

**CALIFORNIA STATE UNIVERSITY, LONG BEACH**  
**DEPARTMENT OF BIOLOGICAL SCIENCES**

**BYLAWS**

15 May 2020

## **1. TERMINOLOGY**

- 1.1. In this document, "is" is informative, "shall" is mandatory, "may" is permissive, "should" is conditional, and "will" is intentional.
- 1.2. T/TT refers to tenured/tenure track faculty, RTP refers to Retention, Tenure, and Promotion, and ETF refers to Evaluation of Tenured Faculty. FTL refers to full-time lecturer.

## **2. NAME AND MEMBERSHIP**

- 2.1. The name of this body shall be the Faculty of the Department of Biological Sciences, hereinafter referred to as the Faculty.
- 2.2. All persons holding academic appointments (within the meaning of appropriate College and University policies) in the Department of Biological Sciences with the rank of Full-Time Lecturer, Assistant Professor, Associate Professor, or Professor, and such others as the Members shall, by a simple majority, admit to membership, shall be declared Members of this body, and shall hereinafter be referred to as Members. Membership includes those who are engaged full-time in departmental instructional duties and/or departmental administrative duties and those who hold administrative appointments outside this department with retreat rights.
- 2.3. Membership in this body shall not lapse because of leave of absence of any type, administrative appointment, or emeritus status.

## **3. ELIGIBILITY FOR VOTING MEMBERSHIP**

- 3.1. All Members not on full-time administrative leave may vote on department business, but only during those semesters in which they are employed at least one-half time by the University and except as otherwise limited (see Sec. 3.2). Such Members shall hereinafter be referred to as Eligible Voters. Eligible Voters on leave who do not vote by the designated deadline do not count toward the total number of Eligible Voters.
- 3.2. Only Members who are T/TT may vote on (a) RTP documents, (b) faculty hiring matters, and (c) Bylaw changes.

## **4. OFFICERS**

### **4.1. The Chair**

4.1.1. The Chair is the administrative and presiding officer of the Department of Biological Sciences.

4.1.2. The Chair shall hold an appointment at the rank of Professor, with tenure.

4.1.3. The procedure for selecting and recalling the Chair of the Department shall follow the University policy in effect at that time.

4.1.4. In addition to the duties defined by the University, the Chair of the Department shall:

- (a) serve as the presiding officer at Department meetings;
- (b) regularly consult with the Executive Council to receive and give assistance and information pertinent to Department business; and
- (c) serve as an ex-officio, non-voting member of all committees of the Department, except for the RTP Committee.

#### 4.2. The Associate Chair

4.2.1. The Chair shall nominate the Associate Chair from among the Eligible Voters with tenure, subject to confirmation by a majority of the Department.

4.2.2. The term of office of the Associate Chair shall be one year, with renewal possible.

4.2.3. The Associate Chair shall:

- (a) assume those duties of the Chair, that are permissible, during her/his absence,
- (b) prepare, distribute, and maintain files of the minutes of the Department and Executive Council meetings,
- (c) prepare and distribute official ballots,
- (d) serve as a voting member of the Executive Council
- (e) coordinate special departmental projects as appropriate; and
- (g) serve as departmental Safety Representative.

#### 4.3. The Graduate Advisor

4.3.1. The Chair shall nominate the Graduate Advisor from among the tenured Eligible Voters, subject to confirmation by a majority of the Department.

4.3.2. The Graduate Advisor shall serve a term of two years, with renewal possible.

4.3.3. The Graduate Advisor shall not serve simultaneously as the Chair of the Department.

4.3.4. The Graduate Advisor shall

- (a) bear the primary responsibility for implementing the policies of the University, College, and Department for the graduate programs in Biological Sciences;
- (b) be the chief counselor of graduate students in the Department;
- (c) sign appropriate documents relating to graduate students;
- (d) serve on the Departmental Graduate Studies Committee; and
- (e) perform such other administrative duties in and for the graduate program as are assigned by the faculty or its designated Graduate Studies Committee.

#### 4.4. The Principal Undergraduate Advisor

- 4.4.1. The Chair shall nominate the Principal Undergraduate Advisor from among the tenured Eligible Voters, subject to confirmation by a majority of the Department.
- 4.4.2. The Principal Undergraduate Advisor shall serve a term of two years, with renewal possible.
- 4.4.3. The Principal Undergraduate Advisor shall not serve simultaneously as the Chair of the Department.
- 4.4.4. The Principal Undergraduate Advisor shall:
  - (a) be the chief counselor of undergraduate students in the Department,
  - (b) sign appropriate documents relating to undergraduate students,
  - (c) represent the general biology/teaching credential areas as a member of the Curriculum Committee.

#### 4.5. The Parliamentarian

- 4.5.1. The Chair shall appoint a Parliamentarian from among the Eligible Voters.
- 4.5.2. The Parliamentarian shall serve a term of one year, with renewal possible.
- 4.5.3. The Parliamentarian shall render advice to the presiding officer on points of parliamentary procedure.

### 5. EXECUTIVE COUNCIL

- 5.1. The Executive Council shall consist of five voting members, including the Department Chair, Associate Chair, and three T/TT faculty members elected at large, at least two of whom must be tenured; a non-tenured member must have at least four years of service. The three members elected at-large shall serve staggered two-year terms of office, and no more than two members at-large shall be elected in any one year, except for replacements.
- 5.2. The Executive Council shall:
  - (a) meet regularly with the Chair to assist and advise the Chair of the Department in matters pertinent to Department business,
  - (b) act as the Department Elections Committee for all official secret written ballots taken on Department business, or, at their option, appoint an elections committee,
  - (c) serve as the Departmental Difference-in-Pay Leave Committee with the stipulations that only tenured members may comprise this committee and that no current applicant for Difference-in-Pay Leave may participate on this committee,
  - (d) coordinate the activities of the various *ad hoc* hiring committees in the Department,
  - (e) advise the Chair in scheduling classes and assigning teaching loads to Members,
  - (f) review and make recommendations concerning allocations of funds within the Department and to review budget requests,
  - (g) advise the Chair in the preparation of the agenda for Department meetings,

- (h) recommend to the Department the desirability of filling any vacancy for a full-time faculty position,
- (i) interpret these Bylaws when there is a difference of opinion between officers or committees or their members and promptly bring any recommendations to the Faculty for action,
- (j) make sure that the Bylaws of this Department conform to current College and University regulations and to present any changes to the Faculty,
- (k) hear and make recommendations to the Faculty or the Chair on any grievance brought by a Member or Members concerning internal departmental balloting, voting, or matters other than RTP and ETF, but only when a grievance is presented in writing within ten instructional days of the occurrence of the matter challenged, and

5.3. Meetings of the Executive Council shall be open to the Faculty.

## 6. COMMITTEES

### 6.1. General

- 6.1.1. The Standing Committees of the Department shall be: Retention, Tenure, and Promotion (RTP), Evaluation of Tenured Faculty (ETF), Curriculum and Assessment, Graduate Studies, Grade Appeals, Scholarship Evaluation, and Lecturer Evaluation.
- 6.1.2. The Eligible Voters may, by a simple majority of the valid votes cast, establish new Standing Committees and *Ad Hoc* Committees. The Chair of the Department or any Standing Committee may also establish new *Ad Hoc* Committees. The establishing authority shall specify the number and qualifications of the members and the duties of the committees.
- 6.1.3. Each standing committee shall elect its own chair and secretary
- 6.1.4. Committees of the Department that intend to bring business requiring action to a Department meeting shall distribute to the Eligible Voters copies of the actions to be voted upon at least two instructional days prior to the meeting at which time action is taken; otherwise, action shall not be taken at that meeting.
- 6.1.5. The secretary of each standing committee of the Department and of the Faculty Council, with the exception of the RTP, ETF, and Grade Appeals Committees, shall promptly distribute to all Eligible Voters – or post copies of – the minutes of respective meetings.
- 6.1.6. Copies of all minutes, except those of the RTP, ETF, and Grade Appeals Committees, shall also be maintained for inspection in the Department Office.
- 6.1.7. Any committee may submit to the Faculty an opinion poll for purposes related to its work and may act as its own tabulating committee.

- 6.1.8. The term of office of each officer and each committee member shall begin on the first day of the Fall Semester following election, except for those who are elected as replacements or as members of any newly created committee and members of the ETF Committee.
- 6.1.9. Any officer or committee member may serve successive terms of office, except as otherwise limited (see Sec. 6.2.1.1).
- 6.1.10. The Associate Chair shall prepare and make available at department meetings where nominations are made a list of all committee assignments for all Department faculty members for the past and current years.

## 6.2. Standing Committees

### 6.2.1. Retention, Tenure, and Promotion (RTP)

6.2.1.1 Composition: The RTP Committee shall consist of five full-time, tenured faculty members with the rank of Associate Professor or Professor. At least three members shall hold the rank of Professor. Selection: The Committee shall be elected in the spring for service in the following Fall and Spring Semesters from among all tenured Associate Professors and Professors, with the exception of the Department Chair and faculty who: 1) are candidates for tenure or promotions (therefore, Associate Professors who intend to submit RTP files in the coming year must so declare to the Executive Council for removal of their names prior to preparation of the ballot; 2) are to be members of the CNSM RTP Committee; 3) are on full-time leave for either semester of the year of service; 4) are in the FERP or PRTB programs; 5) have served on the departmental RTP Committee any two years in the preceding 4-year period, or 6) have served, in the preceding 4-year period, on the departmental RTP Committee and on the CNSM RTP Committee. In addition, each faculty member eligible to serve on the committee can request to be removed from the nomination list, contingent on approval by the Executive Council (criteria will be substantial current service to the College or Department). Each faculty member may not be removed from the nomination list more than twice in any 5-year period. The Executive Council will limit these exceptions to five per year. With the listed exceptions, faculty shall not decline nomination to this committee.

6.2.1.2 This committee shall:

- (a) make recommendations on the reappointment, tenure, and promotion of Members in accordance with current Department, College, and University RTP policies and
- (b) recommend to the Faculty changes in the Department RTP policies and procedures.

### 6.2.2. Evaluation of Tenured Faculty (ETF)

6.2.2.1. Composition: Three members elected from the list of tenured Professors who are not serving on the Departmental or College RTP committees that academic

year, and who are not undergoing ETF. Members of this committee shall be elected in the fall semester for service the following spring and shall serve a one-year term, with renewal possible; no member shall serve for more than two years within any four-year period.

6.2.2.2. This committee shall conduct the Periodic Evaluation of Tenured Faculty in accordance with current policies of the Department, College, and University.

### 6.2.3 Curriculum Committee

6.2.3.1. The Curriculum Committee shall consist of at least five members (T,TT or FTL). At least three members must be tenured. Members should represent all degrees and options in the department. The members shall serve staggered 2-year terms of office. The Principal Undergraduate Advisor shall serve on the committee. In addition, there may be one non-voting undergraduate and/or one non-voting graduate student member(s) to be selected by the Committee or by the Department Chair.

6.2.3.2. This committee shall:

- (a) study and review the present Department undergraduate and graduate curriculum and undergraduate degree requirements and make recommendations to the Faculty,
- (b) maintain a check on the Department portion of the Catalog to ensure accuracy and updating in any specifics of curriculum,
- (c) make recommendations to the Faculty on any curricular revisions needed in the Catalog
- (d) work with the Department Graduate Studies Committee on all graduate curriculum matters (see Sec. 6.2.4.2),
- (e) elect one of its tenured members during its first meeting in the Fall Semester to serve for that year on the Curriculum Committee of the College of Natural Sciences and Mathematics,
- (f) work with curriculum committees of other departments on curricular matters of joint concern.

### 6.2.4. Graduate Studies

6.2.4.1. This committee shall consist of four T/TT Faculty members, including the Graduate Advisor plus three members elected at large. Members shall serve staggered two-year terms of office, and no more than two members of this committee shall be elected in any one year, except for replacements. At least two of the members of this committee shall have tenure. In addition, there may be one non-voting graduate student member, to be selected by the Committee or the Department Chair.

6.2.4.2. This committee shall:

- (a) work closely with the Department Graduate Advisor in an advisory capacity,

- (b) study the present departmental graduate program structure and requirements and make recommendations for future policy inclusions or changes to the Faculty,
- (c) consult with the Department Curriculum Committee on all graduate curriculum matters (see Sec. 6.2.3.2),
- (d) screen graduate applications,
- (e) assist the Graduate Advisor in preparing and maintaining a list of current professional activities of former graduate students, and
- (f) make recommendations on any other appropriate matters relating to any aspect of the graduate program.

#### 6.2.5. Grade Appeals

- 6.2.5.1. The Department shall elect, from T, TT or FTL three members of the Grade Appeals Committee to serve two-year terms. No more than two members of this committee shall be elected in any one year, except for replacements. At least one member of this committee shall have tenure. In addition, this committee must have one student member, to be selected according to University policy.
- 6.2.5.2. This committee shall receive and make recommendations on official grade appeals in accordance with current College and University policies.

#### 6.2.6. Scholarship Evaluation

- 6.2.6.1. The Department shall elect, from T, TT or FTL three members of the Scholarship Evaluation Committee to serve one-year terms.
- 6.2.6.2. This committee shall evaluate applications and select recipients for student scholarships in the Department (except for those evaluated by marine biology faculty or by the Graduate Studies Committee) in accordance with current College and University policies.

#### 6.2.7. Lecturer Evaluation

- 6.2.7.1. The Department shall elect, from T, TT or FTL at least five members of the Lecturer Evaluation Committee to serve one-year terms.
- 6.2.7.2. This committee shall carry out periodic evaluations of lecturers in the Department, in accordance with current College and University policies.

#### 6.2.8. Assessment Committee

- 6.2.8.1. The Assessment Committee shall consist of at least three members (T, TT or FTL). At least one member must be tenured. The members shall serve staggered 2-year terms of office.
- 6.2.8.2. This committee shall:



- (a) ensure that the Department complies with University policy in all aspects of assessment and recommend specific assessment-related policy for Departmental action,
- (b) prepare the annual University-mandated assessment report for all undergraduate and graduate degrees, and
- (c) provide information for faculty on current assessment policy and procedures.
- (d) Work with the Curriculum Committee, the Graduate Studies Committee, the Department Chair, and Departmental faculty members at large to recommend changes in pedagogical techniques, content, and curriculum that arise as a result of the Assessment Report findings to promote best practices in teaching and learning.

## **7. REPLACEMENTS AND RECALL**

- 7.1. Replacements, when necessary, for officers and committee members shall be elected in the manner specified for election (see Sec. 11.2) and shall be for the term of the vacancy.
- 7.2. Any elected officer (except the Chair), committee member, or committee may be subject to recall proceedings provided that a signed petition bearing the signatures of not less than twenty-five percent of the Eligible Voters is presented to the Faculty. Upon presentation of such a petition, an election shall be called and conducted in accordance with election procedures.
- 7.3. With the exception of the Chair, officers and committee members can be removed from Office by a two-thirds vote of the Eligible Voters.

## **8. DEFINITION OF MAJORITY**

- 8.1. A majority shall be defined as a majority of the valid votes cast by Eligible Voters, except when otherwise mandated.
- 8.2. Should a ballot contain more than one issue for voting, the majority necessary for passage of each item shall be calculated from the number of valid votes cast on that issue and not from the total number of ballots returned.

## **9. MEETINGS**

- 9.1. Eligible Voters have an obligation to attend and participate in Department meetings.
- 9.2. Meetings of the Faculty shall be held at the call of the Chair, upon the petition of five Eligible Voters, at the request of the Executive Council, or at the request of any standing committee.

- 9.3. Meetings of the Faculty shall be presided over by the Chair, or in her/his absence, the Associate Chair, or in the latter's absence, a designee selected by the Executive Council.
- 9.4. Official departmental business may be conducted only at meetings at which a majority of the Eligible Voters is present. Eligible Voters on leave shall not be counted to determine a majority unless they are present at the meeting in question.
- 9.5. Meetings of the Faculty shall be conducted in accordance with the current edition of *Robert's Rules of Order*.
- 9.6. The agenda for Department meetings shall be established by the Chair in consultation with at least one member of the Executive Council, except in the case of meetings called by petition for special purposes. Copies of the agenda of regular meetings shall be distributed to the Faculty at least two instructional days prior to meetings.
- 9.7. Meetings of the Faculty shall ordinarily be open to invited guests, except when a majority of the Eligible Voters present declare a meeting in executive session.

## **10. HIRING**

### 10.1. Tenure Track

- 10.1.1. The Department shall determine any need for hiring of full-time faculty, either as replacements or for new positions, based on recommendations by the Executive Council. All appropriate information shall be presented by the Executive Council to the Faculty pursuant to a decision on the desirability of hiring. A decision to request a position shall be determined by secret written ballot formulated at a department meeting. Voting shall be done on two separate ballots. On the initial ballot, approval or disapproval of each position shall be indicated by a 'yes' or 'no'; only those positions receiving majority approval from the Department will be on the second ballot. Approval of the second ballot will be implicit in approval of the first ballot. On the second ballot, voters shall rank all positions listed; failure to do so will result in an invalid ballot. The Chair will request that position (or those positions) receiving the highest rankings by the Department. Balloting shall occur over at least two instructional days for each ballot.
- 10.1.2. There shall be a Search Committee for each full-time position to be filled. Each Search Committee shall be elected by the T/TT Eligible Voters and consist of not fewer than three tenured Faculty members. Each Search Committee and the Department Chair shall formulate the search protocol and position description for that position.
- 10.1.3. After a thorough review of all applications and supporting documents in accordance with the approved search protocol and input from the tenure/tenure-track faculty, the Search Committee shall then select at least two, but no more than five, of the most

highly qualified applicants to be submitted as the Approved Interview Pool. The committee shall then notify the T/TT Eligible Voters that the documents for these selected applicants are available for examination. Insofar as possible, the Department shall invite each member of the Approved Interview Pool for an interview and seminar prior to balloting. The applicant's documents must also be available during the period of balloting.

10.1.4. Voting shall be done on two separate ballots. On the initial ballot, approval or disapproval of each applicant shall be indicated by a 'yes' or 'no'; only those applicants receiving majority approval from the Department will be on the second ballot. Approval of the second ballot will be implicit in approval of the first ballot. On the second ballot, voters shall rank all applicants listed; failure to do so will result in an invalid ballot. The Search Committee will recommend for hiring that applicant receiving the highest ranking by the Department. In the event that any applicant declines an offer, the next-highest ranked approved applicant shall be recommended.

10.1.5. Balloting shall occur over at least two instructional days for each ballot.

10.1.6. Recommendations for appointments at the rank of Assistant or Associate Professor shall require simple majority of the votes cast by the T/TT Eligible Voters; whereas, those for appointments at the rank of Professor shall require a two-thirds majority of the votes cast by tenured Eligible Voters.

## 10.2. Non-tenure Track Full-time Appointments (Lecturers).

10.2.1. The Executive Council shall determine the need to fill any vacancy by a non-tenure track full-time appointment. All appropriate information shall be presented by the Executive Council to the Faculty.

10.2.2. A decision to fill the vacancy by a non-tenure track full-time appointment shall be determined by the T/TT Eligible Voters - through a secret ballot.

10.2.3. The Executive Council shall act as a screening committee for each non-tenure track full-time position or it may appoint a screening committee.

10.2.4. The Faculty shall be notified that the documents of the selected candidates are available for inspection at least three working days before the final recommendation on hiring leaves the Department.

10.2.5. The final recommendation on the non-tenure track full-time appointment of the candidate shall be made by the Executive Council and the Chair and forwarded to the appropriate university office.

## 11. BALLOTING

### 11.1. Elections Committee.

11.1.1. The members of the Executive Council shall act as the Elections Committee.

11.1.2. The Elections Committee shall be responsible for conducting elections and other official secret written ballots, not including opinion polls conducted by any of the department committees or by individual Members.

## 11.2. Elections and Ballots.

11.2.1. The call for nominations for elective positions shall be announced at least three instructional days in advance of such nominations.

11.2.2. All elections for membership on standing committees, except for ETF, shall be conducted by secret written ballot during the Spring Semester and concluded prior to the end of that semester, except in the case of replacements or newly created committees.

11.2.3. With the exception of balloting for tenure-track hiring, at least three instructional days shall elapse between the time any ballot is issued and the deadline for the return of the ballot. The numerical results of balloting shall be announced in writing to the Faculty promptly after the deadline.

11.2.4. All ballots shall be retained on file in the Department Office for a period of one calendar year, during which time they shall be available for inspection by the Faculty upon request.

11.2.5. Absentee ballots shall be permitted, provided that any Eligible Voter instructs a member of the Elections Committee as to her/his vote in a signed and dated letter.

11.2.6. Ballots shall be distributed only to Eligible Voters either on paper or using an electronic platform. The procedures for a secret ballot are as follows:

(a) if a paper ballot is used, each ballot is to be accompanied by an envelope with the name of the Eligible Voter on the outside and is to be placed in her/his mailbox. To be legally cast, the ballot must be marked and placed in the envelope and the envelope signed, sealed, and placed in the locked ballot box in the Department Office.

(b) if the ballot is electronic, the electronic voting platform must use a secure mechanism to ensure that only Eligible Voters are able to cast ballots. The platform must prohibit a voter from voting more than once for each ballot. The platform must be set so as to strip identifying information from voting data. The Associate Chair (or, if needed, an Executive Council designee) shall prepare and distribute ballots to the faculty, and submit results to the Executive Council. The Associate Chair (or designee) must not examine results of a ballot until the balloting period has ended.

11.2.7. In the case of an election where members are to be elected for varying terms of office, the person(s) getting the higher number of votes shall be declared elected for the longer term(s).

11.2.8. In the event that a run-off ballot is required in an election, the person(s) with the fewest votes on the first ballot shall be dropped until the second ballot has one more name than the total number needed. After any second consecutive tie vote, nominations shall be reopened for the unfilled position.

### 11.3. Challenges of Elections and Voting.

11.3.1. Any Member who wishes to challenge procedures for balloting or other matters directly related to voting must file a written protest with the Executive Council within ten instructional days of the occurrence of alleged violations or procedures.

11.3.2. The Executive Council shall promptly consider the protest and render a decision in writing to the Faculty stating reasons for their decision. The Eligible Voters shall then, by a simple majority of the valid votes cast, either uphold or reject the decision of the Executive Council. If this vote of the Faculty invalidates the vote or elections in question, a new vote must be taken in accordance with the balloting procedures set forth in this article.

## 12. AMENDMENTS TO THE BYLAWS

12.1. These ByLaws shall not be suspended.

12.2. Amendments to the Bylaws may be proposed by not fewer than six Eligible Voters or the Executive Council. Signed copies of proposed amendments, with references to existing portions in the current Bylaws to be amended, shall be distributed to the Eligible Voters at least five instructional days in advance of the meeting at which initial discussion of the amendments is to be held. Following discussion, a written ballot shall be prepared and handled in accordance with balloting procedures set forth in Sec. 11.

12.3. Any amendment proposed under Sec. 12.2 may be amended once at the meeting at which initial discussion of the amendment is held, provided that such an amendment to the originally proposed amendment is in writing and copies distributed to the Eligible Voters at least one instructional day prior to the meeting. Changes in grammar and/or spelling are exceptions to this procedure and may be proposed from the floor.

12.4. If such an amendment to the amendment is approved at the meeting by a simple majority, then it shall be substituted for the original amendment on the ballot.

12.5. To be ratified, a proposed amendment to the Bylaws must receive an affirmative vote of the majority of the Eligible Voters.

- 12.6. Amendments to the Bylaws become effective immediately upon ratification and supersede the replaced portions of the Bylaws.
- 12.7. Where a Department policy contained in the Bylaws conflicts with current College, University, or System policy then the College, University, or System policy shall automatically and immediately replace the Department policy.