

The Department of Counseling, Educational Psychology, and Special Education

College of Education, Michigan State University

DEPARTMENT BYLAWS

(Approved May 2023)

PREAMBLE

The Department is an administrative unit of the College of Education of the University. It offers graduate programs leading to the following degrees: M.A. in Counseling; M.A. in Educational Technology; Ph.D. in Educational Psychology and Educational Technology; Ph.D. in Measurement and Quantitative Methods; M.A. and Ph.D. in Rehabilitation Counseling; M.A., Ed.S. and Ph.D. in School Psychology; and M.A. and Ph.D. in Special Education. It also offers K-12 teaching endorsements in Special Education.

These Bylaws of the Department are adopted to meet the special needs and concerns of the faculty of the Department of Counseling, Educational Psychology, and Special Education, to facilitate communication within the Department and between the Department and other University agencies and personnel, and to enable and regulate the orderly participation of the members of the Department in meeting its responsibility for curriculum and other matters properly within the purview of the Department. They are intended to respond to the requirements of the *Bylaws for Academic Governance*, Michigan State University, and the *Bylaws of the Faculty of the College of Education*.

Upon adoption of these bylaws by the faculty of the Department, they shall take immediate effect, and shall supersede all existing Departmental policies, written or unwritten, that may be in conflict with these bylaws.

Article 1 - THE FACULTY OF THE DEPARTMENT

1.1 Composition of Department Faculty

- 1.1.1. The tenure-stream faculty of the Department shall consist of all persons in the Department who have been appointed under the rules of tenure and hold the rank of professor, associate professor, assistant professor, or instructor.
- 1.1.2. The fixed-term faculty of the Department shall consist of all persons in the Department holding the rank of professor, associate professor, assistant professor, or instructor but not appointed under the rules of tenure.
- 1.1.3. The academic specialist shall consist of all persons in the Department holding the rank of senior specialist or specialist.
- 1.1.4. Adjunct faculty shall consist of persons whose professional position, qualifications, and interests make some relationship with the Department desirable.
- 1.1.5. Honorary faculty will be those persons designated as visiting professors or professors emeriti in the Department.

1.2 Voting faculty

- 1.2.1. The voting faculty shall consist of all tenure-stream faculty and academic specialists in the continuing appointment system. Voting faculty shall also include full-time fixed-term faculty who have served at least three consecutive years in the Department and full-time academic specialists who have served at least three consecutive years in the Department. Voting faculty must be engaged in academic activities at the University.
- 1.2.2. Full-time shall be defined as a workload equal to or greater than a 0.9 full-time equivalent.

1.3 Faculty Representatives of the Department

- 1.3.1 Only faculty eligible to vote on matters internal to the Department (see Article 1.2) shall represent the faculty on elected or appointed committees of the Department.
- 1.3.2 Departmental representation to College governance bodies shall be determined by College Bylaws.
- 1.3.3 Departmental representation to University governance bodies shall be determined by University Bylaws.

1.4 Department Meetings

- 1.4.1 Department Meetings shall be open to all of the Department's tenure-stream faculty, fixed-term faculty, academic specialists, adjunct faculty, honorary faculty and support staff, except under the circumstances described in Article 1.4.7.
- 1.4.2 Regular meetings of the Department shall be held at least once during fall and spring semesters. Notice of the schedule of regular meetings shall be given in written form to everyone eligible to attend the meeting (see 1.4.1) by electronic mail.
- 1.4.3 The Department Chairperson shall preside over regular meetings. In the absence of the Chairperson, he/she shall appoint a substitute to chair the meeting.
- 1.4.4 Agenda and Minutes of meetings of the Department shall be distributed to everyone eligible to attend the meeting (see 1.4.1).
- 1.4.5 The presence (physical or electronic) of a majority of all voting faculty currently in residence within the Department shall constitute a quorum for the transaction of business at any ~~faculty meeting~~ Department Meeting. If a quorum is not present, issues requiring faculty vote shall be postponed until such time that a quorum can be gathered. For purposes of voting and establishing a quorum, electronic presence is defined by the ability to hear and participate in the meeting in real time.
- 1.4.6 With the exceptions of votes on bylaw amendments (see Article 6.3), on extending voting privileges to affiliate or adjunct faculty (see Article 3.1.2) or on decisions to close open meetings (see Article 1.4.7), all matters requiring faculty vote will be decided by a simple majority of the voting faculty in attendance at a regular meeting of the Department.
- 1.4.7 Meetings shall be closed to all but members of the voting faculty when discussions of an evaluative nature are scheduled in connection with recommendations for student selection, advancement, or placement; for faculty appointment, assignment, tenure, promotion, or salary, or for other matters that are exclusively of faculty concern, such as, but not restricted to, business of faculty committees. An open meeting may be adjourned to permit holding of a special closed meeting by the vote of two-thirds of the voting faculty present at such an open meeting.
- 1.4.8 Special meetings of the Department may be called by the Chairperson, by the Department Faculty Advisory Committee, or by five voting members of the Department faculty. Notice of special meetings or of changes in the regularly scheduled meetings shall be given to all faculty in written form at least one week in advance when possible. Such notice shall set forth the time and place of the meeting as well as the matters to be considered at the meeting.

Article 2 - DEPARTMENT ORGANIZATION

2.1 Department Chairperson

- 2.1.1 The Department Chairperson shall be appointed in accordance with College and University Bylaws and have such powers and responsibilities as set out therein. Matters regarding review of the Chairperson's performance and her/his reappointment are set forth in Section 2.1.4 of the University Bulletin, *Bylaws for Academic Governance*.
- 2.1.2 The Department Chairperson shall be responsible for the implementation of educational, research, and service functions of the Department. This responsibility pertains to matters of budget, course scheduling, physical facilities, and personnel (including the appointment of graduate assistants). In performing these duties, the Department Chairperson shall take into account advice given by all standing committees, program directors, the faculty, and the students of the Department.
- 2.1.3 The Department Chairperson shall be an ex officio member of all Department standing committees with voice but not vote.

2.2 Program Directors

- 2.2.1 Program Directors are faculty members who represent the department's degree-granting program areas and fill positions of responsibility with respect to program operations.
- 2.2.2 The Department Chairperson shall appoint Program Directors with appropriate load assignments and support.
- 2.2.3 The term of service for a Program Directors shall be mutually negotiated by the Program Directors and the Department Chairperson.
- 2.2.4 Temporary or permanent vacancies in a Program Director position, regardless of cause, shall be filled by a qualified faculty member appointed by the Department Chairperson.

2.3 Department Committee Structure

- 2.3.1 Standing and ad hoc committees of the Department shall be formed to facilitate the operation of the Department. Members on all standing committees shall be elected at large except as otherwise noted. Members on ad hoc committees and subcommittees shall be appointed by the Department Chairperson or, when appropriate, by the chairperson of a standing committee of the Department.
- 2.3.2 *Ad hoc committees* may be established by the Department Chairperson or by the chairperson of a standing committee to deal with one-time or recurring problems such as affirmative action, doctoral program quality review, grading standards, and bylaws revision.
- 2.3.3 The election of faculty members to serve on standing committees of the Department shall be supervised by the Faculty Advisory Committee and shall take place during spring semester each year.
- 2.3.4 The usual term of membership for each elected faculty member of a standing committee shall be two years commencing the fall semester following each spring election, with approximately half of the members of each committee elected each year.
- 2.3.5 A temporary or permanent vacancy involving a Department faculty member of any standing committee of the Department or College, for any cause such as illness, sabbatical leave, or conflicting assignment, shall be filled by a qualified faculty member who is appointed to the position for an appropriate period by the Department Faculty Advisory Committee.

- 2.3.6 Following spring semester elections, each standing committee shall elect a chairperson from its voting faculty members.
- 2.3.7 The presence (physical or electronic) of a majority of all voting faculty members of any standing or ad hoc committee of the Department shall constitute a quorum for the transaction of business at any committee meeting. Unless otherwise specified, a simple majority of votes cast by those present shall provide approval or disapproval of any proposal. For purposes of voting and establishing a quorum, electronic presence is defined by the ability to hear and participate in the meeting in real time. In cases where discussion is not required, committees may elect to vote asynchronously (by email or telephone).
- 2.3.8 Meetings of the Department committees or other faculty groups may be closed to other than their members at any time for the purposes of study, discussion, and formulation of recommendations to the Department faculty.

2.4 Standing Committees of the Department. The standing committees of the Department shall include, but not be limited to, the following:

2.4.1 Faculty Advisory Committee

- 2.4.1.1 The Faculty Advisory Committee (FAC) shall consist of one tenured faculty representative from each program area (EPET, MQM, REHAB, SPED, SP), elected by their respective program faculty. Programs may not opt out of electing a faculty representative.
- 2.4.1.2 The Faculty Advisory Committee shall assist and advise the Department Chairperson with respect to Department policies and practices. The Committee shall advise the Department Chairperson on any matter brought to the Committee by the Chairperson. The Committee may consult with the Chairperson on any matter related to the general welfare of the Department.
- 2.4.1.3 The agenda for Faculty Advisory Committee meetings shall be prepared by the Faculty Advisory Committee Chairperson in consultation with the Department Chairperson. Agenda items may originate with any member of the faculty.
- 2.4.1.4 The Committee shall set up nominating and voting procedures for Department standing committees and for Department representatives to College committees. The Committee shall fill, by appointment, vacancies involving Department faculty members on standing committees of the Department, College, or University (if requested by those committees).
- 2.4.1.5 The Committee shall serve in an advisory capacity to the Department Chairperson regarding recognition of faculty and student achievement.

2.4.2 Personnel Committee

- 2.4.2.1 The Personnel Committee shall consist of one tenured faculty representative from each program area (EPET, MQM, REHAB, SPED, SP), at least one of which must be a full professor. Program representatives on the Personnel Committee shall be elected by their respective program faculty. If a program opts out of electing a faculty representative, then the position may be filled by any tenured CEPSE faculty member elected at large.
- 2.4.2.2 In consultation with the Personnel Committee, the Department Chairperson may also appoint one or more pre-tenure assistant professors to serve on the committee, with the goal of every pre-tenure faculty member having the opportunity to serve on the Personnel Committee at least one year before going up for tenure and promotion. Pre-tenure committee members will participate fully in the annual review process but do not vote on reappointment, promotion and tenure cases.

- 2.4.2.3 Any Personnel Committee member who is applying for promotion to full professor in the spring prior to their year of service cannot serve that year. In accordance with bylaw 2.3.5, in the event of a vacancy on the personnel committee, a qualified faculty member will be appointed to the position for an appropriate period by the Department Faculty Advisory Committee.
- 2.4.2.4 The Committee shall provide evaluative ratings to the Department Chairperson regarding annual individual faculty productivity. Ratings by the Personnel Committee are advisory to the Chairperson for consideration in annual merit salary adjustments (see Article 3.3).
- 2.4.2.5 The Committee shall review cases of faculty concerns regarding personnel policies or actions and shall make appropriate recommendations.

2.4.3 Curriculum Committee

- 2.4.3.1 The Curriculum Committee shall consist of the two elected departmental representatives to the College Curriculum Committee.
- 2.4.3.2 The Committee may invite program coordinators, as well as other faculty members, to work with and inform the Committee about curriculum issues.
- 2.4.3.3 Proposals for the development, elimination, or modification of courses, course sequences, or program emphases shall be reviewed and acted upon by the Committee and the Department Chairperson prior to action by the College Curriculum Committee. Curriculum matters with significant import shall be reported to the Department faculty for action prior to submission to the College Curriculum Committee.
- 2.3.4.4 Curriculum matters that impinge on other departments within the College will be referred, with recommendations, to the Chairperson of the other department and/or to the appropriate policy committees, e.g., the College Curriculum Committee.

2.4.4 Mentoring Committee

- 2.4.4.1 The Mentoring Committee (MC) shall consist of 2-3 tenured faculty appointed by the Chair, in consultation with the FAC, from tenured faculty not currently serving on the Personnel Committee. At least two committee members shall be full professors, and all members shall serve three-year terms. Appointed members to the MC must have served on the CEPSE Personnel Committee or College RPT Committee, with preference given to faculty who have served on the College RPT Committee. If a member of the Mentoring Committee were elected to the Personnel Committee during their three-year term, the Chair would then appoint a replacement on the Mentoring Committee.
- 2.4.4.2 The MC shall be focused on faculty development, with its role being to guide, inform, and help pre-tenure and early-career (e.g., associate professor) tenure-stream faculty members in CEPSE to navigate the various milestones in the reappointment, promotion and tenure system.
- 2.4.4.3 The MC shall meet with all pre-tenure assistant professors in CEPSE a minimum of three times per year including, but not limited to, the beginning of each academic year, in preparation for annual review, after receiving feedback from the Chair (e.g., about annual review), and when preparing for materials for re-appointment, promotion, and/or tenure. When requested, the MC shall also meet with tenured associate professors in CEPSE.

2.4.5 Fixed-Term Faculty and Academic Staff Review Committee

- 2.4.5.1 The fixed-term faculty and academic staff (FTFAS) Review Committee shall advise the Department Chairperson regarding reappointment and the annual evaluation of fixed-term faculty and academic staff.

- 2.4.5.2 The committee shall consist of up to seven members of the fixed-term faculty and academic staff, and one ex-officio member from the tenure-stream faculty with tenure. Five members shall be elected by the fixed-term faculty and academic staff. In order to be eligible to serve on the committee, fixed-term faculty and academic staff must have an appointment of 50% or higher during the current academic year. The ex-officio member shall be elected at large.
- 2.4.5.3 Annually, the Department Chairperson, in consultation with the FAC, shall appoint up to two eligible FTFAS Committee members to promote broad representation on the committee. All fixed-term faculty and academic staff with an appointment during the current academic year are eligible to vote in the election of committee members.
- 2.4.5.4 Each elected committee member shall serve a single two-year term subject to having an appointment with the department, with at least two positions elected annually. Each appointed member shall serve a one-year term.
- 2.4.5.5 All fixed-term faculty and academic staff must complete the annual review process as specified by the FTFAS Committee. A fixed-term faculty or academic staff employee may not be re-appointed without completing the FTFAS Committee review process.
- 2.4.5.5.1 When advising the Chairperson regarding policies for recommendations for reappointment and annual evaluations of performance, all FTFAS Committee members (except the ex-officio member) will have voting privileges.
- 2.4.5.5.2 FTFAS Committee members shall not participate in evaluations of their own performance or recommendation for re-appointment. Members will be expected to recuse themselves from any discussions in which they have a conflict of interest, including cases where a committee member is a supervisor of the employee being reviewed.

2.4.6 Student Advisory Committee

- 2.4.6.1 The Student Advisory Committee (SAC) shall consist of at least one student representative from each program area (EPET, MQM, REHAB, SPED, SP), elected by their respective areas. Program areas may not opt out of electing a student representative but have discretion to decide how many student representatives represent their respective degrees (BA, MA, PhD).
- 2.4.6.2 The SAC shall assist and advise the Department Chairperson with respect to department policies, practices, and students' general welfare.
- 2.4.6.3 The SAC shall meet at least twice per semester with the Department Chairperson, with a third meeting scheduled in case needed.
- 2.4.6.4 A temporary or permanent vacancy involving a SAC representative shall be filled by a qualified student appointed to the position by their respective program area (EPET, MQM, Rehab, Sch Psych, SPED).

2.4.7 Fixed Term Faculty and Academic Staff Advisory Committee

- 2.4.7.1 The Fixed Term Faculty and Academic Staff Advisory Committee (FTFASAC) shall consist of one FTFAS representative from each program area where possible (EPET, MQM, Rehab, SPED, School Psych), elected by their respective program faculty. To be eligible to serve on the committee, FTFAS must have an appointment of 50% or higher during the current academic year. Programs may not opt out of electing an FTFASAC representative unless they do not have any FTFAS within their program.

- 2.4.7.2 A temporary or permanent vacancy involving a FTFASAC representative shall be filled by a qualified FTFAS appointed to the position by their respective program area (EPET, MQM, Rehab, School Psych, SPED).
- 2.4.7.3 The CEPSE FTFASAC shall assist and advise the Department Chairperson with respect to department policies, practices, and general welfare, particularly as related to issues around FTFAS.
- 2.4.7.4 The CEPSE FTFASAC shall meet at least once per semester with the Department Chairperson, with the option of scheduling additional meetings each semester as needed.
- 2.4.7.5 Each member of the FTFASAC shall have 5% service as part of their contract. This percentage assumes membership on the FTFASAC Committee constitutes a "typically intensive" level of service and that the percentage would increase commensurate with any increases in expectations of the FTFASAC Committee.

Article 3 - APPOINTMENT, EVALUATION, TENURE, AND PROMOTION OF FACULTY

3.1 Appointment of Faculty

- 3.1.1 Tenure-stream and full-time fixed term appointments.
 - 3.1.1.1 The Department policies and procedures shall be in accordance with the University *Faculty Handbook*, the *Handbook for Faculty Searches with Special Reference to Affirmative Action*, and subsequent revisions of these documents.
 - 3.1.1.2 A search committee established in accordance with university procedures shall give the Department Chairperson its recommendations and a ranking of candidates for campus visitations.
 - 3.1.1.3 The search committee shall consult with the Department Chairperson to arrange a list of invitees and visitation schedules.
 - 3.1.1.4 Visitation schedules shall include visits with faculty members in the interest area, the Personnel Committee, administrators, and students. A public presentation for faculty and students may be included.
 - 3.1.1.5 The search committee shall seek evaluations from all those meeting with the candidates.
 - 3.1.1.6 The search committee shall submit its recommendation in the form of a written report to the Department Chairperson.
 - 3.1.1.7 The Chairperson shall submit his or her recommendation, and the report of the search committee, to the Dean.
- 3.1.2 Affiliate and Adjunct faculty membership may be granted by recommendation by a majority vote of the faculty present at a regular meeting of the Department.
- 3.1.3 Part-time fixed term appointments of one academic year or less shall be made by the Department Chairperson.

3.2 Reappointment, Promotion, and Tenure Action

- 3.2.1 Department policies and procedures for reappointment, promotion, and tenure action shall be in accordance with the University *Faculty Handbook* and the *College of Education Procedures for Reappointment, Promotion and Tenure Review*.
- 3.2.2 Departmental representatives to the College Reappointment, Promotion and Tenure (RPT) Committee must be tenured full professors.

- 3.2.3 The Department Personnel Committee shall review the materials submitted by faculty members seeking reappointment, promotion, or tenure, and make recommendations regarding individual candidates to a meeting of the Department's full professors.
- 3.2.4 The full and associate professors' recommendations for reappointment and tenure shall be determined by a majority vote of the full and associate professors present (physical or remote) at the meeting. For purposes of voting, electronic presence is defined as engaging in the meeting in real time.
- 3.2.5 The full professors' recommendations for promotion to full professor shall be determined by a majority vote of the full professors present (physical or remote) at the meeting. For purposes of voting, electronic presence is defined by engaging in the meeting in real time.
- 3.2.6 The recommendations of the voters and the Personnel Committee shall be transmitted to the Department Chairperson for use in the judgments required by College and University policy.

3.3 Salary Increase Recommendations

- 3.3.1 During spring semester each year, each faculty member shall submit to the Department Chairperson evidence of performance and merit in the broad areas of teaching, research, and service. These materials shall be reviewed by the Personnel Committee as described in Article 2.4.2.2.
- 3.3.3 The Department Chairperson shall review the recommendations of the Personnel Committee, as well as materials submitted or solicited, interview faculty if necessary, and rate each faculty member's performance for salary purposes.
- 3.3.4 The Department Chairperson shall present his or her ratings of each faculty member to that member and shall forward the ratings to the College administration.
- 3.3.5 The Department Chairperson with the Personnel Committee shall provide specific written feedback concerning the strengths and weaknesses of their work to all assistant professors, to faculty whose ratings lie below the mean in all areas, and to individual faculty who request it.

Article 4 - GRIEVANCE PROCEDURES

- 4.1 The Faculty Grievance procedure shall be handled in accordance with the University document *Model Academic Unit Grievance Procedure*.
- 4.2 Student grievances shall be handled in accordance with the University documents entitled *Academic Freedom for Students at Michigan State University* and *Graduate Students Rights and Responsibilities* or subsequent revisions of these documents.

Article 5 - BYLAW AMENDMENT AND REVIEW

- 5.1 Recommended changes to the bylaws may be proposed by any of the Department's voting faculty, standing committees, or ad hoc committees for consideration and discussion at a regular meeting of the Department.
- 5.2 Following an open discussion of the recommended change(s), a formal proposal for a bylaw amendment may be subjected to a full faculty vote or referred to an appropriate committee for further study and recommendation.
- 5.3 To become an amendment to the bylaws, a formal proposal requires a two-thirds majority vote of the faculty present at a regular meeting of the Department.

- 5.4 Faculty approved amendments to the bylaws shall be published in the minutes of the regular Department meeting and, unless otherwise specified, shall take effect immediately. Copies of the approved amendment(s) shall also be distributed to each faculty member for attachment to this document.