BYLAWS, RULES OF ORDER, AND STANDING RULES OF THE
DEPARTMENT OF BIOLOGICAL SCIENCES
OF FLORIDA ATLANTIC UNIVERSITY

ARTICLE I

Name of the Department

The name of this Department shall be the Department of Biological Sciences. All official communications of this Department shall indicate this name.

ARTICLE II

Objectives

The objectives of this department shall be superior and exemplary teaching, research, and public service in biological sciences. The provisions of these bylaws are governed by and subordinate to the Florida Atlantic University Constitution.

ARTICLE III

Organization

This Department shall consist of a Chairperson, an executive committee appointed by the Chair, and staff members of the department at all levels. The Faculty shall consist of all full or part-time bonafide professors, associate professors, assistant professors, and instructors. The department shall also include adjunct Faculty. All other employees of this department shall be referred to as the staff.

ARTICLE IV

Office of the Chair

The office of the Chair shall be one of service to this Department. The Chair shall be a tenured, full-time associate or full professor in a recognized discipline of the biological sciences. The Chair shall be appointed by the Dean and elected by a majority of the entire voting Faculty casting secret ballots in regular sessions. The Chair shall be evaluated every three years under the direction of the Dean. A Faculty member who accepts the office of the Chair automatically agrees to uphold and abide by the letter and spirit of
these bylaws, rules of order, and standing rules. At his or her own discretion the Chair may be an ex-officio member of any committee appointed by him.

**ARTICLE V**

**Meetings of the Faculty**

The Chair or an Executive Committee representative he/she appoints shall keep the faculty continually updated on progress toward achieving departmental goals, and at least once annually present an overview of how financial resources will be allocated to meet those ends. These plans must be approved by vote of the faculty during faculty meetings scheduled by the Chair at appropriate intervals. Every attempt must be made to schedule these meetings when the largest number of faculty can attend. Meetings shall be announced electronically at least a week in advance, and accompanied by an agenda.

In the event of the continued absence of the Chair, or his/her refusal to call a meeting, a petition by majority of the faculty of the Department shall be sufficient to schedule such a meeting. The Faculty present at the meeting shall then elect one of their members by majority vote to conduct the meeting.

A quorum for the legitimate conduct of routine departmental business at the regular meetings or at such other Faculty meetings as may be required by circumstances shall not be less than a majority of the voting members of the Faculty of this department available for duty.

**ARTICLE VI**

**Voting**

Approval of the Faculty as required by the various sections of these bylaws shall be by appropriate vote in a manner to be decided upon at the time. While meetings of the Faculty are normally open to attendance by departmental affiliates, only the Faculty may vote upon departmental matters.

**ARTICLE VII**

**Faculty Appointments**

Appointments shall be recommended by the Chair and Executive Committee after a thorough study, subsequent review by the departmental personnel committee, and a majority vote of the entire incumbent Faculty. The Chair shall also recommend the appointment title, to be assigned in accordance with the rank structure within the Department, College, and University.
The associate departmental chairs at each campus shall appoint adjunct faculty as required to maintain our teaching program. They maintain program quality, records, and act as liaison between the department and these adjunct faculty.

ARTICLE VIII

Promotion and Tenure

The faculty shall elect by majority vote of the faculty meeting in regular session, the departmental representative or representatives to the College of Science Advisory Committee on Promotions and Tenure.

Recommendations for promotion and tenure shall originate from the department personnel committee. A majority vote of this committee shall be sufficient to recommend. The Chair of the Department is to be advised of all decisions of this committee. In the event the associate professor is under consideration for promotion, the associate professor must remove himself/herself from any and all deliberations on his/her promotion in committee.

It shall be the duty of the Chair and the responsibility of the candidates for promotion and tenure to ensure that the personnel committee receive in timely manner all information bearing upon the candidate’s qualifications. Both outside and inside letters of evaluation should originate from a list of potential evaluators agreed to by the candidate and the Chair. A minimum of three letters from outside evaluators is recommended.

The department will follow the general guidelines for promotion and tenure issued by the Provost’s office (see Appendix B). Specific guidelines (currently, dated April, 3, 2009) must also be followed, and are also available from the Provost’s office. These outline the requirements for preparing a University Promotion and Tenure Portfolio.

ARTICLE IX

Annual Faculty Evaluation

Annual evaluations of the faculty shall be conducted by the Department Chair during the month of February. To assist the Chair faculty members will provide annual progress reports using departmental format. The departmental executive committee shall review the progress reports and prepare recommended evaluations for the Chair. Faculty members will be provided with copies of their evaluation. Should a Faculty member desire to rebut or otherwise comment in writing on this assessment, they shall do so within five working days of receiving the Chair’s evaluation. The Chair shall append a copy of such rebuttal or comment to each copy of the evaluation.
ARTICLE X

Departmental Committees

Committee members shall be from the faculty and appointed by the Chair. It shall be the duty of each member of the Faculty to accept assignment to committees and to take an active, positive part in reaching the goals for which such committees have been appointed.

The Chair shall ensure that committee service is equitably distributed among the Faculty. A short description of each Standing Committee is given in Appendix A. Ad hoc committees shall be appointed as required.

Committee chairs and members have no official power other than that of advising the department on pertinent matters. Committee chairs normally report to the Faculty through, or at the request of, the Chair of the Department; however, by a majority vote, the Faculty may insist upon a committee report on any appropriate topic.

Committees shall, when their interests overlap or infringe on one another, initiate actions to coordinate with each other by way of liaisons, joint meetings, etc., in order to produce the best possible results.

ARTICLE XI

Rules of Order

The rules of order in this Department shall be Robert’s Rules of Order Revised. Faculty meetings are not required to run strictly on a parliamentarian basis, except when necessary.

Nothing set down in these bylaws, rules of order, or standing rules shall conflict with the constitution of Florida Atlantic University which is regarded as the instrument of their origin.

ARTICLE XII

Amendment of the Bylaws

Whenever, in the opinion of any member of the Faculty, any of these bylaws require revision, repeal or amendment, the Chair shall appoint an ad hoc committee to consider the questions. Each matter presented to the Bylaws committee must be in writing. The committee will announce not less than one week in advance to each Faculty member in writing that it will report its findings at the next regular Faculty meeting. If the committee suggests that a bylaw should be amended or repealed, a motion from the floor shall be entertained but not be passed without affirmative majority members, a quorum
notwithstanding. Faculty members may cast their votes by absentee written or tele-
communicated ballot when their presence at the regular Faculty meeting would be
physically impossible. Unless otherwise stipulated in the motion to amend or rescind,
such amendment or rescindment shall become effective immediately on approval by the
Faculty in regular sessions.

ARTICLE XIII

Expression of Student Grievance

Student grievances within the department are adjudicated by the approved university
policy.

ARTICLE XIV

Internal Censure

When, in the opinion of the Chair, a member of the Faculty or staff of this Department
shall be deemed guilty of infractions of accepted professional ethics, the bylaws, standing
rules, or rules of order of this department, or the laws of superior constitutional
expressions upon which these bylaws are based, such person or persons shall first be
reprimanded verbally in private by the Chair. Continued infractions by such a person
shall provoke from the Chair a letter of reprimand. When the first two types of
reprimand have been found insufficient in obtaining their intended remedial effect, the
Chair shall place before the Faculty all facts pertinent to the case and shall request a motion of
censure against the offender. When censure is approved by majority vote of the Faculty cast by secret ballot,
a letter of censure shall be composed embodying the charges, and a copy shall be sent to
the Vice President for Academic Affairs via the Dean of the College of Science. This
letter shall emanate from the department and shall be signed by the Chair on behalf of the
Faculty.

When the Chair shall be guilty of infractions, the Faculty, upon a majority vote of
approval on a motion form the floor, shall act as a Committee of the Whole with the
senior ranking member acting as Chair to verbally communicate the charges. Continued
infractions by the Chair will necessitate a written statement from the Committee of the
Whole, chaired as before, containing the charges and requesting cessation of infractions.
If both of these methods fail to correct the problem, the committee of the Whole shall
draft a letter of censure against the Chair with a copy forwarded to the Vice President of
Academic Affairs via the Dean of the College. Both of these last named methods shall
require a majority vote the Faculty, casting secret ballot, before they may be
implemented. Should all three of the foregoing methods fail in their intended purpose,
the Faculty may, by a majority secret vote of all members available for duty, draft a letter
to the Vice President for Academic Affairs via the Dean of the College requesting recall
of the incumbent Chair. The Faculty will elect by secret ballot and by a majority vote of
the entire Faculty available for duty an acting Chair of this Department until a new Chair is elected in accordance with these bylaws.
Appendix A

STANDING COMMITTEES

Executive Committee

This committee shall be composed of the Chair and Co- or Assistant Chairs at the Boca, Davie and Harbor Branch Oceanographic Institute (HBOI) Campuses and no more than two additional faculty that they select. Their duties shall include:

(a) Annual evaluation of the faculty, based upon recommendations by the Personnel Committee (see below).

(b) Allocation of laboratory and office space.

(c) Annual appointments to the department’s ad hoc and standing committees.

(d) A semi-annual (or more often, if required) description of the budget, and how it will be allocated to promote the department’s long-term plans for hiring, programmatic changes, and any other pertinent financial issues.

Undergraduate Program Committee

This committee shall be composed of a minimum of three and a maximum of four members. Its primary duties shall include any changes in curriculum, assignment of student waivers, changes in the campus location where required and which elective classes will be taught. The committee will also consider instances of academic irregularities when required or appropriate.

Master of Science Graduate Program Committee

This committee shall be composed of a minimum of three and a maximum of four members. Primary responsibilities of this committee will be the following:

(a) Evaluation and selection of new applicants

(b) Linking applicants with potential advisors who share their interests.

(c) Evaluate the annual progress of each student, assign teaching assistantships, and award graduate scholarships.

Personnel Committee

This committee shall be composed of at least one Assistant, one Associate, one Full Professor and one Instructor. Faculty shall also include at least one representative from
Environmental Biology, Marine Biology, and Molecular Biology. This committee will make recommendations to the Chair with regard to the following issues:

(a) Annual evaluation of faculty accomplishment in teaching, research and public service (as is appropriate by rank).

(b) Assign mentors for newly-hired Assistant Professors; monitor progress of Assistant Professors toward tenure; oversee the initiation and completion of the third year review for Assistant Professors; provide recommendations to the faculty for tenure/promotion of Assistant Professors.

(c) Evaluate applications for promotion from Associate Professor to (Full) Professors and provide recommendations to the faculty.

(d) Decide on appointments of affiliate and adjunct faculty (new appointments; termination of old appointments).

Assessment Committee

The role of this committee is to assess teaching effectiveness in the classroom, as mandated by the Classroom Learning Compacts from the State and as part of our SACS Accreditation. The Committee provides guidelines for how those assessments are made. It also collects and distributes the data to the appropriate parties.
APPENDIX B

PROVOST’S GENERAL GUIDELINES FOR PROMOTION AND TENURE
(Revised 4/2009)

INTRODUCTION

This document provides general guidelines for departments/schools and colleges concerning the appointment, promotion, and granting of tenure to faculty.

The general guidelines described in this document are not to be considered as the criteria for promotion and tenure. Criteria shall be written by the colleges and departments/schools following the principles described in Principles for Creating Criteria for Promotion and Tenure, available on the web page from the Office of the University Provost and Chief Academic Officer. Criteria shall become effective only after adoption by the Provost and his/her designees.

TENURE

Tenure at Florida Atlantic University is the recognition that the person so honored is an established member of the academic profession, possessing a terminal degree or qualification appropriate to the discipline, and having clearly demonstrated the commitment and ability to continue to be a scholar, contributing to the field of knowledge through original work and quality teaching in the best traditions of the professorate. A candidate for tenure will also have a demonstrated commitment through service to the University and, if appropriate, the community and profession.

Tenure shall be considered during the sixth year of continuous service unless the candidate’s letter of offer contains prior service credit; or the Provost or the Provost's designee agrees to the employee's written request for earlier consideration. If the employee was credited with tenure-earning service at the time of hire, they may request that all or a portion of such credit be withdrawn once, prior to formal application for tenure. If the employee began employment at mid-year, the letter of offer needs to specify if tenure application will cover 4.5 or 5.5 years of service at the University.

A faculty member may also request that semesters during which they are on compensated or uncompensated leave not be creditable for the purpose of determining eligibility for tenure. In both these instances, the request needs to be approved by the Associate Provost, Academic Personnel (as the President’s representative), after receiving support of the Chair and the Dean. The University has no quotas for the granting of tenure.

Tenure implies a lifelong commitment of the institution to the person. The awarding of tenure is not a simple summing of annual evaluations. The awarding of tenure is based upon the judgment that the person will have a lifelong commitment to scholarship and
teaching at the University level and to meeting the needs of the Department/School, College and University.

No candidate who does not meet the relevant criteria for promotion to Associate Professor is eligible for tenure at Florida Atlantic University. As tenure is linked to promotion to the rank of Associate Professor, an individual may not go up for promotion before tenure. This will be considered the norm and shall become effective with faculty hired in the academic year 2003-2004.

Before promising a prospective faculty member that he/she will be recommended for tenure as a condition of employment, the University Provost or his/her representative shall consult with the faculty. Although it might not be possible to assemble a complete packet for such candidates, the packet must include at least an up-to-date resume, a record of the professor’s tenure at other universities, letters of recommendation, preferably from people of national reputation in the professor’s field, a vote of the tenured faculty of the department/school involved, and letters of recommendation from the Department Chair/School Director and the Dean (which includes the vote of the College Promotion and Tenure Committee).

GUIDELINES FOR FACULTY APPOINTMENTS & PROMOTION

The tenure-earning and tenured ranks at Florida Atlantic University are: Assistant Professor, Associate Professor, and Professor. The university has no quotas for admission to rank. The same criteria shall apply for initial appointment to any rank as apply to promotion to that rank. These criteria recognize three broad areas of academic activity: instructional activity; research, scholarship, and other creative activity in the relevant discipline(s); and service. Service shall include contributions to the effective functioning, administration and development of professional associations, department/school, college and university programs, and the university itself, as well as assigned service to the community.

**Assistant Professor**

Appointment or promotion to the rank of Assistant Professor normally requires that individuals hold the highest earned degree appropriate to their discipline. Appointment to this rank is made on the judgment that individuals are capable of reaching tenure within a maximum six-year period. Evidence of potential for excellence in scholarship and for quality teaching is required.

**Associate Professor**

Appointment or promotion to the rank of Associate Professor is recognition that the faculty member has reached a status in the discipline appropriate to a life-long member of the academic world. This means that the person will clearly demonstrate the commitment and ability to continue to be a scholar or artist, contributing to the relevant field(s) of knowledge through original work and quality teaching in the best traditions of the
professorate. The candidate must demonstrate commitment to and ability in teaching and related instructional activity, as well as demonstrating the ability to contribute successfully and continuously to the scholarship or creative activity of appropriate academic disciplines. Instructional activities shall be rigorously evaluated as scholarship and creative activity. Although the typical Assistant Professor will have only a modest assignment to service, promotion to Associate Professor requires that the candidate have a record of responsible and conscientious participation in some service activities.

Promotion decisions shall consider:

- Evidence of achievement in the appropriate discipline(s). In most cases, such achievement will primarily be scholarly activity, normally demonstrated through publication of scholarly books, refereed articles and refereed papers and, where appropriate, patents and research grants. In some disciplines, creative activity may be required instead of, or in addition to, scholarly publications. The broadest range of appropriate scholarly or creative activity shall be considered in the criteria, including participation and leadership in appropriate professional activities.

- Evidence of achievement in teaching and, if appropriate, other instructional activity. The quality of instructional activity shall be evaluated by students and peers, as well as through administrative and self-assessment.

- Evidence of commitment to service. This may be through contributions to the effective functioning, administration and development of department/school, college or university programs, college and university, and, if assigned, externally, through uncompensated use of scholarly knowledge or creative talent in the work of the public schools, professional organizations, community agencies, other such nonprofit or public organizations, and in the community.

**Professor**

Appointment or promotion to the rank of Professor is recognition of demonstrated achievement and **distinction** over the span of an individual's academic career in scholarship/creative activity in the appropriate discipline(s) and/or teaching and related instructional activity and/or service/administration. While distinction must be demonstrated in at least one dimension of the faculty role, the candidate must demonstrate commitment to and competency in the others. While the decision involves the candidate's entire career, the candidate’s record shall demonstrate significant additional achievement beyond that demonstrated at the time of promotion to Associate Professor. While demonstrated merit, not years of service, shall be the primary factor in determining the case for promotion to Professor, no earlier than five years completed in rank from the year that the promotion became effective, may be considered the norm for promotion from Associate to Professor. Years in rank and sustained productivity at FAU are particularly important.
REVIEW PROCEDURES FOR GRANTING PROMOTION AND/OR TENURE

Departmental Review

Candidates should acquaint themselves with the relevant documents. The Chair/Director is responsible for directing each new faculty member to the following: a copy of these Guidelines; the Principles for Creating Criteria; the department/school or college statement that includes criteria for annual evaluation, promotion and tenure and third year review procedures; the most recent requirements for tenure and promotion files issued by the Office of the Provost and Chief Academic Officer; and any existing departmental/school and college personnel policies. Many of these materials are posted on the website of the Provost, the College, and/or at the department/school.

Regular feedback, advice and assistance shall be a part of the process at annual or more frequent intervals. Annual performance evaluations must be conducted. They must be considered in the promotion and/or tenure process. The annual evaluations of untenured faculty must include a separate component that fairly appraises the faculty member's progress towards tenure and, if the candidate is an Assistant Professor, promotion to Associate Professor.

In addition, an appointee to a tenure-track position shall receive, in the third year of his or her service, a formal written review at both the department/school and college levels. For employees awarded years toward tenure, these years count toward the Third Year Review. For mid-year hires, the timing of the Third Year Review needs to be consistent with scheduled tenure application.

Faculty members eligible for promotion to Full Professor may request appraisal of their progress towards promotion. Faculty members' annual assignments must be considered in evaluating progress toward promotion and/or tenure.

Departmental/school evaluations of individuals for promotion and/or tenure should be made after a departmental/school meeting that includes discussion of the case and consideration of the appropriate criteria and a secret ballot polling all faculty eligible to vote on the case. In tenure considerations, those eligible to vote are the tenured members of the appropriate department/school; in promotion cases, all tenured and tenure-track members of the faculty are eligible to vote, unless otherwise specified by the bylaws of the department/school or college.

The materials that are reviewed at the departmental/school level should include all of the materials that will be submitted to the university level. Minimally, these include: an appointment letter, up-to-date vita, the outcome of evaluation of instructional activity by students, peers, and self; the distribution of the evaluative scores earned by other faculty, broken down by course, course level, or by department/school, as appropriate; documentation and examples of relevant research, scholarly or creative work, as well as instructional materials; a minimum of two current letters from referees outside this
University who are acceptable to the chairperson/director and the candidate.

If the candidate chooses, the materials shall include the record of the faculty member's tenure and promotion appraisal(s) and third year review, including any response by the faculty member. The department/school will issue a memorandum to the chair/director, reporting the numerical results of the of the poll of the faculty eligible to vote and, as best as can be discerned, the reasons for the vote, preserving the anonymity of the faculty members. A copy will be sent to the faculty member, who may attach a brief response within 5 days of receipt of the material.

After the department/school has voted, the departmental chairperson/school director shall send a letter of recommendation to the Dean which shall include a detailed analysis and evaluation of the work of the faculty member and a clear statement of support or non-support. That letter shall include the use of the appropriate department/school or college criteria to evaluate the record of the faculty member. A copy will be sent to the candidate who may attach a brief response within 5 days of receipt of the material.

**College-Level Review**

The College Promotion and Tenure Committee shall review the appropriate criteria, the candidate's file, and the recommendation made by the department/school and the chair of the department/director of the school. The committee shall vote on the case and make a written recommendation to the Dean. The written recommendation will report the numerical results of the poll of the Committee and, as best as can be discerned, the reasons for the vote, preserving the anonymity of the committee members. A copy will be sent to the faculty member, who may attach a brief response within 5 days of receipt of the material.

The Dean of the College shall review the recommendation of the department/school and the chair of the department/director of the school, ensuring that the criteria for promotion and/or tenure have been appropriately applied and that annual assignments and performance evaluations have been considered in the recommendation. The Dean shall also review the recommendation of the College Promotion and Tenure Committee. The Dean shall consider the candidate's record, annual assignments and evaluations, and the written college and/or department/school goals and criteria for promotion and/or tenure. In tenure cases, he or she shall consider the needs of the department/school, college and university, and the contributions the employee is expected to make to the institution.

The Dean shall make a recommendation to the Provost. The Dean's letter shall include an evaluation of the candidate's record on the basis of appropriate criteria. A copy will be sent to the faculty member, who may attach a brief response within 5 days of receipt of the material.

**University Provost and Chief Academic Officer-Level Review**

The University Promotion and Tenure Committee will review the candidate's portfolios,
including the written criteria and the earlier recommendations on each case. It will make a recommendation to the Provost through its vote on each case. The recommendations shall include the numerical results of the poll of the Committee and a brief synopsis of the discussion of each candidate, preserving the anonymity of the committee members.

The Provost shall consider the recommendations of the University Promotion and Tenure Committee.

The University Provost and Chief Academic Officer conducts a review of the material submitted at all earlier levels. The Provost verifies that the recommendations for promotion or tenure provided by all previous levels of review have considered the candidate's annual assignments and evaluations, the candidate's record, and the written college or department/school goals and criteria for promotion and tenure. In tenure cases, he or she shall verify that the needs of the department/school, college, and university and the contributions the employee is expected to make to the institution have been considered.

The Provost shall meet with each candidate and may also seek recommendations from other faculty and supervisory sources.

Following this review, the University Provost makes a positive or negative recommendation to the President. The Provost will send each candidate a letter indicating his/her recommendation to the President.

**Presidential-Level Review**

The President must give consideration to the Provost’s recommendations in arriving at a decision but need not follow the recommendation of the Provost. The President makes a final decision on the granting of tenure and promotion. The President's review will include a consideration of the candidate's record, the relevant written goals and criteria for promotion and tenure, the earlier recommendations and, in tenure cases, the needs of the department/school, college, and university, and the candidate's likely future contributions to the university. For tenure cases, the President will certify to the FAU Board of Trustees that all the required procedures have been followed. The faculty members considered shall be notified in writing of the President’s decision.

**Right of Response**

Prior to consideration at the next higher level of evaluation, a candidate for promotion and/or tenure may attach a concise response within 5 days of receipt of any material that has been added to her or his file.