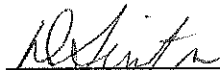



BY-LAWS
DEPARTMENT OF EDUCATION AND HUMAN DEVELOPMENT
CLEMSON UNIVERSITY

APPROVED BY THE FACULTY APRIL 10, 2015



Department Chair/Head

9-10-15
Date



Dean

10-1-15
Date

Robert S. Jones

Provost

3/17/16
Date

Department of Education and Human Development
BY-LAWS
Eugene T. Moore School of Education, Clemson University
April 10, 2015

Preamble

The Department of Education and Human Development in the Eugene T. Moore School of Education hereby establish the following bylaws to provide a mechanism for participation in planning, policy making and decision making, with regard to academic matters and in matters that may affect the welfare of its members and the mission of the Department, School, and University.

Article I. Name and Vision

A. Name

The official name shall be “Department of Education and Human Development” herein designated “EHD”. The name shall be represented on all official documents and associated with all official business.

B. Vision

Clemson University’s Department of Education and Human Development (EHD) will prepare professionals to provide exemplary leadership and educational services to improve outcomes for ALL persons, with an emphasis on underserved schools and communities.

EHD will be a state and national leader in addressing issues within schools and communities by:

- Delivering outstanding practitioner preparation programs
- Conducting high-quality research that informs policy and practice
- Enhancing outreach and advocacy through collaborative relationships/partnerships.

EHD endorses education as the foundation through which all persons are empowered to live healthy, fulfilling, and productive lives.

Article II. Membership

Voting membership shall consist of all regular faculty (as defined by the Clemson University Faculty Manual) in the department including the regular faculty of any affiliated centers, who are not currently enrolled in a degree program in EHD. Other special faculty may be granted specified voting and/or academic privileges in accordance with the Faculty Manual, providing such a motion is passed by two-thirds of the voting faculty. Hereafter “voting faculty” refers to ALL faculty eligible to vote.

Article III. Quorum

A quorum of the faculty shall consist of a simple majority of the voting faculty, excluding faculty on leave. This number will be established and entered into the minutes of the first meeting of each semester. Every effort shall be made to conduct business that requires a faculty vote during the fall and spring semesters. Conscientious effort shall be made to ensure full faculty participation.

Article IV. Meetings

A. Regular Meetings

The faculty shall meet regularly, typically at least three times during each academic term, but at least once per fall and spring semesters. Meetings shall be moderated by the Chair or his/her designee. Meeting dates and business items requiring a vote of the faculty shall be communicated to faculty by email and/or web posting at least four business days prior to the scheduled vote. Exceptions to this rule for business items require (a) a specific motion to suspend rules which details what will be voted upon, and (b) passage of the motion to suspend rules by two-thirds of the voting faculty. Meetings of the voting faculty, standing committees, or ad hoc committees in which a vote is scheduled shall be conducted according to the most recent edition of Robert's Rules of Order. The Chair shall appoint a person who will keep records of these meetings and will make the minutes available to the faculty within one month following the meeting.

B. Special Meetings

A special or emergency faculty meeting can be called with less than one week's notification by the Chair in extremely rare situations where the Chair has documented evidence that strongly suggests that the well-being of the faculty is in danger if such a meeting is not held within the week. Faculty members may also request that the Chair call a special or emergency meeting if five or more faculty members send similar documentation to the Chair via written or electronic communication.

C. Special Votes

Special faculty votes on issues raised in faculty meetings can be taken outside a faculty meeting via electronic means. This requires voting faculty, during a faculty meeting, to pass a motion for a special vote. Such a motion must clearly state the issue/question for voting, the time frame and procedure for the vote, and the means for dissemination of results. All voting results will be entered into the next faculty meeting minutes. Electronic votes should include faculty names unless an anonymous ballot has been requested and passed by the faculty.

Article V. Amendments to the Bylaws

The bylaws may be amended by a two-thirds vote of the voting faculty. Dates that amendments are approved and a brief statement as to the substance of the amendment should be recorded in an Appendix by the Chair of EHD or his/her designee.

Article VI. Standing Committees

The standing committees for each Faculty are as follows:

- 1) Advisory Committee;
- 2) Curriculum Committee;
- 3) Doctoral Program Advisory Committees, one for each doctorate:
 - Learning Sciences (LS) Ph.D.
 - Language, Literacy, and Culture (LLC) Ph.D.
 - Special Education (SpEd) Ph.D.
- 4) Promotion, Tenure, and Appointment Renewal (TPR) Committee;
- 5) Post Tenure Review (PTR) Committee;
- 6) Elections Committee.

A. Membership

1. All voting members of the faculty as determined in Article II, are eligible to serve on standing committees as stated in the committee descriptions. Note: only regular faculty, as defined by the Faculty Manual, shall have voting privileges on TPR, curriculum, and PTR committees. Members of all standing committees serve three-year terms, unless otherwise noted. The term of a committee member will be extended to allow him or her to fulfill associated school or university committee term obligations. When a committee is first initiated, terms will be staggered randomly among the members.
2. Members of all committees shall be elected at large, except where otherwise specified.
3. Students: Student representation on committees is encouraged where appropriate. Students shall be non-voting members. The method for selecting student members will be determined by the committee.

B. Meetings

Meetings shall be called by the committee chair at least once every semester, or more often as appropriate to conduct committee business. Following each spring election the current committee chair will call a meeting with continuing and new members to choose the chair for the following year. The current chair will promptly notify the Elections Chair of this choice. A standing committee chair may be removed by a two-thirds vote of the committee that he/she chairs. The committee chair shall delegate the recording of minutes, or other form of report, for each meeting. The committee chair shall distribute the minutes or other report of each meeting to the committee members and to the Chair within two weeks of the meeting. Minutes or other reports for each meeting shall include a description of all the formal actions taken and the names of all members in attendance. Each committee chair will submit an academic year committee 1-page summary to the EHD Department Chair by May 1st. The

summary will include a list of issues tackled, list of actions taken, attendance of members, and notations about above-average member participation/contributions.

C. Reports

Committee reports requiring action by the faculty shall be distributed by the committee chair to the faculty at least four work days prior to the scheduled faculty meeting.

Amendments may be made from the floor in accordance with Robert's Rules of Order.

Standing committee chairs should present an oral or written report of committee activities to the EHD faculty during regular faculty meetings, as appropriate. All meeting minutes, reports, announcements, and other correspondence may be transmitted to the faculty in the form of e-mail and/or web posting.

D. Standing Committee Descriptions

1. Advisory Committee

Membership

All voting departmental faculty.

Responsibilities

The department chair is the standing chair of this committee. The advisory committee shall advise the chair on matters that the chair or faculty bring to the committee, which include but are not limited to: (a) advising on academic issues, (b) evaluating and recommending resources, and (c) addressing general faculty concerns. The Advisory Committee meets concurrently with the departmental meeting.

2. Curriculum Committee

Membership

Four regular faculty members, one from special education, literacy, foundations, and counseling.

Responsibilities

The Curriculum Committee is to review proposals for course changes, new courses, and other curricular changes. The Committee shall evaluate and make recommendations to the faculty on all academic requirements, courses, and curricula. The Curriculum Committee will provide representation for interdisciplinary collegiate or University curriculum-related activities. In years when the term(s) of the EHD representative(s) to the School of Education Curriculum Committee end, the EHD Committee, at a spring meeting, will select a member to serve the 3-year term on the SoE Curriculum Committee. This member's term will be extended in the EHD Curriculum Committee to include the 3 years. The current chair will promptly notify the Elections Chair of the choice.

3. Doctoral Program Advisory Committees: LS, LLC, and SpEd

Membership

In each committee: three regular faculty members, the SoE Graduate Coordinator, and a non-voting doctoral student in that program.

Responsibilities

Each Doctoral Program Committee is responsible to oversee its program including general

monitoring of student progress as well as recommending to the faculty: (a) program policies and procedures, (b) draft responses to Graduate School requests, and (c) candidates for admission.

4. Promotion, Tenure and Appointment Renewal (TPR) Committee

Membership

The TPR Committee shall consist of elected, tenured professors, as described in the EHD TPR Guidelines, elected by the faculty to three-year staggered terms. The chair of this committee shall be a full professor. A position on the Committee that is vacated before the completion of a 3-year term will be filled by a temporary appointee of the EHD Department Chair in consultation with the Chair of the Committee. A vacant position will be filled by an appointee for no more than one cycle of the Committee's work, after which time the vacant position must again be filled by a returning or newly elected member.

Responsibilities

The Committee shall operate in accordance with the policies and procedures specified in the department's Tenure, Promotion, and Reappointment (TPR) Guidelines. The Department's TPR Guidelines must be aligned with Clemson's Faculty Manual and, as such, must be approved by the Department's regular faculty, the Department Chair, the Dean of the School of Education, and the Provost. In addition, the Committee shall annually disseminate the Department's approved TPR Guidelines along with directions and deadlines for submitting documentation and materials for faculty seeking contract renewal, promotion, and tenure.

The Committee shall make recommendations for the awarding of promotion and/or tenure and for reappointments of untenured faculty, lecturers, and senior lecturers as specified in the departmentally approved TPR Guidelines and Clemson's Faculty Manual. Recommendations will be justified with appropriate evidence and will include formative feedback for untenured faculty and lecturers seeking reappointment.

5. Post-Tenure Review (PTR) Committee

Membership

The Post-Tenure Review Committee shall consist of three tenured full professors, elected for three-year terms, and one external Clemson full professor (one from outside the School of Education) elected to serve as the external reviewer for an applicant who chooses this option in place of the external letters for a PTR Part II review. No one should run for election who anticipates going up for PTR Part II review during that term. Members of the PTR committee who go up for PTR Part I review during their term will be recused from their own reviews, but will participate in all other PTR business that year.

Responsibilities

The Post-Tenure Review Committee will follow the EHD PTR Guidelines (see Appendix A) and all other procedures, rules, and regulations for PTR described in the Faculty Manual.

The PTR Committee will also perform the first review for all requests for sabbatical leave. The dates and steps for sabbatical leave are detailed in the Faculty Manual.

6. Elections Committee

Membership

Two members appointed by the Chair.

Responsibilities

The Elections Committee runs elections as needed. See Appendix B for Election procedures.

The Committee Chair serves on the SoE Elections Committee.

Article VII. Ad-Hoc Committees.

The Chair may establish special committees as deemed appropriate. These committees shall have such members and duties and terms of office as determined by the Chair with the advice and consent of the Department Advisory Committee. Ad-Hoc Committees will have a term-limit of no more than one year. If a Committee is necessary for longer than that, it must become a standing committee through an amendment to the bylaws.

Article VIII. Department Policies and Procedures

All policies and procedures must be compatible with those described in the Faculty Manual.

Appendix A: Post Tenure Review Guidelines

Post-tenure review (PTR) serves to evaluate rigorously a faculty member's professional contributions. The review should be used to identify and reward excellent faculty, and, by identifying cases where remediation and support may be required, should ensure that all faculty serve the needs of the students and the institution.

PTR is carried out according to the Faculty Manual and the guidelines provided by the Provost's office each year. The EHD by-laws stipulate that PTR is to be carried out by the PTR Committee. This committee has three members elected according to the departmental by-laws. An additional member from outside the School of Education may be elected to serve as an external reviewer.

The period for PTR is after every five years. The first five-year period begins at the time that tenure is granted. Promotion during that period does not alter the schedule for review. Periods of sick leave, sabbatical leave, or leave without pay will be excluded from this five-year period. See the Faculty Manual for other valid reasons for requesting an extension.

The PTR process consists of two parts. Those PTR applicants who receive a rating of "satisfactory" in Part I are exempt from Part II. The Department Chair, by May 1, will notify faculty going through the PTR review the following year, and will provide names and ratings (no narrative) to the chair of the PTR committee by October 1.

Post Tenure Review Process: Part I

The PTR committee will review the ratings received on the most recently available series of five years of annual performance reviews (Form 3) as provided by the Department chair. All tenured faculty members receiving no more than one (of five) annual performance ratings of "fair," "marginal," or "unsatisfactory" in Part I of the PTR process receive a PTR rating of "satisfactory." These faculty members are thereby exempt from Part II of Post Tenure Review. The PTR committee will submit a letter to the Department Chair and School Dean identifying the faculty members exempt from the Part II PTR review process. In addition, a letter of notification of the "satisfactory" PTR rating will be sent to each of those faculty members.

Post-Tenure Review Process: Part II

1. Notification. By October 15, those faculty who have been identified as applicants for Part II PTR will be individually notified by letter from the PTR committee chair that they should begin preparing their applications for post-tenure review.
2. Choosing external review process. By November 1, each faculty member under review will notify the PTR committee chair in writing of his or her choice of external review method: participation by an external committee member, or solicited external support letters (in which case, the names and contact information of at least six potential referees must be included). In the event that this written notification is not received by the PTR chair by the due date, the default will be the use of the external committee member in that applicant's review.

3. **Submission of Complete Application.** A notebook containing sections prescribed by the Provost and provided by the School Dean will be given to each PTR Part II applicant by the PTR committee. This notebook may be paper or electronic, as determined by the Provost or Dean. All required application materials must be submitted to the PTR Chair prior to the deadline established by the Committee. These materials will be kept in a secure location available only to PTR Committee members and to the School Dean. During the period before the application deadline, an applicant may address any procedural questions to the PTR Committee Chair, for example, questions regarding the materials to be submitted.

4. **External Letters and Additional Materials.** If the applicant chooses the option of solicited external support letters, a minimum of 4 reference letters will be obtained by the PTR committee, of which at least two of the references must come from the list submitted by the applicant. The PTR committee, through the PTR chair or designated member, may ask the applicant for additional materials or written clarification at any time before the recommendation is made. If an applicant receives information about an additional distinction prior to the committee meeting at which the committee recommendation is made, the applicant may submit that material to the PTR chair prior to the meeting.

5. **Review.** Individual PTR committee members will review the applications prior to the committee meeting at which the recommendation will be made. In reviewing materials, the PTR committee will evaluate each applicant using the established criteria. The applicant will be notified of the date of the recommendation meeting with a reminder that the meeting date is also the final deadline for additional information (recent distinctions).

6. **Ratings and Recommendation.** At a closed meeting of the PTR committee in early spring, at which a designated committee member will take minutes, a rating of Satisfactory or Unsatisfactory will be given to the applicant for each of the three performance areas (Teaching, Research/Scholarship, and Service). In the event that a consensus cannot be reached for a rating, the majority will hold. For each applicant a report will be written by the committee. For each of the three performance areas the report will include a narrative and a rating (Satisfactory or Unsatisfactory). The report will finish with a statement of the overall recommendation of Satisfactory or Unsatisfactory. (See the Faculty Manual for more information.)

Criteria for Evaluating Faculty Performance

In judging post-tenure performance, the Committee will primarily consider the applicant's performance during the period since the last peer review, but performance prior to the latest review will also be considered, as well as plans for future development and potential contributions. EHD faculty at Clemson University receive a formal yearly evaluation ("Form 3") of their contributions to the University, provided by the EHD chair. These Form 3 evaluations accord a very high weight in the PTR decisions.

A. **Criteria for Ratings in the Three Performance Areas (Teaching, Research, and Service).** Guided by the EHD TPR Guidelines and Form 3 Criteria, and giving strong consideration to the Form 3 evaluations, the committee will give a rating of Satisfactory or Unsatisfactory to each applicant in each of the three areas of Teaching, Research/Scholarship, and Service.

B. Criteria for the Overall Recommendation. The applicant will receive an overall recommendation of Satisfactory if he or she receives a rating of Satisfactory in all three performance areas (Teaching, Research, and Service). This resets the PTR time clock. If any one performance area is Unsatisfactory, the overall recommendation will be Unsatisfactory, resulting in remediation to correct deficiencies in the Unsatisfactory performance area(s) (see the Faculty Manual for remediation details).

The PTR Notebook (required for Part II review only). Materials will be organized in the PTR Notebook with tabs in the order specified by the Provost's office. The following materials are required by the TE PTR committee (even if not required by the Provost):

___ 2-page executive summary statement of contributions to the University. The applicant should emphasize post-tenure achievements and include a description of potential future contributions.

___ An updated curriculum vita

___ Summary statistical sheets for "Student Evaluation of Instructors" (past five years) in reverse chronological order.

___ All individual student comments from "Student Evaluation of Instructors" for the past five years, printed or on a data CD.

___ 1-to-2-page plan for continued professional growth

___ If a sabbatical was taken during the five-year period, detailed information about outcomes of the sabbatical leave.

___ Optional: letters of support

___ All form 3s since the last PTR review

___ Optional: additional documents relative to the review, for example, evidence of teaching effectiveness, research impacts, or service activity, or letters of support (at the discretion of the involved faculty)

Appendix B: Election Procedures

A) The elections will be held each spring prior to or simultaneously with the School of Education elections. The Election Chair will send his/her faculty a list of those committees at all levels with open seats.

B) At-large Elections:

1. The Election Chair will receive electronic nominations from the nominees themselves. Nominations may be made from the floor of faculty meetings, as long as the nominee gives verbal consent, recorded in the minutes of the meeting. Nominations will be collected for a minimum of 3 days.
2. The slate will be emailed to faculty with the names of all nominees who will appear on his/her ballot. The slate will be emailed at least 2 days before the election.
3. The Election Committee shall conduct the election by secret ballot. A valid ballot is one in which there are as many votes in that committee election as there are vacancies for that committee. There are no write-ins. There is no absentee voting if the election is internet-based. Collection of ballots must continue for no less than 2.5 days.
4. Election will be by plurality.
5. The election results shall be emailed to the faculty no later than working 3 days after the deadline for voting. The election committee will keep committee memberships current on a School website.
6. In the event that a vacancy occurs on a committee after the spring election, the Department Chair in consultation with the Committee Chair may appoint an interim member to fill the vacancy until the next spring election.

Appendix C: Record of Amendments

Date Amendment Approved	Brief Statement of Change(s)
4/10/15	Adjusted language in TPR section to match Faculty Manual and TPR Guidelines. Minor edits for grammar.