stimulates and supports the intellectual life of the faculty and serves as its spokesperson to the University and the external community.

B. **College Leadership Team**: The representative body through which CNHS faculty, staff, students, administrators and the CNHS community formally participate in College governance. This is the highest level of College governance.

C. **The All College Faculty Staff Meeting**: The All College Faculty Staff Meeting is the gathering of full and part-time faculty and staff with the Dean and is the body in which all members of the CNHS formally participate in College governance.

D. **College Committees**: College Committees are constituted to perform the work of the College as specified in these By Laws. The Committees of the College are:

   College Personnel Committee and
   College Student Affairs Committee

E. **Department Faculty**: All full and part-time faculty of the College are members of an academic department. Departmental faculties shall exercise their roles in College governance through such Departmental committees or other agents as each Department faculty shall designate, individually or jointly, with other Departments. The College of Nursing and Health Sciences shall have two (2) departments: the Department of Nursing (DN); and the Department of Exercise and Health Sciences (EHS).

F. **Department Chair**: As both faculty member and administrator, the Department Chair oversees and directs the educational work of the Department, attends to its efficient management and acts as liaison between the Department and the Dean’s office. He/she stimulates and supports the intellectual life of the department faculty and serves as department spokesperson.

G. **Staff**: The staff are the gathering of all full and part-time non-faculty employees of the College and they shall exercise their roles in College governance through their representative(s) on College committees or other agents as the College and/or Departments shall designate.

H. **Students**: The students are the gathering of all those enrolled in the programs offered by the CNHS. They shall exercise their roles in College governance through their representative(s) on College committees or other agents as the College and/or Departments shall designate.
Section 3: Definition of Powers and Privileges

A. **Primary Responsibility:** As defined in Trustee Document T73-098, primary responsibility is the capacity to initiate recommendations, after appropriate consultation, which will be overruled only by written reasons stated in detail. Faculty primary responsibility is the capacity of the faculty to initiate recommendations in academic matters and in matters of faculty status.

B. **Recommendation:** the power to submit or not to submit proposals to the Dean for enactment or concurrence.

C. **Reporting Out:** the power to review a proposal without terminating that proposal or submitting it for the consideration of the component authorized to recommend to the Dean on that matter, in accordance with Article III.

D. **Enactment:** the power to declare a recommendation submitted for enactment as official College policy. In addition, such recommendation shall be considered enacted unless disapproved of by the component with the power of enactment within ten working days of written notification of the recommendation by the component with the power of recommendations.

E. **Concurrence:** the power to approve or disapprove recommendation as a condition of that recommendation’s submission to higher levels of authority for possible enactment.

F. **Consultation:** the privilege of rendering advice with respect to a particular matter to the component with the power of reporting out on that matter or, where to power of reporting does not pertain, to the component with the power of recommendation. The component with the power of reporting out or the power of recommendation shall solicit such advice prior to reporting out or making a recommendation.

G. **Opinion:** the privilege of rendering a written judgment with respect to a particular matter to the component with the power of reporting out for that matter or, where the power to report out does not pertain, to the component with the power of recommendation. The component with the power of reporting out or the power of recommendation shall solicit such opinion from the appropriate component and, if the opinion is provided, shall append it to the proposal before it is forwarded.

ARTICLE III. JURISDICTION: POWERS AND PRIVILEGES

Section 1: Dean

A. **Executive Authority:** The Dean shall have the authority to implement policies pertaining to the internal affairs of the College. In particular, the Dean shall enact policies pertaining to:

   a. disciplinary and interdisciplinary course titles, objectives, and prerequisites;
   b. degree requirements;
c. academic standards, including policies on waivers and evaluation of transfer credit, student awards, student academic integrity, and student grievances.
d. admissions;
e. academic advising; and
f. faculty development, including travel, seminars, colloquia, external grants and faculty development grants.

B. Consultation: The Dean shall have the opportunity to offer advice in areas of faculty primary responsibility.

C. Concurrence: Where the power of enactment does not apply, the Dean shall have the power of concurrence in personnel policies, including policies on new appointments, reappointment, reappointment through tenure decision year, promotion, tenure, post-tenure review, merit, sabbatical leave, and the annual evaluation.

D. Emergency Powers: The Dean may take such measures as necessary to maintain the orderly functioning of the College when neither the regular or emergency powers of the components of governance can be exercised. Within ten working days, the Dean shall inform the College Leadership Team in writing of the nature of the emergency and the action taken.

Section 2. The College Leadership Team

A. Recommendation: The College Leadership Team shall recommend on the following matters:

   a. amendments to the By Laws of the College of Nursing and Health Sciences;
   b. strategic initiatives and planning related to the mission and goals of the College;

B. Consultation: The College Leadership Team shall have the opportunity to advise on matters of importance to the respective constituents of the Team members related to the climate of and the efficient running of the College.

C. Reporting Out: The College Leadership team shall report to all members of the College.

D. Opinion: The College Leadership Team shall have the opportunity to render a written opinion to non-CNHS entities regarding any issue related to CNHS interests consistent with the mission and goals of the College.

Section 2. The All College Faculty Staff Meeting

A. Primary Responsibility: The All College Faculty Staff Meeting is the forum for the discussion and dialogue about any issue that affects the college. In addition, at the All College Faculty Staff Meeting, the faculty initiates recommendations in regard to academic matters.

   a. curriculum, including the role of specialty concentrations in the curriculum and the number of courses required for the concentration;
   b. disciplinary and interdisciplinary course goals when relevant courses are required for the degree and
c. degree requirements.

B. **Recommendation**: At the All College Faculty Staff Meeting, the faculty shall recommend on the following matters:

a. amendments to the By Laws of the College of Nursing and Health Sciences;
b. academic advising; and
c. matters of Student Affairs, that is academic standards policy on student academic integrity and student grievances.

C. **Consultation**: At the All College Faculty Staff Meeting, the faculty shall have the opportunity to advise in the following matters:

a. planning with respect to College mission and goals.

D. **Opinion**: The faculty shall have the opportunity to render a written opinion regarding any issue related to faculty responsibilities and faculty quality of life.

**Section 3. Department Faculty**

A. **Primary Responsibility**: The Department faculty initiates recommendations in regard to academic matters.

a. disciplinary course titles;
b. establishment of specialty concentrations offered by the department with respect to scope, number of required courses and courses included in the concentration;
c. disciplinary and interdisciplinary course goals, scope, objectives and prerequisites; and

d. interdisciplinary course titles.

B. **Recommendation**: Department faculty shall recommend in the following matters:

a. By Laws of the College;
b. department student awards;
c. implementation plans for Department and College policies; and

d. matters of Student Affairs.

C. **Reporting Out**: The Department faculty shall develop proposals regarding issues that come to their attention. When a proposal is accepted, the Department Faculty shall submit that proposal to the appropriate College Committee and to the College Leadership Team. When a proposal is rejected, the proposal is terminated (is not reported out of the department).

D. **Consultation**: Department faculty shall have the opportunity to advise in the following matters:

a. degree requirements; and
b. resource allocation.
Section 4. Department Chair

A. Consultation: The Department Chair shall have the opportunity to advise in the following matters:

a. course titles, goals, scope, objectives and prerequisites within the Department;
b. interdisciplinary course titles, goals, scope, objectives and prerequisites for relevant disciplines housed within the Department;
c. degree requirements;
d. personnel policy with respect to new appointments and annual evaluations;
e. resource allocation; and
f. faculty work assignments.

B. Authority: The Department Chair shall have the authority to make independent judgments in personnel policy matters with respect to promotion, tenure and post-tenure review.

C. Opinion: The Department Chair shall have the opportunity to render a written opinion in the following matters:

a. course titles, goals, scope, objectives and prerequisites within the Department;
b. interdisciplinary course titles, goals, scope, objectives and prerequisites when the Department houses one of the relevant disciplines;
c. establishment of specialty concentrations offered by the Department and/or the scope and number of courses required in the specialty concentration.

D. Emergency Powers: When the Department Faculty cannot exercise its powers concerning a particular academic matter, and when the need is immediate and critical, the Department Chair may exercise the Faculty's powers with respect to this matter. Within ten working days, the Chair shall inform the Faculty in writing about the emergency action taken.

Section 6. Staff

A. Consultation: The Staff of the College shall have the responsibility to advise in the following matters:

a. By Laws revisions;
b. personnel policy matters with respect to new appointments, reappointments and annual evaluation of the staff;
c. matters of Student Affairs;
d. student awards; and
e. resource allocation.

B. Opinion: The Staff of the College shall have the opportunity to render a written opinion regarding any issue related to staff responsibilities and staff quality of life.
Section 7. Students

A. Opinion: The Students of the College shall have the opportunity to render a written opinion regarding any issue related to student progression and student life.

ARTICLE IV. FUNCTIONS, MEMBERSHIP AND VOTING

Section 1. College Leadership Team

A. Function: The College Leadership Team serves as the governance unit for the College assuring involvement of the faculty, staff, students, community and administration in joint planning and decision-making to achieve the goals of the College.

B. Membership: Representative of the staff, Department Chairs, graduate and undergraduate program directors, the Dean, Associate and Assistant Deans, representative of the students and a representative of the community.

C. Voting: All members are eligible to vote except for the student and community representatives who are ex-officio members. A quorum is 2/3 of the membership.

D. Meetings: This group shall meet monthly.

Section 2 The All College Faculty Staff Meeting

A. 1.0 Functions: The All College Faculty Staff Meeting is the forum for the discussion and dialogue about any issue that affects the college.

1.1 Meetings: The meetings are called by the Dean and faculty chair. The All College Faculty Staff Meeting shall meet at least twice per semester in October and March, as called by the Dean and faculty chair.

b. The agenda is set by the Dean and faculty chair. Agenda items shall be submitted to the Dean and distributed to the members via E-mail. Any college committee chair, department chair, faculty, staff member or student may submit an agenda item for consideration.

B. 1.1 The Faculty Governance function of the The All College Faculty Staff Meeting

In addition, the All College Faculty Staff Meeting is the location of the faculty governance.

1.1.1 The faculty recommends to the Dean programs and policies affecting all academic departments in the College of Nursing and Health Sciences. In cases in which the Dean overrules an action of the faculty, the faculty shall receive written reasons for the Dean’s decision within ten working days. Among the powers exercised by the faculty are the following:
a. the faculty shall function in accordance with the Academic Personnel Policy of the University of Massachusetts, Doc.T76-081, with regard to personnel matters;
b. the faculty and its committees may consult with any entities that they deem necessary;
c. the faculty shall review, evaluate, and recommend the curricula for the academic programs of the College as recommended by the departments;
d. the faculty shall review, evaluate and recommend academic policies and procedures for students as recommended by the departments;
e. the faculty through its Chair and Program Directors shall participate with the Dean in activities related to evaluation and long-range strategic planning of the College;
f. the faculty shall be consulted by the Dean concerning measures to be taken in emergencies to maintain the orderly functioning of the College;
g. the faculty through its Personnel Committees shall oversee the elections for representatives from the College on Department, College, University and five campus collaborative positions, committee and task forces; and
h. the faculty through its Personnel Committees shall revise the College By Laws as needed.
i. the Faculty may form ad hoc committees, task forces, and working groups or appoint individuals to research issues or promote collaboration and make recommendations to the College Leadership Team for action.

1.1.2 Membership: The faculty shall be an inclusive body composed of all full and part-time faculty.

1.1.3. Voting:

a. Members eligible to vote are all full time faculty and all .5 vested part-time faculty.

b. Members must be present to vote unless in the case of a serious conflict where a proxy vote may be submitted to the respective Department Chair.

c. A proposal shall pass with a two-thirds majority of those voting.

d. At the request of any voting member to the Chair, non-voting members may be asked to leave the meeting when a vote is taken.

e. A quorum shall be two-thirds of the full time voting members of the faculty.

1.1.4 Co-chair: The faculty Co-chair will be elected by the membership at the last meeting of the academic year to serve the following year.

Section 3. College Personnel Committee

A. Functions: The faculty shall establish a College Personnel Committee in accordance with the Doc. T76-081 guidelines, which state that the functions are,

“shall make recommendations concerning departmental reviews and recommendations for reappointments to a sixth year probationary contract, all departmental recommendations
concerning promotion to senior rank, all departmental recommendations for the award of tenure, and any other issues of faculty status which may be submitted to it.”

B. Membership: There shall be at least three tenured faculty who serve as members, two (2) members elected from the Nursing Department and one member elected from the Exercise and Health Sciences Department. No member of the College Personnel Committee shall serve concurrently on a Department Personnel Committee. The committee membership committee shall be diverse and representative of the College community.

C. Voting: All members are eligible to vote.

D. Meetings: Meetings shall be held as often as necessary to fulfill the Committee’s functions.

Section 4. College Student Affairs Committee

A. Functions:
   a. re-evaluate and enforce undergraduate and graduate policies regarding admissions, academic progression, and graduation;
   b. review students in academic difficulty according to Department standards and College/University regulations;
   c. review requests for readmission to the College of Nursing and Health Sciences;
   d. review student cases of alleged plagiarism or cheating;
   e. ensure due process in questions of ethical practice; and
   f. hear student grievances and make dispositions in accordance with Departmental/College and University policy.

B. Membership: There shall be four 4 members; three (3) faculty members elected from the Nursing Department and one (1) faculty member elected from Exercise and Health Sciences Department. The Director of Student and Academic Services, the Director of the Learning Resource Center, Academic Advisors, and students serve as members.

C. Voting: The faculty (including the directors) are eligible to vote.

Section 6. Officers of College Committees

A. Chair: Each committee shall elect its Chair from among the members at its first meeting.

   Duties:
   a. schedule and chair all meetings;
   b. serve as liaison for the Committee to the faculty
   c. submit an annual written report to Dean in June of each year.

B. Secretary: Each Committee may elect a Secretary, if desired, to serve on a yearly or rotating basis. If no Secretary is elected, the duties described below shall be performed by the Committee Chair.
Duties:

a. prepare the agenda with the assistance of the Committee Chair;
b. Write the minutes of the meetings, according to the format agreed upon by the Committee members.
c. distribute minutes to all faculty and staff and the student representative.
d. file committee minutes within 10 working days or after they have been approved and maintain committee books.
e. conduct meetings in the absence of the Chair.

Section 6. Departments

A. Functions: The Department shall function as a Committee of the whole and shall meet monthly during the academic year. All meetings are open to the College community.

Examples of matters to come before the Department include:

a. long-range educational objectives for the respective programs;
b. ongoing development and evaluation of the relevant curriculum;
c. review and recommend new courses/programs and changes in the appropriate existing courses/programs;
d. recommend innovative teaching strategies;
e. the honor’s program, including the establishment of criteria, credit and admission requirements;
f. implementation plans for curricula changes;

Matters that have primarily departmental implications are resolved on the departmental level. Departmental votes regarding substantive curriculum, student affairs, evaluation and planning matters that have College-wide implications shall be forwarded as recommendations through the Department Chair to the College Leadership Team who shall refer the matter to the faculty governance, as appropriate.

B. The Department may form other standing committees, task forces, and working groups or appoint individuals to research issues and make recommendations to the Department for action.

C. The Department may form ad hoc committees, task forces, working groups or appoint individuals to collaborate with other Departments to research issues and make recommendation to their respective Departments for action.

D. For courses that affect both departments, inter departmental conferencing will be used to generate items to be voted on by both departments.

E. Membership: All full- and part-time faculty appointed to each respective Department.

F. Voting: All full-time and .5 vested faculty members are eligible to vote.
F. **Department Chair:** The Chair of each Department shall be a tenured member of the faculty and shall be elected by the full-time faculty of the respective Department and upon approval of the Dean, shall serve for a three year term. The Chair is limited to two consecutive terms.

### Section 7. Department Personnel Committees

Each department must have the following standing committee: The Department Personnel Committee. Personnel issues shall conform to Doc. 776-081 (See Articles VII, B. and IX, D. 1.).

A. **Membership:** There shall be at least three tenured faculty members elected by the faculty within each Department.

B. **Functions:**
   
   a. identify, maintain, and apply the criteria and standards for faculty selection, evaluation, promotion, tenure, and post-tenure review;
   
   b. make recommendations to the College Personnel Committee concerning promotion and tenure. The Department Personnel Committee shall provide the opportunity for all tenured faculty to participate in the deliberations and recommendations regarding tenure and promotion; and
   
   c. make recommendations to the Dean concerning reappointments, merit awards, hiring, and salary adjustments according to Doc. T76-081 guidelines.

C. **Meetings:** Meetings shall be held as often as necessary to fulfill the Committee’s functions.

D. **Chair:** Each Committee shall elect its Chair from among the tenured faculty at its first meeting.

   **Duties:**
   
   a. schedule and chair all meetings;
   
   b. serve as liaison for the Committee to the Department;
   
   c. submit an annual written report to the Department Chair in June of each year.
   
   d. prepare the agenda
   
   e. ensure that the minutes of the meetings are recorded, according to the format agreed upon by the Committee members;

### Article V. Additional Governance Structures

There are additional governance structures needed, but the descriptions are beyond the scope of this document: Each of the following groups are encouraged to develop their own governance structure and to submit it to be appended to these bylaws:
In addition, as described in Section six, each department will develop its own structure for optimal functioning.

**Article VI. PARLIAMENTARY AUTHORITY:**

“Robert’s Rules of Order” shall govern the proceedings of the meetings of the College.

**Article VII. REVISION OF THE BY LAWS.**

A. The Personnel Committees shall review and revise, as needed, these By Laws.

B. These By Laws may be amended at any time by the following steps:

   a. Any faculty or staff member, committee or department may propose a By Law change in writing to the College Leadership Team;

   b. The College Leadership Team shall forward the proposed By Law change to all departments and staff for review and discussion at the next round of department/staff meetings;

   c. The feedback from the Departments and the staff shall come to the College Leadership Team and be incorporated in the formation of a formal motion for proposed by law change;

   d. The formal motion for By Law change shall be mailed to all faculty and staff with a written ballot for vote to be returned within one working week;

   e. The College Leadership Team shall count the received votes. The motion shall pass with a two-thirds majority of the received votes;

   f. The College Leadership Team shall notify all faculty, staff and students of the results of the vote.

**Article VIII. CONDUCT OF ELECTIONS.**

A. Each May, the Personnel committees will develop a ballot for the next academic year. The Ballot is based upon the timely solicitation of nominations from CNHS members who are eligible to serve in positions and on committees of the Departments, the College, the University, and five campus collaborative programs for which representatives are being requested.

B. The Personnel committees will conduct the elections and report the results to the entire college.