BYLAWS

I. Meetings

1) A quorum at a meeting is achieved when one-third of the Voting Faculty are present at the meeting. A motion or resolution concerning business not on the agenda shall be voted on at a meeting only if a majority of the Voting Faculty are present or if unanimous consent is secured.

2) Faculty members who received less than 30 per cent of their salary from the Department shall not be counted among the Voting Faculty in the determination of what constitutes a quorum, nor in the determination of the number required for a majority vote of the Voting Faculty.

3) The parliamentary procedures at Department meetings shall be those given by Robert's Rules, except where the latter contradict the present Constitution or Bylaws.

II. Executive Committee Procedure

1) The Executive Committee shall encourage individual members of the faculty or liaison representatives to act as resource persons for meetings of the Committee, and shall accept petitions in person by members of the faculty. It may also proceed to discuss matters of general policy in sessions open to faculty observers and other observers designated by the Committee. The policy agenda of Executive Committee meetings shall be available in advance to the faculty and liaison representatives.

2) The Executive Committee shall distribute after each of its meetings a report to the Faculty and liaison representatives giving appropriately full information concerning the Committee's deliberations. Matters of a personal nature need not be disclosed.

III. Election to the Executive Committee

1) It is intended that the nomination and the elections to the Executive Committee shall be made so as to yield an Executive Committee which has regard for all the interests of the Department.

2) All nominations to the positions shall be made in advance of the election meeting, in writing, and indicating acceptance by the nominee, and signed by three members of the Voting Faculty. The Chairman shall keep the Faculty informed concerning the status of nominations. Nominations will be accepted up to two class days before the meeting.

3) The members of the Executive Committee shall be elected consecutively. Eligible faculty off campus may choose to participate in the election of members to the Executive Committee. They may do so by designating any voting member of the voting faculty as their proxy. The proxy must then be present and inform the election marshalls of their proxy role at the time of the meeting. Balloting for a single position shall take place as follows: Each voter shall list
his/her choices of nominated candidates in order of preference. The ballots are then collected and counted as follows: Each candidate is assigned all ballots in which that candidate is first choice. If one candidate has a majority of the ballots that candidate wins. If not, the candidate with the fewest number of ballots is eliminated. (In case two or more candidates are tied for fewest, the tie shall be broken by counting the second place votes on all the ballots and the tied candidates with the fewest shall be eliminated. If there is still a tie a random method shall be used to break this second tie.) The eliminated candidate's ballots are redistributed among the remaining candidates according to the next preference shown on the ballots. This process is continued until one candidate has a majority.

4) If a position on the Executive Committee becomes vacant with at least a term left in the academic year, a special election shall be held to fill the vacancy. If less than a term remains, the Chairman shall appoint a Faculty member to fill the vacancy.

IV. Area Membership and Area Committees

Membership to an area shall be open to each member of the Faculty as each member chooses. The members of an area shall determine the composition of their area committees. The Chairman of area committees are selected in accordance with the Constitution, Article VIII, 4).

V. Policy on Appointments, Reappointments, and Notice of Termination

1) Any new appointment to a tenured position, whether external or by internal promotion, and any regular (as opposed to visiting) external appointment to the rank of Associate Professor or Professor, whether with tenure or not, must be approved by a vote of the tenured faculty. A new appointment to the rank of Professor shall require, in addition, approval by a vote of the tenured Professors. Promotion of a tenured faculty member to the rank of Professor requires only approval by a vote of the tenured Professors.

2) Any reappointment to a position that is not definitely terminal shall require a vote of the tenured faculty. Any decision not to renew an appointment which is tenure-track or for which a tenure review has been promised shall require a vote of the tenured faculty.

3) A new appointment to a tenure-track non-tenured position requires, at the discretion of the Chairman and Executive Committee, either approval by a vote of the tenured faculty or approval by the Tenure Track Committee.1

4) All other decisions on appointments, reappointments, and renewals are delegated to the Executive Committee.

5) The next four paragraphs define what is to be construed as "approval". In votes of the tenured faculty the eligible voters are all tenured faculty of the Mathematics Department. In cases where the vote is to be taken by the tenured Professors, the eligible voters are those tenured faculty of the Mathematics Department who hold the rank of Professor. Both in the case of the votes of the tenured faculty and in the case of votes of the tenured Professors, votes of eligible off-campus faculty by telephone, e-mail, FAX, etc. will be accepted upon request of the faculty
member. It is the responsibility of the absent faculty members to keep informed of the circumstances in the case and to communicate their votes within the normal deadline for voting.

6) The Chair and Executive Committee are charged with presenting each case requiring a vote to the appropriate eligible voters. The presentation shall include a thorough discussion of positive and negative aspects of the case. This discussion should address the research, teaching, and service of the candidate. Ordinarily, the Executive Committee will make a recommendation for action.

7) In order for a vote on appointment or reappointment to constitute approval, at least two-thirds of those who vote and a majority of those faculty who are either eligible voters on campus or who are eligible voters off campus and actually vote must vote in favor of the appointment or reappointment. A recommendation to terminate is approved if a majority of those voting favor termination.

If a recommendation for appointment or reappointment is opposed by a majority of those voting, then the Chair and the Executive Committee may choose to regard termination as approved (or appointment as disapproved). However, they may ask for reconsideration of the case at another meeting. Analogous rules apply to cases where action by the tenured Professors is needed.

8) In cases of reappointment or promotion to tenure in which the vote is not sufficient either for approval of reappointment nor for approval of termination, the Chair and Executive Committee are charged with reconsidering the case and bringing it, with the same or with a revised recommendation, to a second meeting of the tenured faculty. After the second meeting, approval of reappointment by two-thirds of those voting and a majority of those faculty who are either eligible voters on campus or who are eligible voters off campus and actually vote shall be required. Any second vote which fails to achieve approval of reappointment should be construed as a vote approving termination. Analogous rules apply to situations where action by the tenured Professors is needed.

9) Tenure decisions shall ordinarily be made during the sixth year following receipt of the doctoral degree or earlier. Exceptions may be made at the discretion of the Executive Committee, but the decision to make such exceptions must be made at least a year prior to when the tenure decision would ordinarily have been made. Each faculty member shall be given a copy of this policy at the time that person is appointed. In addition, each appointee to a non-terminal, non-tenured position shall receive, at the time of the appointment, a written statement from the Chair concerning when the tenure decision or reappointment decision will be made for that person.

10) University rules on tenure and notice of termination also apply and may legally supersede any recommendations of the Executive Committee or faculty.

11) Notice of non-reappointment should be given in writing in accord with the following standards:
a) In the case of terminal appointments with a fixed term of two to four years, e.g., in the case of three year terminal appointments, there is to be a reminder that the appointment is terminal in August preceding the last academic year of the appointment.

b) In other cases the following rules apply:

(i) Notice should be given not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

(ii) Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.

(iii) At least twelve months before the expiration of an appointment after two or more years in the institution.