

By-Laws

MARSHALL UNIVERSITY GRADUATE COUNCIL

BYLAWS

January 9, 1997

Revised & Approved: October 22, 2004

Revised & Approved: Spring and Fall 2013

Revised & Approved: September 2022

Revised & Approved: _____

Article I. Name

The name of the organization shall be the Marshall University Graduate Council and shall be referred to in these bylaws as the Council.

Article II. Purpose

The duly elected members shall be the basic legislative body of graduate studies at Marshall University except as to matters reserved to the Assistant Provost for Graduate Studies, Chief Academic Officer, President, Board of Governors, Higher Education Policy Commission, or West Virginia Legislature.

Article III Powers and Relationships

Section 1. Members

1. The primary responsibility of the Graduate Council is to make policy recommendations with respect to the graduate education mission of the university to the university President. Specific functions include the facilitation of long-range planning for graduate education at Marshall University, the recommendation of new programs and courses, the evaluation of existing programs and courses, the facilitation of graduate accreditation, the recommendation of promotion and tenure policies related to graduate education, and the recommendation of approval of graduate faculty to the university President.
2. Action of the Council, a Council committee, or the members of any recognized sub-division of the Council properly taken and recorded in accordance with these Bylaws shall, unless overruled or amended by the President, be deemed an official action for and

on behalf of graduate education when such action is not in conflict with public law of the State of West Virginia or with University policy.

3. The President of the Faculty Senate shall provide information regarding official actions taken by the Graduate Council to the Marshall University Senate.

Section 2. Assistant Provost for Graduate Studies

It shall be the responsibility of the Assistant Provost for Graduate Studies to inform the Council of all actions of the university President, the Board of Governors, the Higher Education Policy Commission, or the West Virginia Legislature affecting the educational policies related to graduate education in a timely manner.

Article IV. Membership

Section 1. Voting Representation

Voting representation on the Graduate Council shall include:

- a) One faculty member from each academic unit (as defined in Bylaw # 14 of the Constitution of the Marshall University Faculty) with graduate programs.
- b) One member of the Library Faculty with responsibilities that support graduate programs.
- c) The Faculty Senate Chair.
- d) One graduate student representative selected by the Graduate Council Executive Committee.
- e) One additional faculty member per 400 enrolled graduate students beyond 400 from each academic unit with graduate programs.
 - i. The number of enrolled graduate students will be determined every four years, using data provided by the Assistant Provost for Graduate Studies.
 - ii. The number of enrolled graduate students in each academic unit will be determined by the average of the graduate student enrollments from the previous four years.

Section 2. Nonvoting Representation

Ex-officio, nonvoting members include the Assistant Provost for Graduate Studies, the Provost, the Vice President of Academic Affairs, and the Vice President of Research.

Section 3. Voting Eligibility

All voting members of the Graduate Council shall be eligible to vote on any matter brought before the Council.

Section 4. Graduate Council Chair Liaison to Faculty Senate

The Graduate Council Chair, as a member of the Faculty Senate, acts as a Senate liaison, and will report to the Faculty Senate as described in the Faculty Governance Flow Chart found at the end of the Faculty Senate Bylaws.

Article V. Meetings

Section 1. Scheduling

1. Regular meetings shall be held at least monthly during the academic year.
2. Special meetings may be called by the Chair at his or her discretion or at the request of any member of the Council.
3. Meetings shall be scheduled to enable members to participate in-person or remotely via university-approved videoconferencing (e.g., MS Teams).

Section 2. Notification

1. The Chair shall give written notice of regular meetings at least one week prior to the meeting.
2. Special meetings may be convened with less than one week's notice but with at least two days' notice.
3. The written notice of all meetings must include proposed agenda items.
4. Items of business raised for the first time during a Council meeting can be considered for a final vote by membership no earlier than the next regular or special meeting.

Section 3. Voting

1. A quorum consisting of a majority of the eligible voting members of the Council must be present in-person, or live via videoconferencing, for action to be taken at a meeting.
2. Two-thirds of the eligible voting members of the Council must be present or participating live via videoconferencing for action to be taken at special meetings when less than one week's notice is given.
3. Except for the case of election of Council officers, a voice vote or hand-raise will be called for on all actions of the Council requiring a vote and, if requested by any Council member, a roll call vote will be taken and recorded by the Council secretary.
4. Proxy voting is not permitted in any instance.

Article VI. Elections/Appointments

Section 1. Terms

1. Each voting Council member's term, other than the student member, shall be four years. The student member's term shall be one year. Voting members may serve no more than two consecutive terms.
2. Elections for members shall occur in the spring of even-numbered years. Each unit shall conduct its own election, and names of new members shall be submitted to the Chair by April 1.
3. Elected officers and newly elected Council members shall assume their duties at the first Council meeting of the fall semester.
4. Standing committee members shall be appointed by the Chair and assume their duties upon appointment.
5. If a member misses three regular meetings in any academic year, his/her seat may be declared vacant by the Chair subject to approval of the Council. This action may take place at the third missed meeting, at the discretion of the Chair with approval of the Council. The Chair will immediately report the vacancy to the appropriate unit. Within two weeks the unit shall elect a faculty member to fill the vacated seat.
6. If a member on the Council will likely be absent one year or less, for example due to sabbaticals, from a series of Council meetings, interim members will be chosen by the relevant academic unit prior to the next regular Graduate Council meeting. Interim members shall have all the privileges of membership, but can serve in their interim capacity for no longer than one academic year, or until the originally elected member need no longer be absent, whichever is earlier. Alternatively, a unit may elect a new member to fill the full remaining term of an absent member, in which case the new member will not be considered "interim," but rather a regular member.
7. Any member who will be absent either permanently or for more than one academic year must have his or her seat declared vacant by the Chair. The Chair will immediately report the vacancy to the appropriate academic unit. Prior to the next regular Graduate Council meeting, the unit shall elect a faculty member to fill the vacant seat.
8. Administrators at the level of Dean or higher cannot serve as voting members on the Council.

Section 2. Election of Officers

1. Nominations for Council officers shall be made by Council members from among the membership of the Council at a meeting of each newly-constituted Council. So that Council business and leadership transitions can continue smoothly, this meeting would normally be in conjunction with the last Spring Semester Council meeting in an even-numbered academic year.
2. Every nomination must be made from the floor and seconded.
3. For elections of one or more of the Council officers—Council Chair, Vice-Chair, and/or Secretary—voting will take place during a Council meeting by secret ballot, and counted and announced by an Ex-Officio non-voting member of the Council at that meeting. Election shall be determined by a majority vote of members present or participating live via videoconferencing and voting for each office.
4. In the event of a tie, lot shall determine election.
5. If one of the Council officers must vacate his or her Council office before the end of his or her term of office has expired, a new election will be held at the soonest possible

regular Council meeting; or, the election will take place at a special Council meeting if the matter is judged to be sufficiently urgent by the remaining Council officers. The election would take place by the same nominating and voting procedures as in steps b, c, and d of this Section.

Article VII. Officers of the Council

Section 1. Titles

The Graduate Council shall elect a Chair, a Vice Chair and a Secretary to serve two-year terms.

Section 2. Duties

a. The Chair shall be responsible for the following duties:

1. Schedule meetings.
2. Prepare the agenda for meetings.
3. Preside at all meetings.
4. Appoint ad hoc committees.
5. Appoint members to standing committees.
6. Serve as a representative of the Council.
7. Forward to the President of the University, or the President's designee, all motions pertaining to Graduate Faculty membership; curricular changes, additions, or deletions; motions approving new academic unit graduate programs; and any other motions regarding graduate policy and planning. All Council minutes will also be forwarded to the President or President's designee, included in which may be said motions regarding graduate faculty, curriculum, programs, policies and planning.
8. Sign, and forward to the Assistant Provost for Graduate Studies or other appropriate officer, any curricular changes, additions, or deletions.
9. Perform other duties consistent with the efficient management of the Council.
10. Serve as a member of the Faculty Senate Executive Committee. Through the Faculty Senate Executive Committee, communicate to the Faculty Senate on actions submitted to the university President regarding policy recommendations respecting university graduate education matters. On matters not related to those functions, the Council and Senate will work collaboratively in whatever format is deemed appropriate by the respective executive committees.

b. The Vice Chair shall be responsible for the following duties:

1. In the Chair's absence, the Vice Chair shall act as Chair.

c. The secretary shall be responsible for the following duties.

1. Recording minutes.

2. Distributing minutes to the Chair for preliminary approval, and then to all Council members.
3. Submitting a permanent copy of all minutes and attachments.
4. Ensuring that minutes and other pertinent documents are posted on the Web page.
5. Performing other duties consistent with the support of Council activities.

Article VIII. Standing Committees

Section 1. Role of Standing Committees

The primary purpose of standing committees shall be to consider and recommend actions and propose policies in the functional areas under their jurisdictions, subject to final approval by the Council.

Section 2. Membership of Standing Committees

1. After consultation with the involved individuals, the Graduate Council Chair shall appoint members to serve one or two academic years as the Chair judges needful so as to maintain continuity and stability within standing committees. One of the goals of this appointment to one or two years is to help provide for a term-balancing of standing committee membership with terms arranged to expire in different years.
2. The Chair of the Graduate Council and the Assistant Provost for Graduate Studies shall be ex officio and non-voting members of each standing committee.
3. Each standing committee shall elect its own chair annually.

Section 3. Duties of Standing Committee Chairs

The duties of the chair shall include:

1. Scheduling meetings
2. Preparing agendas
3. Presiding over meetings
4. Preparing an annual report
5. Performing other duties as consistent with the efficient management of the committee.

Section 4. Vacancies on Standing Committees

The Council Chair shall appoint members to vacancies on standing committees for the remainder of the academic year.

Section 5. Standing Committees Titles and Responsibilities

1. Standing Graduate Committees

1. Credentialing
2. Curriculum
3. Academic Planning, Standards, and Policies
4. Program Review and Assessment
5. Executive Committee

Section 6. Functions and Membership

1. Credentialing Committee

a) Functions:

1. Recommends criteria for graduate faculty membership to the Graduate Council.
2. Reviews graduate faculty membership applications for recommendation to the Graduate Council.

b) Membership: At least three Council members.

2. Curriculum Committee

a) Functions:

1. Recommends course changes, additions, and deletions.
2. Reviews and makes recommendations regarding additions and/or deletion of degree programs, areas of emphasis, and certificate programs.
3. Evaluates existing courses.

b) Membership: At least three council members.

3. Academic Planning, Standards, and/or Policies Committee

a) Functions:

1. Recommends general policies for admission, progression, and graduation of students.
2. Recommends general academic policies.
3. Recommends other policies related to academic area.
4. Engages in long-range planning and recommends program development.

b) Membership: At least three council members.

4. Program Review and Assessment Committee

a) Functions:

1. Reviews annual Assessment Reports submitted by each graduate program
2. Reports its evaluation to the Council for recommendations and actions, after which the Council Chair may report Council recommendations and actions to the University Director of Assessment
3. Engages in long-range planning and recommendations in the area of program review and assessment

b) Membership: At least three council members.

5. Executive Committee

- a) Functions:
1. Monitors and reviews university publications that pertain to graduate education, including but not limited to the Graduate Council website and the Graduate Catalog.
 2. Assures that the Graduate Council website and Graduate Catalog are kept up to date.
 3. Clarifies and reinforces, as needed, the relationship between the Graduate Council and the Assistant Provost for Graduate Studies with respect to the monitoring, evaluation, and implementation of graduate education policy as established by the Graduate Council.
 4. Reports to the Graduate Council in a matter consistent with other standing committees in the Bylaws.
 5. Considers and recommends actions and proposes policies consistent with the operation of other standing committees.
- b) Membership: Graduate Council Chair, Vice-Chair, and Secretary, with the Graduate Council Chair serving as Chair of the Executive Committee.

Article IX. Ad Hoc Committees

The Council Chair shall form ad hoc committees for special tasks as necessary through appointment of members by the Council Chair.

Article X. Robert's Rules

The Council shall be governed by the rules contained in Robert's Rules of Order (latest edition) unless otherwise set forth in these bylaws.

Article XI. Amending Bylaws

1. These bylaws may be amended by a two-thirds (2/3) vote of all voting members of the Council.
2. Notice of any proposed amendment must be given to all members of the Council at least one week prior to the meeting at which it is to be considered.