

SCHOOL OF EARTH, ENVIRONMENTAL, AND MARINE SCIENCES

BY-LAWS

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Table of Contents

SECTION I RELATIONSHIP OF THE SCHOOL TO THE UNIVERSITY	1
SECTION II DEFINITION OF THE SCHOOL OF EARTH, ENVIRONMENTAL, AND MARINE SCIENCES	1
A. Membership in the School of Earth, Environmental, and Marine Sciences	1
B. Voting and Non-Voting Members of the School	2
C. School Meetings	2
SECTION III. SCHOOL DIRECTOR	3
A. Definition	3
B. Eligibility	4
C. Selection and Guidelines for School Director Search Committee	4
D. School Director Selection, Appointment, and Reappointment Procedures	5
E. Term of the School Director	5
F. Duties and Responsibilities of the School Director	6
G. School Director Review Procedures	7
SECTION IV. ASSOCIATE SCHOOL DIRECTOR	9
A. Definition	9
B. Eligibility	9
C. Selection and Guidelines for Associate School Director Search Committee	9
D. Term of the Associate School Director	9
E. Duties and Responsibilities of the School Director	9
SECTION IV. SCHOOL COMMITTEES/APPOINTEES	10
A. Eligibility and Membership	10
B. Terms	11
C. Voting by Committees	11
D. Committee Charge	11
E. Standing Committees	12
a. Annual Review Committee	12
b. Tenure and Promotion Committee	12
c. Program Committees	13
d. Graduate Program Committees	14
e. Recruitment and Student Success Committee	14
F. Ad Hoc Committees	15
G. Faculty Senate Representation	15
SECTION V. RATIFICATION AND AMENDMENT	15

SCHOOL OF EARTH, ENVIRONMENTAL, AND MARINE SCIENCES

BY-LAWS

SECTION I. RELATIONSHIP OF THE SCHOOL TO THE UNIVERSITY

The School of Earth, Environmental, and Marine Sciences (SEEMS) is an academic unit of the College of Sciences at The University of Texas Rio Grande Valley. The authority of the School Faculty and the School Director, as stated herein, shall be exercised within the framework and limitations of the relevant statutes of the State of Texas,¹ the Regents' Rules and Regulations of the University of Texas System,² University of Texas System Policies,³ and the Handbook of Operating Procedures of The University of Texas Rio Grande Valley.

SECTION II. DEFINITION OF THE SCHOOL OF EARTH, ENVIRONMENTAL, AND MARINE SCIENCES

A. Membership in the School of Earth, Environmental, and Marine Sciences. The School of Earth, Environmental, and Marine Sciences includes:

1. Tenured and Tenure-Track faculty at the ranks of Assistant Professor, Associate Professor, and Full Professor, including Tenured and Tenure-Track Faculty members with at least a 51% appointment in the School of Earth, Environmental, and Marine Sciences and if the faculty member's tenure or tenure-track is in the School of Earth, Environmental, and Marine Sciences.
2. Associate faculty, at the ranks of Assistant Professor, Associate Professor, and Full Professor, including Tenured and Tenure-Track Faculty members with a less than 51% joint appointment, in the School of Earth, Environmental, and Marine Sciences.
3. Three-Year Lecturers I, II, and III (full-time).
4. One-Year Adjuncts/Lecturers (full-time).
5. Part-Time Adjuncts/Lecturers (part-time).

¹ See, Texas Education Code, Title 3. Higher Education. Available at <http://www.statutes.legis.state.tx.us/?link=ED>.

² See, University of Texas Regents' Rules and Regulations. Available at <http://www.utsystem.edu/board-of-regents/rules>.

³ All UTS Policies available at <http://www.utsystem.edu/board-of-regents/policy-library>.

Excluded from membership in the School of Earth, Environmental, and Marine Sciences are emeritus professors.

B. Voting and Non-Voting Members of the School.

1. Tenured and Tenure-Track faculty with at least a 51% appointment in the School of Earth, Environmental, and Marine Sciences are full voting members of the School of Earth, Environmental, and Marine Sciences with full rights of participation on all School committees and School decision making.
2. All other members of the School of Earth, Environmental, and Marine Sciences, including Associate faculty, One-Year Lecturers, and Three-Year Lecturers, may attend School meetings, for information purposes, but they shall not be entitled to vote on any matters.
3. The School Director shall distribute a list of all voting and non-voting members of the School of Earth, Environmental, and Marine Sciences at the first School meeting of each academic year.

C. School Meetings.

1. School Meetings shall be convened by the School Director at least once per semester during the academic year. The School Director shall notify SEEMS members of the meeting at least 5 working days in advance and shall provide a written agenda at least 2 working days (48 hours) before a meeting. The School Director may convene additional meetings as required to conduct the official business of SEEMS.
2. The School Director shall be the presiding officer at SEEMS meetings. The School Director will preside at meetings in person at least once per academic year at each UTRGV campus or facility occupied by more than four SEEMS voting members.
3. A minimum of 3 voting members of SEEMS present at a meeting, in person or through conferencing technology, shall be considered a quorum and sufficient to conduct official business of the School. For a quorum to be established when 3 or more voting faculty members are present, the School Director must notify SEEMS members of the meeting at least 5 working days in advance. If the meeting was not announced at least five working days in advance, a quorum is established only if 2/3 of the voting members of SEEMS are in attendance.
4. Voting members may attend meetings “virtually,” through teleconferencing technology. If a voting member chooses to participate “virtually” in a meeting they are free to use (1) the teleconferencing facilities made available by UTRGV College of Science (COS) or (2) any other means available to them (e.g., cell phones), however if making use of other than UTRGV COS teleconferencing facilities it is the voting members responsibility to establish such a teleconnection and in the event such a connection can not be established it would not constitute grounds for rescheduling a meeting or a vote nor would the member be considered part of the quorum for vote counting purposes.

5. At the first SEEMS Meeting of each academic year, the voting members of SEEMS shall elect a Secretary, from the faculty or administrative staff, who shall be responsible for keeping minutes of SEEMS Meetings. The Secretary shall make the minutes of meetings accessible no later than five (5) working days after each SEEMS Meeting.
6. SEEMS meetings shall be conducted according to *Robert's Rules of Order* (most recent edition) unless specific exceptions are made in these By-Laws.
7. Votes shall ordinarily be taken *viva voce* or by show of hands, unless at least one voting member of SEEMS, including the School Director, requests a secret ballot.
8. A majority of votes cast is sufficient to pass a motion. Abstentions do not count as votes.⁴
9. The School Director shall be required to convene special meetings of SEEMS, beyond those convened under Section I.C.1, if requested in a written petition signed by at least 40% of the voting members of the School.

SECTION III. SCHOOL DIRECTOR⁵

A. Definition. The School Director is a faculty member who serves as the administrative leader of the academic unit and should have the mutual confidence of the eligible voting faculty of his or her academic unit, the College of Science Dean (COS Dean), the Executive Vice President for Academic Affairs, Student Success & P-16 Integration (EVPAA), and the President of the University.

B. Eligibility.⁶ To be eligible to serve as School Director, an individual shall:

1. hold an earned doctorate in an area related to the School's academic program(s);⁷

⁴ As noted in Section V.1., exceptions include bylaws, bylaw amendments, and other department documents appended to these bylaws, which require a two-thirds majority.

⁵ UTS 182 Sec. 1 "General. Each academic department shall have a chair who is a member of and serves as the academic leader of the department faculty and the designated administrator of the department. The department chair reports to a dean and serves at the pleasure of the dean, with the concurrence of the EVPAA. Sec. 2 Eligibility. To be eligible to serve as a department chair, an individual shall hold a tenured position in his/her respective department and have demonstrated leadership, managerial, and administrative abilities." Also, UTRGV H.O.P. Section ADM 06-303.C.1. Available at <http://www.utrgv.edu/hop/policies/adm-06-303.pdf>.

⁶ UTS 182 Sec. 2 Eligibility. To be eligible to serve as a school director, an individual shall hold a tenured position in his/her respective department or school and have demonstrated leadership, managerial, and administrative abilities. Also, see UTRGV H.O.P Section ADM 06-303.D.2.

⁷ See UTRGV H.O.P Section ADM 06-303.D.2. The following fields qualify as an earned degree in the School's academic programs: in geoscience, marine science, geology, oceanography, environmental science or other related terminal degree.

2. hold a minimum 51% tenured position in SEEMS and have demonstrated leadership, managerial, and administrative abilities;3. hold academic rank at the Full Professor level.

C. Selection and Guidelines for School Director Search Committee. The School Director shall be selected by the COS Dean with the concurrence of the EVPAA after an appropriate and inclusive search committee process.⁸

1. Before beginning the search for a School Director, the COS Dean will meet with the eligible SEEMS faculty to discuss the needs of the School, the College and the University. The COS Dean and SEEMS faculty should reach a mutual agreement on whether to have an internal or external search. The School may conduct an external search with the approval of the COS Dean and EVPAA. Eligible faculty within the School may be candidates in the search. All searches must comply with institutional hiring practices including affirmative action policy and tenure-track appointment requirements.

2. When a vacancy in the position of School Director is anticipated, the voting eligible School faculty shall elect, by secret ballot, a School Search Committee. The Search Committee shall consist of 5 voting eligible SEEMS faculty and include gender, campus, and rank balance, and one (1) non-voting student representative in a SEEMS graduate program. The student member may participate in all committee functions except those relating directly to recommendation decisions on a candidate or candidates. If there are fewer than three (5) eligible faculty in SEEMS, the eligible faculty in the School shall serve as a committee of the whole. In the event of small committees (fewer than 5 members), the COS Dean may appoint other eligible faculty from closely related disciplines if necessary to the committee. The Search Committee will elect its own Director by secret ballot. The current School Director may not serve as a member of the search committee. An internal candidate must recuse him/her self from the search process.

3. The advertisement for the Director position will be written in accordance with the University requirements by the Search Committee in consultation with all voting eligible SEEMS faculty.

4. The Search Committee shall conduct the external chair search for candidates in accordance with University requirements and an established calendar.⁹ In the case of an internal search, the procedures and search calendar will be established in consultation with the COS Dean.

D. School Director Selection, Appointment, and Reappointment Procedures.

1. The voting eligible SEEMS faculty members, including those who are not serving on the search committee, shall vote on all candidates, using multiple choice ballots that allow for multiple selections. The Chair of the search committee must provide to the voting eligible SEEMS faculty

⁸ UTS 182 Sec. 3 and UTRGV H.O.P. Section ADM 06-303.C.1.

⁹ Recommended elements in the selection process include an open seminar in which the candidates articulate their vision of the School, and a meeting with the COS Dean.

a C.V. of all eligible candidates. To be recommended, a candidate(s) must receive the vote of a majority (at least 51%) of the School's voting eligible faculty members. If there are more than two candidates, the voting shall occur in two stages. The first stage will eliminate all except the two candidates with the most votes. In the second and final stage, the candidate with the majority of votes is chosen.

2. The search committee shall conduct the balloting process and report the results of the School's vote regarding the candidates to all the voting eligible SEEMS faculty.

3. The search committee chair, in consultation with the members of the search committee, will forward the voting results to the COS Dean with their written recommendation for School Director with supporting rationale.

4. Should the COS Dean and voting eligible SEEMS faculty fail to agree on the recommended candidates for School Director, the COS Dean shall submit a rationale for his or her position in writing to the search committee. The COS Dean will then reconvene the search committee to recommend an additional candidate(s). If the School Director search is unsuccessful the following year, the President may extend the interim Director's appointment or after consulting with voting eligible SEEMS faculty, the COS Dean, and the EVPAA, name a new Interim Director.

5. The COS Dean will forward his or her recommendation and the results of the eligible SEEMS faculty vote to the EVPAA. The EVPAA will forward an appointment letter to the candidate selected to serve as School Director.¹⁰

E. Term of the School Director

The standard term of appointment for a School Director is three years. The term of appointment may be renewed once as long as the School Director continues to meet or exceed expectations as defined by institutional policy. School Directors shall serve no more than two consecutive terms. These term limitations do not extend to "Interim" School Directors. School Directors are appointed on the basis of a fiscal year (12 months).¹¹

F. Duties and Responsibilities of the School Director.

The School Director is responsible for the overall leadership, management, and administration of the School, which shall include the following duties and responsibilities:¹²

¹⁰UTRGV HOP, see ADM-06-303 (p. 1): Appointment - The school director or department chair shall be appointed by the dean with the concurrence of the EVPAA."

¹¹UTRGV H.O.P. Section ADM 06-303.D.4.a.

¹²UTS 182, Sec. 5 and UTRGV H.O.P. Section ADM 06-303.D.5.

1. Consulting with and representing the interest of SEEMS faculty on policies, plans, and procedures that affect the school;
2. Strategic planning and goal setting aligned with similar efforts at the college/school and university level;
3. Promoting faculty development in teaching, research, and public service and, within the limits imposed by administrative duties, providing leadership by example in these activities;
4. Supervising the instructional, scholarly, creative and service activities of the School, and maintaining and improving their quality;
5. Articulating and implementing University policy within the School;
6. Ensuring that school policies and practices are consistent with those of the UTRGV Handbook of Operating Procedures, Rules and Regulations of the Board of Regents, and the U. T. Systemwide Policies (UTS Policies).
7. Conveying faculty and program concerns and needs to the COS Dean and upper Administration;
8. Recruiting faculty and students and identifying student constituencies;
9. Assisting the COS Dean in college fundraising and outreach efforts;
10. Guiding and mentoring tenure-track faculty and new hires;
11. Maintaining an environment of collegiality and shared governance;
12. Addressing questions, complaints, grievances, and suggestions from faculty, staff, and students;
13. Promoting the welfare of the university in concert with university vision and strategic goals;
14. Preparing and submitting to the COS Dean personnel evaluations and recommendations associated with appointment, reappointment, non-reappointment, tenure, promotion, and merit for professional and clerical staff;
15. Preparing budget requests and supervising the allocation and expenditure of School funds;

16. Assessing trends and development within the relevant disciplines and facilitating the development of appropriate new curricula or revising existing curricula as necessary;
17. Developing effective professional relationships with relevant community organizations and agencies and with related academic departments and schools at other institutions in the State;
18. Representing the School in meetings with department chairs, university administrators, and faculty;
19. Cooperating and consulting with other academic unit chairs/directors in the development of co-requisites and interdisciplinary and transdisciplinary courses and programs.
20. Serving as a liaison with relevant professional associations;
21. Monitoring the alignment of University and School policies, procedures, and standards with those of state and national regulatory and accrediting agencies.
22. Overseeing the preparation, revision, and submission of School class schedules and faculty class assignments to the COS Dean;
23. The Director may be assigned additional responsibilities by the COS Dean, EVPAA, or President.
24. Organize and supervise the SEEMS committees.

I. School Director Review Procedures¹³

The School Directors may be removed from the administrative position at any time for reasonable cause at the discretion of the COS Dean, and the concurrence of the EVPAA. Service as School Director is also subject to periodic formal evaluation. There are three separate procedures for initiating an evaluation of a School Director:

1. The School Director must undergo an in-depth review process, including input from School faculty and staff at the beginning of the final year of their term. It is the COS Dean's responsibility to initiate this evaluation process at the appropriate time.
2. The COS Dean may initiate the evaluation of the School Director at any time.

¹³UTRGV H.O.P. ADM 06-303.D.6.

3. The voting eligible School faculty may initiate a formal evaluation of the Director's performance at the request of a majority (at least 51%) of all voting eligible school faculty. The School Director is not eligible to participate in the voting on this matter if it pertains to their office. The vote shall be by secret ballot at a called School Meeting.

4. In all of the above cases, the COS Dean and the voting eligible School faculty, excluding the School Director, shall meet to establish the procedure for the evaluation process, which shall be consistent with the general evaluation procedures for academic administrators in the *Handbook of Operating Procedures*, and transmit them to the EVPAA. During this meeting, a simple majority (at least 51%) of the voting eligible SEEMS faculty will constitute a quorum. The procedure adopted should ensure a high level of participation by the voting eligible School faculty.

5. The COS Dean shall distribute tabulations of any data collected excluding written comments, in the evaluation process to all voting eligible School faculty and EVPAA. The COS Dean shall provide written comments to the School Director and EVPAA regarding the outcome of the review.

6. The voting eligible SEEMS faculty may meet with the COS Dean and with the Director to discuss the evaluation.

7. As part of the evaluation process, the voting eligible School faculty shall make a formal recommendation, to be determined by majority (at least 51%) vote of the voting eligible School faculty, on whether to retain or remove the School Director. This recommendation shall be communicated in writing to the Director, COS Dean, and EVPAA. The School Director may submit a written response of the School's recommendation.

8. As part of the evaluation process, the COS Dean will conduct a separate and independent evaluation. Included in this evaluation should be an evaluation of strengths and areas in need of improvement and a recommendation to retain or remove the School Director. Copies of this recommendation should be provided to the respective School Director, the voting eligible School faculty, and the EVPAA. The School Director may submit a written appeal of the COS Dean's recommendation.

SECTION IV. SCHOOL COMMITTEES

School committees consist of standing committees and *ad hoc* committees.

A. Eligibility and Membership

1. All voting members and Associate members of the School are eligible to serve on all School committees, unless otherwise specified in these By-Laws, and with the exception that Lecturers may not sit on any committee responsible for personnel actions or curriculum decisions.

2. All School committees, except search and screen committees for School Director and the Post-Tenure Review Committee, shall be appointed by the Director, subject to approval by a majority vote of voting eligible members of the School Director. The School Director shall submit his/her proposed list of committee members, including Committee Chairs, to the School at the first School meeting of each academic year.

3. All standing and *ad hoc* committees shall include School members from at least two campuses with four or more faculty (e.g., the Edinburg and the Brownsville campuses).

B. Terms

The term of service on standing committee is for three-year staggered terms.

C. Voting by Committees

Committees are encouraged to strive for consensus, but *in lieu* of consensus committees are to reach decisions by majority vote and in accordance with *Robert's Rules of Order* (most recent edition).

D. Committee Charge

All standing committees shall be officially charged by the School Director no later than September 30th of each academic year with a list of assigned tasks and responsibilities, a schedule for completing those tasks and responsibilities, notwithstanding that standing committees may initiate proposals or consider proposals from any member of the School.

E. Standing Committees

The School shall have the following standing committees:

1. Annual Review Committee (ARC)

a. Evaluations by the ARC shall be conducted in accordance with UTRGV Handbook of Operating Procedures ADM 06-502¹⁴ and the SEEMS *Evaluation Criteria and Standards for Tenure and Promotion, Including Post-Tenure Review*.¹⁵

¹⁴ University of Texas Rio Grande Valley, *Handbook of Operating Procedures*, see, <http://www.utrgv.edu/hop/handbook/index.htm>.

¹⁵ Approved by SEEMS on XXX, 2016. By reference, this document is incorporated into the By-Laws and may only be amended under the terms established in the By-Laws.

b. One member of the Annual Review Committee shall represent the School on the college-level annual review committee.

2. Tenure and Promotion (T&P) Committee

a. All tenured and tenure-track faculty with an at least 51% appointment in SEEMS shall be evaluated for tenure, promotion, and post-tenure performance at the appropriate time in accordance with UTRGV Handbook of Operating Procedures ADM 06-504 and ADM 06-505¹⁶ and the *SEEMS Evaluation Criteria and Standards for Tenure and Promotion, Including Post-Tenure Review*.

b. The School Tenure and Promotion Committee shall be comprised of no fewer than five tenured faculty members.

c. The Chair of the Tenure and Promotion Committee shall represent the School on the college-level Tenure and Promotion Committee.

4. Scholarships Committee

a. The Scholarship Committee shall review student applications for scholarship awards under the School's jurisdiction. The Committee shall submit its recommendations to the School Director.

b. The Scholarship Committee shall be composed of five voting eligible faculty members.

5. Curriculum Committee

a. The Curriculum Committee shall be responsible for reviewing all curriculum proposals at the School level, including proposals for new courses, proposals to terminate courses, proposals to teach special topics courses, and proposals for new or revised degree programs and requirements. The Curriculum Committee shall submit any recommendations to the School Meeting that it deems appropriate for approval by the voting eligible members of the School.

b. The Curriculum Committee shall be composed of five tenured and tenure-track members of the School. The committee's composition may be supplemented by full-time lecturers of the school, in an advisory role only.

c. The Chair of the Curriculum Committee shall present all curriculum proposals approved by the School to the University Curriculum Committee (UCC/Graduate Council) and shall be responsible for submitting and securing the required approvals at other levels of the University.

6. Program Evaluation and Assessment Committee (PEAC)

¹⁶UTRGV, *Handbook of Operating Procedures*, see, <http://www.utrgv.edu/hop/handbook/index.htm>.

a. The Program Evaluation and Assessment Committee shall be responsible for conducting program evaluations and assessment of the School based on Student Learning Outcomes (SLOs) and Administrative and Educational Support Unit Assessment criteria. The committee chair shall prepare reports for the School and appropriate administrative offices.

b. The Program Evaluation and Assessment Committee shall be composed of three (3) voting eligible members of the School.

7. College Recruitment and Student Success Committee

a. The College Recruitment and Student Success Committee shall represent the School at student recruitment events and activities and develop programs or activities designed to recruitment students into the School's undergraduate and graduate programs.

b. The College Recruitment and Student Success Committee shall be composed of 3 voting eligible members of the School.

8. Web Liaison

a. The Web Liaison shall be a voting eligible member of the School.

b. The Web Liaison shall work with the School Director, the COS Dean, and UTRGV's relevant information technology groups to develop and update the SEEMS website and any social media sites under the jurisdiction or responsibility of the SEEMS.

9. Library Liaison

a. The Library Liaison shall be a voting eligible member of the School.

b. The Library Liaison shall work with the School Director and the University Libraries to develop and update the Library's collections in Environmental Sciences.

F. Ad Hoc Committees

1. Ad Hoc Committees shall be created on an as-needed basis and shall exist until they have completed their charge or assigned task(s) unless a specific date for termination is established by a vote of the School Meeting or by the School Director at the time the committee is established.

2. Faculty Search and Screen Committee(s).

a. Faculty search and screen committees are *ad hoc* committees convened for the purpose of conducting one or more searches for new SEEMS faculty members. Faculty search and screen

committees shall be selected and operate in accordance with the UTRGV *Handbook of Operating Procedures* and the UTRGV *Faculty Recruitment Manual*.¹⁷

b. All search and screen committees in SEEMS shall include at least one voting-eligible member of the School, where possible, whose primary field is related to the position being searched by the School.

G. Faculty Senate

The Faculty Senate representative(s) shall be elected by the voting faculty of the School. The representative(s) shall report to all members of the faculty in the School the activities of the Faculty Senate following each meeting.

If the distribution of SEEMS representatives on The University of Texas Rio Grande Valley Faculty Senate allows the SEEMS to elect two or more representatives to the Faculty Senate then at least one of the School's elected Faculty Senate representatives shall be from one of the other campuses with four or more faculty.

SECTION V. RATIFICATION AND AMENDMENT

1. Ratification. The By-Laws will become effective immediately when approved in a secret ballot vote by a two-thirds (2/3) majority of voters whose eligibility to vote is determined by the COS Dean.

2. Amendments:

a. Any voting-eligible member of the School can propose an amendment to the By-Laws.

b. Proposed amendments may be submitted in writing to any School Meeting.

c. At least 20 working days must elapse between the proposing of a By-Law amendment to the School and a vote on that amendment by the School.

d. An amendment shall pass with a two-thirds (2/3) vote of all voting eligible members of the School.

e. All votes on amendments to the By-Laws shall be conducted by secret ballot.

¹⁷ University of Texas Rio Grande Valley, Division of Academic Affairs, *Faculty Recruitment Manual*, see, http://www.utrgv.edu/_files/documents/EVPAA/faculty-resources/fy2015-2016-faculty-recruitment-manual.pdf

3. Transparency. The most up-to-date SEEMS By-Laws shall be available on the School's website within 10 working days of their approval or the approval of any amendments.

Approved October 2016.