

**10.0 Constitution and Bylaws
of the
Council of Colleges**

Constitution and Bylaws of the Council of Colleges

Constitution

ARTICLE I PURPOSE

Section 1. *Purpose.* The purpose of the Orono Council of Colleges shall be to provide a means for administrators, faculty, and students to participate in discussing and recommending policies pertinent to matters peculiar to colleges of the University of Maine at Orono.

ARTICLE II MEMBERSHIP

Section 1. *Faculty members* The faculties of UMO shall elect thirty-five faculty representatives to the Council of Colleges as follows:

A. *Apportionment.*

1. Each college shall have at least one faculty representative on the Council.
2. Additional faculty representatives, to the number of thirty-five shall be apportioned to each college in proportion to its number of full-time faculty members. For purposes of apportionment, full-time faculty members of each college shall be construed to include those who have the right to vote in its regular college faculty meetings.
3. The Registrar of UMO shall, each February, determine the number of faculty representatives to the Council which shall be apportioned to each college and shall so inform the Dean of that college.

B. *Time and manner of election.*

1. Each college shall elect its representative to the Council during the spring semester of each academic year. Voting shall be by secret ballot and at least two faculty members shall be nominated for each representative a college has on the Council.
2. Special elections shall be held at regular faculty meetings of the colleges to fill the unexpired terms of faculty representatives who resign from the Council or who leave UMO.
3. In order to be eligible to serve on the Council, a faculty member must have tenure status or have been a member of the faculty of UMO at least two years.

C. *Term of office.*

1. The term of office of a faculty representative on the Council shall be three years, beginning July 1 following election, serving for not more than two successive terms.
2. If a college is represented by more than two faculty representatives, their term of office shall be so fixed that approximately one-third of the representatives shall be elected each year.

Section 2. *President.* The President of UMO shall be an ex officio member.

Section 3. *Administrative members.* Shall be appointed by the President and shall number, including the President, not more than one-fourth of the number of faculty and student representatives.

Section 4. *Undergraduate student members.* The President of Student Government at Orono shall be an ex officio voting member. There shall be six undergraduate members, each serving for a term of one academic year, elected by their respective colleges, as detailed in the bylaws.

Section 5. *Graduate student member.* One representative shall be elected each year by the students enrolled in the Graduate School to serve a term of one academic year.

ARTICLE III OFFICERS

Section 1. *Officers.* At a meeting in May of each year, the Council shall elect, from among the faculty members, the following officers for a term of one year:

- A. Chairperson - from among those faculty members who will be completing at least one year on the Council.
- B. Vice-Chairperson - from among those faculty members who will be completing at least one year on the Council.
- C. Secretary - from among those members who will be completing at least one year on the Council.

Section 2. *Succession of officers.* The Chairperson and Vice-Chairperson, unless they have served less than one semester, may not succeed to the same office, but the Secretary may succeed to the same office.

Section 3. *Parliamentarian.* The Chairperson may select a Parliamentarian.

Constitution and Bylaws of the Council of Colleges

Section 4. *Elections.* Election of these officers and their duties shall be as detailed in the bylaws of the Council.

ARTICLE IV MEETINGS

Section 1. *Regular meetings.* The Council shall hold regular monthly meetings during the academic year at a time and place which it shall determine.

Section 2. *Special meetings.* Special meetings of the Council may be called by the President of UMO, by the Chairperson, or by the Secretary on the request of any ten members of the Council, provided all members have been notified at least 24 hours in advance of the time and date of the special meeting.

Section 3. *Special separate meetings.* Nothing in this Constitution shall preclude the calling of special separate meetings of the administrative members or of the faculty members or of the student members of the Council. Such meetings may be called by the President of UMO, by the Chairperson, by the President of the General Student Senate(s), or by the Secretary on the request of any ten faculty members, provided all members have been notified at least seven days in advance.

Section 4. *Agenda.* The complete agenda for each regular meeting of the Council shall be established by the Agenda Committee which shall consist of the Chairperson, the Vice-Chairperson, and the Secretary. Particularly it shall designate those proposals which are to be considered by the Council under new business.

- A. *Submission of proposals.* Any member of the Council may submit proposals, in writing, to the Agenda Committee. The Agenda Committee shall have the authority to request additional clarifying or supporting material concerning each proposal before it is placed on the agenda. However, the committee may not withhold a proposal from the agenda for more than thirty days, except by consent of the proposer.
- B. *Distribution of agenda.* At least seven days prior to each regular meeting, the Secretary shall distribute the agenda to all members of the Council.
- C. *Referral or automatic postponement of non-agenda proposals.* Except in an emergency, as determined by a two-thirds vote of the members present, any proposal

introduced under new business which does not appear on the agenda shall either be referred to an appropriate committee or automatically postponed until the following meeting.

Section 5. *Parliamentary authority. Robert's Rules of Order*, as most recently revised shall govern meetings of the Council, except in cases where such rules are inconsistent with this Constitution.

Section 6. *Substitute members*. A member who must be absent from any meeting of the Council shall name an alternate from the same college or administrative office to attend and to exercise all privileges and powers of the regular member.

Section 7. *Quorum*.

- A. A quorum of the Council shall consist of a majority of its members.
- B. *Roll call vote*. A roll call vote on any motion can be demanded by one-fourth of the present and voting members of the Council if a quorum is present.

Section 8. *Attendance of non-members*

- A. *Administration and faculty non-members*. Any member of the administration or faculty may attend meetings of the Council. Such a visitor may speak but not vote.
- B. *Invited participants*. The President of UMO or the Chairman may invite anyone to participate in the discussions of the Council.

Section 9. *Distribution of minutes*. The Secretary shall keep the minutes of the Council and shall distribute them to all of the members of the Council as well as to the faculties of the participating colleges at least seven days prior to the next regular meeting.

ARTICLE V COMMITTEES

Section 1. *Standing committees*. The Council may create standing committees as provided in its bylaws. Such standing committees shall report to the Council in writing at least once each academic year.

Section 2. *The Committee on Committees*. Shall make recommendations to the Council for membership on each of the Council's standing committees. The Committee on Committees, elected by the Council, shall consist of ten faculty members and one student, all

Constitution and Bylaws of the Council of Colleges

of whom shall be members of the Council. The faculty members shall reflect the proportional representation of each college on the Council, with the provision that each participating college shall have at least one member. It shall be the responsibility of the Chairperson, Vice-Chairperson, and Secretary to determine the number of positions to be allocated to each college.

ARTICLE VI DISPOSITION OF RECOMMENDATIONS

Section 1. *Veto by Colleges.* Any academic policy recommended by the Council may be vetoed by a majority of the participating colleges voting in their separate college meetings or by a mail ballot of the college if a regular college meeting can not be scheduled during the time limit allowed for a veto. Each college shall determine which recommendations of the Council are subject to its veto, and shall exercise its right of veto by the 61st day (vacations excepted) after the recommendation has been acted upon by the Council of Colleges.

Section 2. *Referendum on veto.* The veto of a recommendation of the Council by a majority of colleges shall become effective only if it is supported by a majority of the faculties of the participating colleges voting by mail ballot. Such ballots shall be mailed by the Secretary to all faculty members of the participating colleges within fifteen days following a veto. The Secretary shall count such ballots fifteen days after the mailing of them.

Section 3. *Transmittal of recommendations.* Recommendations passed by the Council, and not vetoed by a majority of the colleges, shall be transmitted to the President of UMO for the appropriate action.

Section 4. *Appeal to the Chancellor.* In the event that a recommendation of the Council is not approved by the President of UMO, or in the event of a serious and prolonged disagreement between the President of UMO and the Council on a question of grave concern to UMO, the Council, by a majority vote, taken by secret ballot, may authorize the Chairperson of the Council to communicate, in writing, directly with the Chancellor in order to present its viewpoint. A copy of such a communication shall be provided the President of UMO.

Section 5. *Appeal to the Board of Trustees.* If, after the procedures outlined in Section 4, a serious and prolonged disagreement exists between the Council and the Chancellor, the Council, by a majority vote through secret ballot, may authorize the Chairperson of the Council to

communicate directly in writing with the Board of Trustees to present its viewpoint. A copy of the communication shall be forwarded to the Chancellor.

ARTICLE VII AMENDMENT

Section 1. *Proposal of the amendment.* Any member of the Council may propose an amendment to the Constitution. The proposed amendment shall be submitted to the Secretary of the Council at least forty-five days prior to the vote on the proposed amendment. Upon receipt of the proposed constitutional amendment, the Secretary shall forward it to the Chairperson of the Committee on Constitution and Bylaws. The Secretary shall notify the membership of the Council in the next regular meeting printed agenda that such a proposal has been received and forwarded to the Committee on Constitution and Bylaws. This committee shall review the proposed constitutional amendment and may make recommendations. The proposed constitutional amendment and the action of the Committee on Constitution and Bylaws shall be distributed by the Secretary to the membership of the Council at least fifteen days prior to the meeting at which action is to be taken.

Section 2. *Adoption of the amendment.* If the proposed amendment received a two-thirds majority of the votes cast in the Council, it shall be submitted to members of the faculties of the participating colleges for ratification. The Secretary shall conduct a suitable referendum by mail within fifteen days after publication in the minutes of the Council indicating a favorable action on the amendment by the Council. The Secretary shall count the votes fifteen days after the mailing of the ballot to all members of the participating colleges. A two-thirds majority of the ballots cast in the referendum shall be necessary for adoption of the amendment.

Bylaws to the Constitution

Section 1. *Election of undergraduate student members of the Council.* The six undergraduate student members, each from a different college, shall be elected in a manner determined by the General Student Senate(s). Representatives may, but need not, be members of the General Student Senate(s). Each representative shall serve for a term of one academic year.

Section 2. *Election of graduate student member of the Council.* One representative shall be elected each year by students enrolled in the Graduate School in an election administered by the Dean of the Graduate School. The representative shall serve for a term of one year.

Constitution and Bylaws of the Council of Colleges

Section 3. *Election of officers of the Council.* Prior to the April meeting, the Chairperson of the Council shall appoint a Nominating Committee consisting of one member of the Council from each college if possible. These members shall be persons who are not continuing on the Council for the coming year. This Nominating Committee shall present at least two candidates for Chairperson and at least one candidate for each of the other offices to be filled. The agenda for the May meeting shall include the names of those nominated. There shall be an opportunity for nominations from the floor at the time of the election in May. Each office shall be voted on separately by secret ballot, where there is a contest, and a majority of the votes cast shall be necessary for election. In the event that no candidate receives a majority, a second vote shall be taken between the two highest candidates.

- A. *COMMITTEE ON COMMITTEES* - At each May meeting of the Council, an election shall be held to fill the vacancies on the Committee on Committees for the following year. These vacancies shall be filled from among those faculty members continuing their membership on the Council in such a manner to reflect the proportional membership of each college (*Constitution, Article V., Section 2.*) Faculty members elected to the Committee on Committees shall serve on that committee for as long as they shall remain members of the Council of Colleges. The new Chairperson of the Council (also elected at the May meeting) shall designate the Chairperson of the Committee on Committees for the following year. The student member, elected in a manner determined by the General Student Senate(s) from among those students who are members of the Council of Colleges, shall serve for a term of one year. In implementing its responsibilities, the Committee on Committees should attempt to provide a reasonable rotation of membership on standing committees, subcommittees, and boards.

Section 4. *Term of membership on standing committees and boards.* Except as otherwise noted, faculty or administration members shall serve for terms of three years. Student members, where specified in the composition of a committee, shall serve for terms of one year, except as otherwise noted. Ex officio members, where specified in the composition of a committee, shall have all rights of membership.

Section 5. *Faculty membership on standing committees and boards.* The Committee on Committees (*Constitution*, Article V., Section 2.) except as otherwise noted, shall make recommendations to the Council of Colleges for all faculty members of each standing committee or board and its subcommittees. Except in unusual circumstances, a faculty member may serve concurrently on only one standing committee or board and one standing subcommittee, unless as an ex officio member.

Section 6. *Student membership on standing committees and boards.* The General Student Senate(s) shall be responsible for recommending to the Council of Colleges the student members of the committees, boards, and standing subcommittees, with the provision that a student may serve concurrently on only one standing committee or board and one standing subcommittee.

Section 7. *The chairing of standing committees and boards and their standing subcommittees.* The Chairperson shall be a faculty member, elected for a term of one year by the members of the committee. This election shall take place at the last meeting of the academic year and the name of the elected Chairperson shall be forwarded promptly to the Secretary of the Council. A committee member may not serve more than two consecutive terms as Chairperson.

Section 8. *Subcommittees of standing committees.* Each regular standing committee may create such subcommittees, in addition to those specified, as will expedite its work, with the provision that at least one member of each subcommittee shall be a member of the parent standing committee. Each subcommittee shall be responsible to the parent committee and report directly to it.

Section 9. The Council shall have the following standing committees and boards:

A. *COMMITTEE ON ACADEMIC AFFAIRS*

1. Function - To discuss and to make recommendations regarding all matters which affect the faculty in their teaching and research.
2. Membership - Ex officio, the Vice President for Academic Affairs; eight faculty members, with at least one from each college; and one student member. The faculty member shall serve for a term of three years.

B. *CALENDAR COMMITTEE*

1. Function - to develop and to recommend the university calendar, including dates for registration,

Constitution and Bylaws of the Council of Colleges

beginning and ending of each semester and summer session, vacations, holiday, final examinations, and graduations. A proposed calendar should be presented to the Council of Colleges for discussion at its January meeting and for action at its February meeting of the year preceding its becoming effective for the fall semester.

2. Membership - Ex officio, Assistant Registrar (Scheduling); Vice President for Academic Affairs; Dean of Students; Vice President for Finance and Administration; Director of Residence and Dining Halls; Director of Orono CED; and the Director of Athletics; eight faculty members with at least one from each college, who shall serve for three year terms; and one student member from each college.

C. CONSTITUTION AND BYLAWS COMMITTEE

1. Function - To provide a continuous review of the Constitution and Bylaws of the Council.
2. Membership - Ex officio, Parliamentarian of the Council of Colleges; Vice Chairperson of the Council of Colleges; seven faculty members from at least four colleges who shall serve for three year terms.

D. CULTURAL AFFAIRS COMMITTEE

1. Function - To have broad responsibility for promoting cultural influence in the University community.
2. Membership - Seven faculty members, from at least four colleges and seven students to be appointed by the Student Senate(s) with each college being represented. The faculty membership shall be on a rotating basis with all new appointments for three year terms. The student appointment shall be for a one year term. The President of UMO or a presidential appointee shall serve as an ex officio member.

E. DISTINGUISHED LECTURERS COMMITTEE

1. Function - To conduct a lecture series jointly funded with Student Government.
2. Membership - Six students, appointed by and responsible to the University of Maine at Orono

Student Lecture Series Committee (UMOSLS), six faculty members, appointed by the Chairperson of the Council of Colleges. The faculty members shall be on a rotating basis. The initial appointments shall consist of two three-year terms, two two-year terms, and two one-year terms. There shall be one non-voting liaison person to the President's Office appointed by the President. The committee shall be co-chaired by a student and a faculty member.

F. *DISTINGUISHED PERFORMING ARTISTS COMMITTEE*

1. Function - To create and conduct a concert series, funded by student fees, public subscriptions, and the university membership.
2. Membership - Six students, appointed by and responsible to the S.E.A. Concert Committee, six faculty members, appointed by the Chairperson of the Council of Colleges. The faculty members shall be on a rotating basis. The initial appointments shall consist of two three-year terms, two two-year terms, and two one-year terms. There shall be one non-voting liaison person to the President's Office appointed by the President. The committee shall be co-chaired by a student and a faculty member.

G. *EVALUATION OF ADMINISTRATORS*

1. Function - To develop procedures and to secure criteria for the evaluation of administrators by faculty for the purpose of improving performance; to conduct annual evaluations of chairpersons, school directors, deans, vice presidents, the president, and other administrators with whom faculty interact; and to make available the results of evaluations to the evaluatee and to the immediate supervisor.
2. Membership - Seven faculty members from at least four colleges; one undergraduate student, one graduate student, and the Vice President for Academic Affairs or his designee. The committee shall be chaired by a faculty member. The initial faculty appointments shall consist of two three-year terms, two two-year terms, and two one-year terms.

Constitution and Bylaws of the Council of Colleges

H. *FACULTY AND INSTRUCTIONAL DEVELOPMENT*

1. Function - To administer the instructional portion of the Bird and Bird fund and other such grants as are made available within the university.
 - (a) It would not be within the committee's purview to generate funds, but it could coordinate or help expand faculty projects to include outside funding.
 - (b) It should be free to advise and recommend instructional improvements and rewards for teaching excellence.
 - (c) Its specific aim in awarding grants should be to help individual teachers toward long-term improvement and up-dating the teacher's education

J. *FREE SPEECH AND ASSEMBLY REVIEW BOARD*

1. Function

- (a) The Free Speech and Assembly Review Board shall render advisory opinions to groups or persons, including university judicial officers, who bring questions to it about the appropriate interpretation of the established Free Speech and Assembly Policy, university regulations, and activities, the legitimacy or legality of which may be open to reasonable doubt.
- (b) The Free Speech and Assembly Review Board shall keep abreast of trends and developments on the university campus, and recommend such changes in regulations, general policy, and the basic principles as may seem appropriate to better serve the ends of free speech and assembly.
- (c) Cases involving prior restraint shall be brought before the Free Speech and Assembly Review Board for adjudication.

2. Lines of Authority

- (a) In the case of advisory opinions and in cases of prior restraint, opinions and adjudications of

the Free Speech and Assembly Review Board shall become parts of the minutes of the Board to serve as precedents in future cases.

- (b) In the case of legislative matters, as determined by the Free Speech and Assembly Review Board, the Board shall recommend to the President of the University, who shall refer the recommendation to the General Student Senate(s) and the Council of Colleges for action within sixty days.
 - 1. If approved by those two bodies, the recommendation shall go to the President for action.
 - 2. If not approved in its original form by either of the two bodies, the recommendation will be returned with reasons to the Free Speech and Assembly Review Board within two weeks of their decision.

- (c) In the case of administrative matters, as determined by the Free Speech and Assembly Review Board, the Board shall recommend to the President, who may at his discretion reject or implement the proposed regulation, or refer it to the General Student Senate(s) and the Council of Colleges for action within sixty days.
 - 1. If approved by those bodies, the recommendation shall go to the President for action.
 - 2. If not approved in its original form by either of the two bodies, the recommendation will be returned with reasons to the Free Speech and Assembly Review Board within two weeks of their decision.

- 3. Membership: The Board shall consist of two faculty members, two student members, and two administrative members. Each member shall serve for a term of two years.

Constitution and Bylaws of the Council of Colleges

K. *LIBRARY COMMITTEE*

1. Function - To review and to develop library policy and to make recommendations which will improve the quality of the library; and to be advisory to the Vice President for Academic Affairs.
2. Membership - Ex officio, the Librarian or the Librarian's representative; seven faculty members from at least four colleges; one undergraduate student and one graduate student nominated by the graduate student organization. Faculty members shall be chosen in a manner designed to most accurately reflect the proportional representation of each college on the Council and shall serve for three year terms.

L. *PROGRAM DEVELOPMENT AND CURRICULUM COMMITTEE*

1. Function - To advise the Vice President for Academic Affairs and the Associate Vice President for Academic Affairs on all proposed new courses and programs on the undergraduate level. The committee will be responsible for advising the Vice President on the quality of all new undergraduate academic programs at UMO. It will not only be concerned with the quality of individual courses and the way courses are combined and sequenced into degree programs, but will study duplication and the effects of course and program changes on all academic units concerned. The committee will advise the Vice President on the manner in which program and course changes fit in with the overall goals of the university. The committee will not only react to program initiatives submitted by existing units, but will be in a position to advise the Vice President on possible interdisciplinary programs drawing upon faculty strength across the university, joint programs with other campuses of the university system, or other academic programs which the Vice President might propose.
2. Membership - The Vice President for Academic Affairs or the Associate Vice President for Academic Affairs, eight faculty members appointed by the Council from at least four colleges. The Committee on Committees will choose members from faculty

nominated by members of the Council of Colleges. The committee will have the opportunity to add two faculty with special expertise each time a specific new program is being considered. During its deliberations, the committee will seek advice from deans, department chairs, academic directors, and faculty members from units involved in proposed curriculum initiatives. The chairperson shall present the committee's annual report to the Council of Colleges each May.

M. PUBLIC RELATIONS COMMITTEE

1. Function - To seek various means to bring about better faculty relationships with the people of Maine and the alumni of the university; to develop working relationships with groups and organizations both on and off campus; to review current and develop new procedures for regularly providing information to the public about faculty activities and to make recommendations based on continual review which will expand the community information network of the institution.
2. Membership - Six faculty members from at least three colleges, two student members, the Vice President for Research and Public Service and the Vice President for Academic Affairs or their designees as ex officio members. The initial faculty appointments shall consist of two three-year terms, two two-year terms, and two one-year terms.

N. RESEARCH FUNDS COMMITTEE

1. Function - To administer grants from the Coe Research Fund, from the Summer Research Program, and from such other research funds as are made available within the university.
2. Membership - Ex officio, the Dean of the Graduate School and the Vice President for Research and Public Service; and nine faculty members, with at least one from each college, who shall serve for three year terms.

O. RESIDENTIAL LIFE COMMITTEE

1. Function - To consider and discuss all actions concerning the inter-relationship between Residential Life and the academic program of the University of Maine at Orono.
2. Membership - The Director of Residential Life and

Constitution and Bylaws of the Council of Colleges

the student member of the Committee on Residential Life shall be *ex officio* members of the Committee. There shall be five additional members, composed of four faculty at-large, and one student. Student members shall serve for one year. Faculty members shall serve for three years. (Initial faculty members shall be elected for a single one-year term, a single two-year term, and two three-year terms to insure staggering of membership.)

Section 10. *Amendment.* These bylaws may be amended by a two thirds vote of the Council members present and voting, provided that the proposed amendment has been submitted to the Secretary of the Council at least forty-five days prior to the vote on the proposed amendment. Upon receipt of the proposed amendment, the Secretary shall forward it to the Chairperson of the Committee on Constitution and Bylaws. The Secretary shall then notify the members of the Council in the next regular meeting printed agenda that such a proposal has been received and forwarded to the Committee on Constitution and Bylaws in conformance with this section of the bylaws. This committee shall review the proposed amendment and may make recommendations. The proposed amendment and the action of the Committee on Constitution and Bylaws shall be distributed by the Secretary to the membership of the Council at least fifteen days prior to the meeting at which action is to be taken.

Procedure for adoption of bylaws. These bylaws shall be distributed at the March meeting of the Council, but no formal action may be taken at that meeting. At the following meeting or at a special meeting of the Council, the bylaws shall be proposed for adoption. A majority vote of the Council members present and voting shall be necessary for adoption of the bylaws.