

**BY-LAWS OF THE  
COLLEGE OF AGRICULTURE AND NATURAL RESOURCES  
UNIVERSITY OF DELAWARE<sup>1</sup>**

I. General Authorities of Members of the College

A. Source of Powers. All matters relating to the educational and administrative affairs of the College of Agriculture and Natural Resources (CANR), and consistent with the University Charter, the Trustee By-laws, and the University Faculty Constitution and By-laws, heretofore and hereafter adopted or established, are committed to the College membership for the purposes of governing the College.

B. Authority of College Faculty.

1. The College Faculty exercises control over all CANR degree programs and curricula. It shall (1) provide for the establishment and deletion of curricula and courses; (2) formulate educational and academic standards for the College; (3) determine the College requirements for degrees and recommend candidates for diplomas, degrees and certificates; (4) recommend to the Dean or Faculty Senate for appropriate action the educational and academic policies relating to the administration of university services (e.g., university library, computing center, etc.) as they pertain to the College; (5) adopt regulations governing its own procedures; and (6) make recommendations for conduct of formal exercises and public functions held under the auspices of the College.
2. The College Faculty has the privilege to consider and make recommendations for appropriate actions to the Dean upon (1) matters of general interest to the College and (2) policies governing appointments, promotions, tenure, dismissals, and salaries.
3. The College Faculty is responsible for the nature and the quality of the College's instructional, research, and service programs.
4. While responsibility for acting for the faculty may be delegated to standing and/or *ad hoc* committees of the College, the Faculty retains the right to review all such actions and to re-consider them. A petition signed by fifteen percent of voting faculty members will suffice to bring any action taken by a College committee or council on topics within the purview of faculty authority to the full faculty at its next meeting, or at a special meeting. (Note: Actions of the College Promotion and Tenure Committee pertaining to individual cases of promotion and/or tenure are exempted from this "right of reconsideration" rule.)

C. Authority of Cooperative Extension Directors, Professionals, and non-faculty Specialists.

The College Cooperative Extension Directors, Professionals and non-faculty Specialists shall: (1) advise on the development and adoption of policies and programs in Cooperative Extension, the College and University that further the interests of the College mission; (2) represent the positions and views of Cooperative Extension on significant College and University issues; and (3) develop forums and procedures to aid in the discussion of issues of concern to Cooperative Extension.

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<sup>1</sup> Approved by the voting membership of the College of Agriculture and Natural Resources, November 12, 2020

D. Authority of Exempt and Non-Exempt Staff<sup>2</sup>:

The district representative for Exempt Staff who reports to a University-wide council (ACES) shall represent both exempt and non-exempt college staff and bring forth to the dean of the college any matters of concern.

E. Authority of Students.

All full- and part-time students, graduate and undergraduate, who are matriculated in a College-based academic program, are members of the College. Students do not vote on matters of College policy or procedure but advise and recommend action via liaisons to student organizations linked to the College.

F. Authority of Variable Hour Employees.

Personnel that hold temporary, part-time positions and are not benefitted are members of the College. Variable Hour Employees do not vote on matters of College policy or procedure but may advise and recommend actions to College leadership pertinent to their positions.

II. College Voting Membership

The voting membership of the College of Agriculture and Natural Resources Faculty shall consist of the Dean, Deputy Dean, Associate Deans, Assistant Deans, Directors, Professors, Associate Professors, Assistant Professors, and Instructors who hold full-time appointments in the College. A member on temporary leave shall retain his/her status and voting privileges. In no case shall a person having voting privileges in another college that is their primary college, also have voting privileges on matters affecting the College of Agriculture and Natural Resources.

III. Dean of the College

- A. The Dean of the College, as the chief representative and executive officer of the College, shall have general administrative authority over College affairs. He or she shall exercise leadership in the formulation of policies, and in the stimulation of college discussions leading to improvement of the educational, research, Cooperative Extension, and outreach programs of the College. His or her responsibilities shall include both strengthening the College and its programs and advocating for those programs to the University and to the community.
- B. The Dean, as chief executive officer of the College, shall have final authority to make budgetary recommendations to the Provost, consult with College unit leaders on matters that affect the units, and consult with the College Faculty concerning budgetary matters which affect the College as a whole.

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<sup>2</sup> The Fair Labor Standards Act (FLSA) is a federal law that requires employers to pay covered non-exempt employees at least the federal minimal wage and overtime pay for all hours worked over 40 in a workweek. For a position to be exempt from the FLSA, the employer must demonstrate that it falls within one of the specific exemptions. Decisions on whether a position is exempt from the FLSA do not reflect a valuation of the employee. The University is in the process of finalizing an FLSA exemption worksheet which explains the process in additional detail.

- C. In the course of administering his or her responsibilities, the Dean of the College is expected to consult with the chairs of the departments regarding departmental affairs, and maintains communication with the Faculty on all matters of concern to the Faculty and the College as a whole.
- D. Though not a part of these by-laws, the Dean of the College is encouraged to formulate and publish a College Policies and Procedures Manual, which in a serial form shall be linked to these by-laws for the information of the College membership. These published procedures shall be assumed by the membership of the College to be an official statement regarding College operations.
- E. The Dean has the authority to appoint or hire members of the College leadership team such as the Deputy Dean, Associate Deans, Assistant Deans, Directors and Chairpersons as needed and in conformance with University of Delaware policies and procedures. He or she has the authority to delegate responsibilities to appointees as needed. Such appointees serve at the pleasure of the dean, provost and president.

#### IV. Organization and Procedures for College Faculty Meetings

- A. *Presiding Officer.* The Dean of the College or the Dean's representative shall conduct and preside at all meetings of the College Faculty.
- B. *Meetings.* The College Faculty shall meet at least once a semester at times determined by the Dean. Special meetings of the Faculty may be called by the Dean, or by written petition of 15 percent of the voting membership of the College Faculty presented to the Dean, or by a majority vote of the College Faculty at a regular or special meeting of the Faculty.
- C. *Notice of Meetings.* Written notice of faculty meetings, together with an agenda, shall be published and distributed to the Faculty at least four days (not including Saturdays and Sundays) in advance of such meetings. At special meetings only those topics on the announced agenda may be voted upon at that meeting.
- D. *Agenda.* The agenda for regular and special meetings of the College Faculty shall be prepared by the Dean of the College. The agenda shall include:
  - 1. All items presented by the Dean of the College.
  - 2. All items submitted by standing and *ad hoc* committees established by the College Faculty.
  - 3. All items approved by a department faculty for College consideration.
  - 4. All items supported by 15 percent of the College Faculty as evidenced by a written petition submitted to the Dean of the College.
  - 5. New business not on the announced agenda may be introduced for discussion from the floor or by the Dean. Resolution or motion, which requires a vote, which is not part of the announced agenda, can be acted upon if 60 percent of the College Faculty is present.
- E. *Order of Business.* The order of business for regular faculty meetings shall be: Call to order, Establish a Quorum, Announcements, Approval of minutes of previous meetings, Approval of the agenda, Old Business and New Business.
- F. *Quorum.* A simple majority of the voting membership of the College Faculty not on official leave shall constitute a quorum. The Faculty shall abide by its own rules of procedure, but in cases where it has adopted no explicit rules, or where applicability of or

interpretation of rules is in doubt, Roberts' Rules of Order Newly Revised shall apply. A Parliamentarian may be appointed by the Dean.

- G. *Minutes*. The Dean shall publish minutes of all meetings of the College Faculty that shall become the official record upon being submitted to and approved by the College Faculty at the first subsequent regular meeting of the College Faculty.

## V. Faculty Senate

The College's representatives to the University Faculty Senate are elected by the College Faculty following procedures defined in the University's Faculty Handbook. They shall attend University Faculty Senate meetings, meet at their pleasure, represent the College and its Faculty as provided for by the Constitution and by-laws of the University Faculty Senate, and shall report to the College Faculty at each regular faculty meeting of the College when called upon to do so by a member of the Faculty. Senators have an obligation to keep the College Faculty informed about the activities of the University Faculty Senate and to seek faculty opinion regarding issues before the University Faculty Senate. They serve as the College's election committee for: (a) the election of Senators; (b) election of other University-wide elected offices; and (c) voting process for changes in the College By-Laws and/or Promotion and Tenure Policy.

## VI. College Committees

### A. General Provisions Regarding Committees

1. A committee authorized by the Faculty of the College of Agriculture and Natural Resources shall be empowered to act as the agent of the Faculty at large in administering responsibilities delegated to them.
2. Faculty appointments to committees are to be for terms of two years unless otherwise noted. Faculty appointments are made by department chairs unless otherwise specified. Terms will be staggered to ensure satisfactory continuity, but faculty members shall not serve for more than two consecutive terms on any one committee. Faculty members who have served consecutive terms must have a minimum of one term off the committee before being eligible for reappointment to the committee. Term limits do not apply to *ex officio* members of any committee.
3. It is expected that each committee will keep minutes of their meetings, including a record of participation by committee members, and annually prepare a written report of their activities for file in the Dean's office. These shall be available to the College Faculty at least one week prior to the last scheduled meeting of the College Faculty in the spring semester.

### B. Task Forces and *ad hoc* Committees.

Task Forces and *ad hoc* Committees may be created by the Dean's initiative or following the majority vote of the College Faculty at a duly constituted meeting. Presiders of such groups shall be responsible for providing a written report to the Faculty no later than June 1 of each year, or if the *ad hoc* Committee is terminated within the academic year, a terminal report shall be distributed within thirty (30) days of the committee's termination.

### C. Standing Committees

#### 1. **The Courses and Curriculum Committee**

- a. Proposals to add, modify, or delete curricula and/or courses shall originate in and be approved by the faculty of the College's departments according to their individual by-laws.
- b. Major Curriculum Changes (e. g., addition, deletion or substantive alterations of major and minors): The committee shall receive, review, and approve for submission to the College Faculty all proposals before these items are sent to the Faculty Senate. College Faculty approval may be done via a "consent agenda" item at a Regular meeting of the faculty or via an electronic ballot or other appropriate means, conducted by the Courses and Curriculum Committee, if necessary.
- c. Minor Curricula Changes (e. g., revisions of major and minors): The committee shall receive, review, and approve and shall have authority to act for the College Faculty and submit these items to the Faculty Senate.
- d. Permanent Courses: This committee shall review and approve all proposals for permanent undergraduate and graduate courses.
- e. Experimental Courses: This Committee shall be apprised of all proposals for experimental courses.
- f. Other: the committee may formulate policies for submission to the College Faculty concerning graduate and undergraduate courses and programs.
- g. The membership of the committee shall consist of: (i) one faculty member from each department, designated by the Department Chair; (ii) the Dean or their designee; (iii) the Assistant Dean for Undergraduate Student Services (non-voting); (iv) the college representative to the Faculty Senate Undergraduate Studies Committee (non-voting), and (v) an Extension Professional or non-faculty Specialist (non-voting) designated by the Director of Cooperative Extension. The President of the Agriculture and Natural Resources College Student Council and one graduate student (rotated annually among departments and selected by faculty of that department) shall serve as non-voting members. Because of the specialized nature of the committee and the need to maintain consistency, committee members are appointed for three-year terms and are eligible for up to two consecutive terms.
- h. The committee will elect a Chair and Chair-Elect from among the faculty members of the committee. The Chair may serve a maximum two-year term and will normally be succeeded by the Chair-Elect.

## **2. The Committee on Promotion and Tenure**

- a. The Committee on Promotion and Tenure is charged to review and evaluate all applications for promotion and tenure in accordance with the [College Promotion and Tenure Guidelines](#). In addition, the Committee will review all appertaining department policies, procedures and standards for uniformity and equity among departments, and consonance with University requirements. The Committee shall advise and assist the Dean and College Faculty in regard to policies pertaining to promotion and tenure applications and to implement the appropriate policies of the College. The committee also, together with the Dean, assists departments in developing or revising their criteria for promotion and tenure. Changes in departmental promotion and tenure policies must be signed and dated by the College Committee as well as the Dean, signifying approval, before being sent to the University Committee on Promotions and Tenure and Provost for final approval.

- b. Evaluations of the candidates and recommendations for promotion and tenure shall originate in the departments in accordance with established University procedures and policies.
- c. The College of Agriculture and Natural Resources Promotion and Tenure Policy document shall indicate procedures for the selection and responsibilities of the College Committee on Promotion and Tenure as well as all other policies and procedures related to faculty tenure and promotion at the College level. Any changes in that document must be approved by a two-thirds majority of cast votes as long as a quorum of the full-time faculty members of the College, including non-tenure track faculty, with academic rank, has submitted votes as determined through a secret mail ballot conducted by the faculty senators of the College. Petitions for such changes must be placed on the announced agenda and discussed at a faculty meeting, which precedes the mail balloting by not less than two weeks. The revised document must be consistent with University policy and must be approved by the Dean of the College, the University Promotion and Tenure Committee, and the University Provost.

### **3. The Space Utilization Committee**

- a. The Space Utilization Committee shall make recommendations to the Dean on matters of space allocation and utilization in accordance with the Space Utilization Policy (see [CANR Policies & Procedures Manual](#)).
- b. The membership of the committee shall consist of one faculty member from each department, a representative of Cooperative Extension, the farm superintendents of the Newark and Thurman Adams farms, The Deputy Dean, and the CANR Facilities Director (*ex-officio*, non-voting).
- c. Committee members are appointed for two-year terms and are eligible for up to two consecutive terms.
- d. The committee will elect a Chair and Chair-Elect from among the faculty members of the committee. The Chair may serve a maximum two-year term and will normally be succeeded by the Chair-Elect.

### **4. The Cost Recovery Committee**

- a. This committee shall oversee aspects of the College involving user fees, fee schedules for self-supporting units, registration and participation fees for non-credit educational programs, and other cost recovery fees exclusive of 1) Facilities and Administration costs charged on grants, 2) student fees set by the Board of Trustees or by UD central administration, and 3) undergraduate and graduate tuition. The committee is advisory to the Dean, and shall meet as needed to deliberate and formulate recommendations for policies and procedures on matters of cost recovery. The committee will produce an annual report of activities for dissemination throughout the College.
- b. The Cost Recovery Committee membership shall consist of: (i) one faculty member from each department; (ii) the Deputy Dean; (iii) a subcommittee composed entirely of Extension personnel and appointed by the Director of Cooperative Extension or their designee to make recommendations and provide input to the larger committee regarding cost recovery unique to Cooperative Extension. One Extension representative from this subcommittee shall be a voting member of and liaison to the CANR Cost Recovery Committee

- c. Committee members are appointed for two-year terms and are eligible for up to two consecutive terms.
- d. The committee will elect a Chair and Chair-Elect from among the faculty members of the committee. The Chair may serve a maximum two-year term and will normally be succeeded by the Chair-Elect.

## **5. Safety Committee**

- a. Safety concerns for the college are a shared responsibility of the FARM, department-level, and CANR safety committees, and department liaisons to the Office of Environmental Health and Safety (EHS).
- b. The CANR Safety Committee exists to promote communication and cooperation among the farm and department-level groups and to coordinate efforts for common areas of safety concern at the college level.
- c. Committee membership consists of the chairs of department-level CANR safety committees, the chair of the farm safety committee, plus any departmental liaisons to the EHS office for departments that do not have a safety committee. The chair of the committee is elected by the members.
- d. The committee meets quarterly.

## **6. CANR Diversity, Equity and Inclusion Committee**

- a. The CANR Diversity, Equity and Inclusion (DEI) Committee spearheads the college's efforts to enhance diversity, close achievement gaps, and create a welcoming physical and cultural environment. The committee will implement and assess programs that are designed to better enable students, faculty, staff, volunteers and stakeholders to reach their full potential, feel included and respected, and operate in a climate free from discrimination regardless of their race, color, sex, sexual orientation, gender identity and expression, marital status, pregnancy, religion, ability, age, genetic information, veteran status, ancestry, national or ethnic origin, employment status, immigration status, or socioeconomic status.
- b. The committee makes recommendations to the CANR leadership on DEI initiatives and action items for the College including, but not limited to:
  - i. Implements DEI programs and policies from UD central administration;
  - ii. Refers all diversity, equity, and inclusion matters submitted for the committee's attention to the appropriate department(s) or person(s) with a follow-up procedure to check whether the issue has been resolved.
  - iii. Facilitates the development and assessment of efforts to increase diversity among faculty, staff, students, volunteers and stakeholders by providing tools and training that aid in the recruitment and retention of members of underrepresented groups;
  - iv. Establishes and continues outreach activities to regional high schools and minority-serving institutions to develop pipelines for undergraduate and graduate students of underrepresented groups;
  - v. Aids in the creation and maintenance of a welcoming atmosphere for all of CANR in order to help retain underrepresented members of the faculty, staff and student body;

- vi. Promotes professional training for CANR personnel and faculty on anti-discrimination, implicit bias, cultural sensitivity and other topics, with the goal of improving organizational climate;
  - vii. Provides guidance and resources to develop job ads and facilitate the broad distribution of vacancy announcements and hiring to attract diverse applicants;
  - viii. Collects, tracks and reports on diversity, equity and inclusion efforts in the college in conjunction with UD institutional research and data sources.
- c. The committee will convene as appropriate to make progress on goals and present its findings at the semi-annual faculty meetings required by these bylaws.
- d. It is imperative that the membership of the committee be as diverse, in all respects, as the CANR population as a whole. Committee membership shall consist of 13 voting members plus two ex officio, non-voting members as described below. Committee members are appointed for two-year terms with the exception of student members who serve one-year terms. Members may not serve more than two consecutive terms of service. The committee will elect a chairperson from among its members at the first meeting of the academic year. As needed based on committee priorities, co-chairs may be appointed and working groups/subcommittees may be convened. If a member is unable to complete their term, the committee will identify a replacement (in conjunction with the dean, chairs or students, as appropriate).
- i. One faculty member from each department, designated by the department chairs;
  - ii. Four staff members appointed by the dean, including at least one from Cooperative Extension, preferably from a location other than the Newark campus.
  - iii. Four student representatives selected annually in a process determined by the DEI committee chairperson.
    - a. Two graduate students.
    - b. Two undergraduate students.
  - iv. The college's HR representative.
  - v. The dean (or their designee) and Assistant Dean for Student Services (or their designee) will serve as ex officio, non-voting members of the committee. The dean's designee will be an employee whose responsibilities include supporting DEI efforts for the college.

## VII. Departments

- A. A department shall consist of faculty who hold full-time appointments in that department.
- B. In the appointment or reappointment of department chairpersons, the Dean shall receive the advice of the department concerned, and he or she shall consult, collectively or individually or both, with members of the department concerned. In accordance with University policy, when seeking a new chairperson, the Dean will appoint to advise him or her, a Search Committee consisting of members of the department concerned, faculty members from departments closely related in discipline and faculty members outside the College. With the approval of the Office of Human Resources, the search committee may include alumni or employees of relevant businesses and industries. In addition to recommendations provided

by the Search Committee to the Dean, the departmental faculty will vote by secret ballot for each of the final candidates for Chairperson recommended by the Search Committee to the Dean. The Department may choose to recommend, recommend with reservation, or not recommend the appointment of each candidate. The vote of the departmental faculty must be communicated to the Dean of the college and by the Dean to the Provost upon the occasion of any recommendation by the Dean for appointment or reappointment of a department chair.

VIII. Amendments to the By-Laws

These by-laws can be changed by a two-thirds majority vote of the College Faculty, as long as a quorum of the voting membership has submitted votes as determined through a secret ballot, conducted by an appropriate process (e.g., electronic balloting) determined by the elected University Faculty Senators of the College. Petitions for such changes must be placed on the announced agenda and discussed at a faculty meeting, which precedes the balloting by not less than two weeks.

IX. Policies, procedures or actions for issues not articulated in these by-laws are deferred to the University of Delaware Charter and/or the UD Faculty Handbook.