
FACULTY HANDBOOK

NJIT

New Jersey Institute of Technology

October 2007

APPENDIX A: Bylaws of the Faculty Council of New Jersey Institute of Technology

A.1 Article I: Purposes

The administration of the New Jersey Institute of Technology is vested in the Board of Trustees of the Institute and is carried out by its officers, who are appointed by the Trustees. However, certain powers and responsibilities in the areas of curriculum, academic standards, and discipline appertain to the faculty (teaching staff of professorial rank). In addition, the entire teaching staff has a vital interest in policies relating to conditions of employment, promotion, and professional development of the faculty, collectively and individually.

A Faculty Council was established at Newark College of Engineering during the academic year 1965-1966, in response to a perceived need for increased Faculty participation in all aspects of NCE activity. This perception defines the mission of the Council: to make the spirit of the faculty felt and its voice heard on all matters of concern to the NJIT community. In particular, the Faculty Council is committed to facilitating communication among the Faculty, administration, and Trustees; to enhancing Faculty governance; and to promoting the harmonious, efficient, and educationally effective operation of the Institute.

A.2 Article II: Functions

The Faculty Council shall speak for and represent the Faculty and instructing staff at NJIT in academic matters as well as in other areas of traditional Faculty interest. The Council shall exercise, in the areas of its responsibility, the power to:

- Communicate
- Initiate
- Investigate
- Deliberate
- Recommend

Good **communication** is essential for attaining a high degree of cooperation between the officers of the Institute and the Faculty and attaining excellence by collective action.

Furthermore, free discussion and exchange of ideas is an inherent function of any university faculty. The Faculty Council, committed to facilitating communication among the Faculty, the administration, and Trustees, will solicit contributions to the matters within its purview from the entire Institute community, communicate the results of its deliberations to the entire Institute community, and provide forums for oral and written communication to the Faculty.

The Faculty Council will **initiate** Faculty and Institute action by focusing attention on specific areas of the University environment, contributing appropriate proposals for those areas, and advocating its ideas among members of the Faculty, students past and present, NJIT officers, and the Board of Trustees.

The **investigative function** will be exercised whenever the Council must gather, on behalf of the Faculty, the pertinent facts bearing on problems in the domain of the Faculty's responsibility and concern.

Deliberation is an exhaustive discussion of issues, facts, and consideration of alternatives. This function is inseparable from the Faculty Council's existence and will be exercised by the Council in its quest to clarify problems and propose appropriate solutions.

Recommendations may be made directly to one or more of the following: the faculty, the instructing staff, the President, the Board of Trustees, or any person, duly constituted committee, or other academic body of the Institute. In matters falling within the scope of an existing Institute committee, the Council shall also present its recommendations to that committee.

A.2.1 Section 1: Limited Authority of the Faculty Council

The Faculty Council must obtain prior consent for any act of Council to be binding on the Faculty of NJIT. "Prior consent" means a resolution for the specific act must have been approved by a vote of the Faculty of NJIT.

A.2.2 Section 2: Special Duties and Powers of the Faculty Council

- The Council shall originate ideas and act as a clearing house for the ideas and suggestions of others, especially members of the Faculty.
- The Council shall stand ready to function as a special committee of the Faculty.
- The Council shall assist in improving cooperation at all levels throughout the Institute. In discharging this duty, the Council may act as a liaison between NJIT officers and Faculty as a whole or individually. It shall encourage other constituents of the Institute to present their views to the Council in writing, by interview, or by invited appearance.
- At its discretion, the Council may call meetings which are open to the entire faculty.

A.3 Article III: Council Organization

A.3.1 Section 1: Composition

- The size of the Faculty Council shall be determined by the number of existing academic Departments. Each Department of the University shall elect one member to the Council. The term "Department" currently refers to the following divisions.
 - School of Architecture
 - Department of Chemical Engineering
 - Department of Chemistry and Environmental Science
 - Department of Civil and Environmental Engineering
 - Department of Computer Science
 - Department of Information Science
 - Department of Biomedical Engineering

- Department of Electrical & Computer Engineering
- Department of Engineering Technology
- Department of Federated History
- Department of Humanities & Social Science
- School of Management
- Department of Mathematical Science
- Department of Mechanical
- Department of Industrial & Manufacturing Engineering
- Department of Physics
- The immediate past Chairperson of the Council may attend Council meetings and exercise all membership privileges, except the right to vote.

A.3.2 Section 2: Officers

The officers of the Council shall consist of a Chairperson and a Vice-Chairperson (Chairperson-Elect).

A.4 Article IV: Council Membership

A.4.1 Section 1: Term of Faculty Council Members

- Faculty Council members are elected to their positions. Their term of office is three years beginning on September 1st.
- In the event that academic Departments are changed or combined, their elected Faculty Council members shall complete the terms to which they were elected.
- Terms shall be arranged so that approximately one-third of the membership changes each year. The Faculty Council is empowered to alter terms of members to reestablish this condition if the need arises.

A.4.2 Section 2: Eligible Faculty

All Faculty of professorial rank holding full-time teaching appointments in academic Departments of the Institute (with the exception of Department Chairpersons and members of the Executive Committee) and employed by the Institute for a minimum of five years at the time of election, are eligible for Council membership. These requirements do not apply to the Department of Aerospace Studies, to Departments with only one member, or to new Departments during the first five years after their formation.

A.4.3 Section 3: Succession

Elected members of the Faculty Council may not succeed themselves if they have served more than one calendar year on the Council. Former members shall be eligible for additional terms, provided that there is a lapse of at least one year between their terms of office.

A.4.4 Section 4: Temporary Substitute for a Council Member

In order to provide continuity, a Council member temporarily unable to serve may name an eligible Departmental substitute, who will serve for a maximum of six months during the regular member's absence from the Council.

A.5 Article V: Election of Council Members

A.5.1 Section 1: Voting Faculty

All Faculty of professorial rank holding full-time teaching appointments in academic Departments of the Institute are eligible to vote in their Department's elections for Council members.

A.5.2 Section 2: Timely Election of Council Members

- Before the end of the academic year in which the normal term of office of a Council member will end, the Department concerned shall elect a successor who will take office on September 1st, following the election. The same shall apply to those exceptional terms of office described in A.6.2.
- When, for any reason, the Council member from an academic Department does not complete his/her term, the affected Department shall elect a replacement for the unexpired portion of the term without delay.

A.5.3 Section 3: Conduct of Elections

- The election of Council members may be held at any meeting of the Department, or at a special meeting called for that purpose by the incumbent Council member of the Department. All such elections require a notice of ten working days.
- The incumbent Council member of the Department shall conduct the election of his/her successor. If such a member is not available, the Chairperson of the Council shall name another member of the Department to conduct the election.

A.5.4 Section 4: Department Decision to Change Its Faculty Council Member

- An academic Department may change its elected Faculty Council member, provided that he/she is not a Council officer. Faculty Council officers cannot be removed from Council membership or from office except by the Faculty Council according to these bylaws.
- A Department may change its elected Faculty Council member by a two-thirds vote of the eligible voting constituency at a regular meeting, or at a duly convened special meeting. Ten working days previous notice of the proposed election is required.
- If a change is approved by the Department, it shall proceed without delay to fill the unexpired term according to the provisions of A.5.1, A.5.2 and A.5.3 above.
- Following the election, the Department Chairperson shall send written notification to the Council confirming the results of the election.

A.5.5 Section 5: Duties of Council Members

- Foremost among the duties of its members is to initiate individually, and with their colleagues, contributions to the Council's mission and functions as set forth in these bylaws.
- It shall be understood that Council members represent the interests of the Faculty as a whole, not only those of their respective Departments.
- Faculty Council members are expected to maintain a rapport with Faculty at all levels and to present to the Council the ideas, opinions, and suggestions of the Faculty and instructing staff.
- Council members shall be particularly sensitive to the welfare and concerns of non-tenured faculty, especially those within their own academic Department. Council members shall promptly present such concerns to the Council for consideration.
- Members shall attend all meetings of the Faculty Council and are expected to keep the Faculty informed at all times of the business of the Council.

A.6 Article VI: Faculty Council Officers

A.6.1 Section 1: Election of Council Officers

- Each year the Council shall elect one of its members as the next Vice-Chairperson (Chairperson Elect). The Vice-Chairperson shall be elected by the affirmative vote of a majority of the Faculty Council membership. Such election shall take place at a duly convened election meeting, or at a Council meeting for which previous notice of such election has been given. The election shall be held near the end of the academic year.
- On the first day of September following the expiration of the Chairperson's term, the Vice-Chairperson shall accede to the position of Chairperson.

A.6.2 Section 2: Terms of Office

- The term of office of the Chairperson of the Faculty Council is one year beginning on September 1st.
- The term of office of the Vice-Chairperson of the Faculty Council is one year beginning on September 1st.
- In the event that a member with only one year remaining to be served on the Council should be chosen Vice-Chairperson-Elect, his/her term shall automatically be extended to encompass the one-year period as Chairperson. The election of a successor, which would normally take place in accordance with [A.5.2](#), shall not take place. Instead, an election shall be held one year later, at which time a successor shall be elected for a term of two years only. The two-year term will reestablish the election calendar.
- Should a vacancy occur, the Council can fill the unexpired term by electing a new officer. The election procedure specified in [A.6.1](#) above shall be used.

A.6.3 Section 3: Duties of Faculty Council Officers

- The Chairperson shall prepare the agenda for Council meetings, call Council meetings, and be the presiding officer at meetings. The Chairperson may vote on any issue before the Council.
- The Chairperson shall appoint, or recommend for appointment, Council members to standing and special committees according to these bylaws with due regard to Council needs and individual preferences. The Chairperson and Vice-Chairperson shall be members *ex-officio* of all Faculty Council committees.
- The Chairperson or Vice-Chairperson shall represent the Council at CAA and other Institute activities as directed by the Council, make timely reports to the Council on all Institute proceedings and issues, and perform other duties appropriate to their offices.
- The Chairperson shall present to the Council an annual report containing assessments of the implementation of its mission (Articles I through IIB of these bylaws), the effectiveness of all facets of Council activities, including the activities of the Council's committees, and citing areas to which the Faculty Council should direct its efforts.
- The Vice-Chairperson shall have all the duties and responsibilities of a Council member. He/she shall share the responsibility of executing Council tasks as assigned by the Chairperson and shall be involved and/or become familiar with all aspects of the Council's functions and activities. He/she shall perform all duties of the Chairperson in the latter's absence, including the signing of Council documents.
- The Vice-Chairperson shall be present during all meetings or discussions engaged in by the Chairperson with the President or Provost of NJIT, and during meetings on official Faculty Council business as determined by the Council. In the event that the Vice-Chairperson cannot be present, the Council shall direct another member to accompany the Chairperson.
- All Council related actions taken and formal communications made by any officer of the Faculty Council shall reflect the considered opinion of the Council.

A.6.4 Section 4: Removal of Faculty Council Officers

The Council may remove any of its officers by a two-thirds majority vote of the members present at a regular meeting. The voting shall be done by secret ballot. Notification of a request for removal must be made by petition to the Council by at least five elected members. The petition for a hearing and a vote for removal must be acted upon at the first regularly scheduled Council meeting after ten working days following the initial notification.

A.6A Article VIA: Secretary of the Faculty Council

A.6A.1 Responsibilities of the Secretary

The Secretary of the Faculty Council shall be responsible for tabulating votes taken during Council meetings, preparing accurate minutes of such meetings and distributing the minutes to Council members within one week after each Council meeting, maintaining the complete collection of the official records of Council meetings (approved minutes), and maintaining membership records and records of other Faculty Council matters as requested by the Council.

A.6A.2 Election and Duration of Service

The Secretary may be elected by the Council or appointed by the Chairperson, and shall serve a term of one year.

A.7 Article VII: Meetings

A.7.1 Section 1: Regular Meetings

The Council shall normally meet once per week during the academic year. The first meeting of the Council in any academic year shall be held during the month of September. An election meeting shall be held near the end of the academic year.

A.7.2 Section 2: Special Meetings

Additional meetings shall be held as determined by the Chairperson or by consensus of the Council. Upon the written request of one-third or more members, the Chairperson shall call a special meeting of the Council on the subject of the petitioners' interest.

A.7.3 Section 3: Quorum

The quorum for meetings of the Faculty Council is a majority of its voting membership.

A.7.4 Section 4: Rules of Order

- The rules contained in the current edition of [Robert's Rules of Order Newly Revised](#) shall be followed at Faculty Council meetings in all cases to which they apply, provided they are consistent with these bylaws and any special rules the Council may adopt.
- The Faculty Council generally meets as a committee of the whole for the purpose of permitting unlimited discussion of a subject without requiring its introduction by a formal motion.

A.8 Article VIII Committees

A.8.1 Section 1: Authority to Form a Committee System

- The Faculty Council is responsible for overseeing many diverse areas on behalf of the Faculty, as well as special areas that it must study and for which it must

prepare resolutions for consideration by the Faculty. By dividing responsibilities among its members, the Council can operate with greater freedom and accomplish a greater quantity of business than could be accomplished if the whole Council devoted itself to each subject from the preliminary through final steps.

To better carry out its commitment to serve the Faculty and the Institute, the Faculty Council shall create a system of Standing Committees. It is also authorized to form additional committees as required. Faculty who are not Council members may serve on committees along with Council members and make significant contributions to the Faculty Council's service to the Faculty and the Institute.

- Committees shall be created, or retired, as set forth in the current edition of [Robert's Rules of Order Newly Revised](#).

A description of each Standing Committee, setting forth the committee name, area of responsibility, and charge shall be attached to, and considered a part of, these bylaws.

A.8.2 Section 2: Committee Membership

- Committee members shall be elected by the Council, or appointed by the Chairperson acting at the direction of the Council, as set forth in the current edition of [Robert's Rules of Order Newly Revised](#). However, a majority vote of the Faculty Council is required to appoint a non-Council member to one of its committees.
- Members of Standing Committees shall be chosen to include Faculty with a strong interest or experience in matters in the province of the committee.
- In addition to membership in the committee of the whole, every Faculty Council member shall be a member at least one Standing Committee.

A.9 Article IX: Amendments

All amendments to these bylaws shall originate with the members of the Faculty. Proposed amendments shall require the approval of the Council by a two-thirds vote of its elected membership in order to be placed before the Faculty for deliberation and ratification. Such ratification shall require a simple majority of the Faculty voting on the amendment. The vote may be taken at a duly constituted meeting of the Faculty, or by mail balloting supervised by the Faculty Council.