



**THE UNIVERSITY OF NORTH DAKOTA
SCHOOL OF MEDICINE AND HEALTH SCIENCES
BYLAWS**

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PREAMBLE

The School of Medicine and Health Sciences is an integral part of the University of North Dakota and is organized to utilize academic and community resources for the education of students, physicians, and other health-related personnel. The use of statewide facilities for medical education requires the development of a governance structure unique to the School of Medicine and Health Sciences within the University of North Dakota. The Bylaws contained herein are designed to provide the basic charter by which the School of Medicine and Health Sciences shall function within the scope of its authority and responsibilities as defined by the University of North Dakota Constitution.

ARTICLE I - NAME OF ORGANIZATION

The name of the organization shall be the University of North Dakota School of Medicine and Health Sciences (hereinafter called the School).

ARTICLE II - MISSION

Our mission is to educate and prepare North Dakota residents as physicians, medical scientists and other health professionals for service to the people of North Dakota and the nation, and to advance medical and biomedical knowledge through research.

ARTICLE III - ORGANIZATION

Section One - The Faculty

The general term faculty is inclusive and is meant to denote anyone with a teaching appointment within the School.

Subsection One - Voting Faculty

Voting membership of the Faculty shall be those persons holding the rank of Professor, Associate Professor, Assistant Professor, Instructor, Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, Clinical Instructor,

Research Professor, Research Associate Professor, Research Assistant Professor.

Subsection Two - Nonvoting Faculty

Nonvoting members of the faculty are adjunct faculty, visiting professors, research associates, research assistants, post-doctorate fellows, teaching fellows, and teaching assistants.

Subsection Three - Responsibilities of the Faculty

The faculty shall:

- a. Establish and maintain a medical curriculum designed to educate physicians for the practice of medicine.
- b. Establish and maintain undergraduate, graduate, and continuing education programs in the biomedical and allied health sciences.
- c. Perform and support high standards of teaching, service, and research.
- d. Assist in the development and support of programs of medical education in association with community hospital programs for the benefit of residents of the state of North Dakota in keeping with the community-based concept of a statewide medical school.

Section Two - The Administration

The administration shall consist of the Dean, all associate and assistant deans, all departmental chairpersons and any other administrative officers appointed by the Dean. All associate and assistant deans and other administrative officers appointed by the Dean, with the exception of departmental chairpersons, shall be considered members of the Dean's staff.

Subsection One - The Dean

The Dean of the School shall be the principal officer responsible for the overall direction, development, evaluation and support of all School activities.

Subsection Two - Responsibilities of the Dean

- a. The Dean shall be directly responsible to the President of the University of North Dakota for the development of policy, programs and administrative procedure for the School and its affiliates.
- b. The Dean is responsible for stewardship of all resources of the School.
- c. The Dean shall recommend to the proper authorities the appointment of associate and assistant deans and other personnel to assist in the efficient

execution of the duties of the office of the Dean.

d. The Dean shall establish a departmental structure to carry out the mission of the School and shall publish annually a corresponding table of organization.

e. The Dean may establish ad hoc committees as necessary for the administration of the School.

f. The Dean may make appointments to the standing committees pursuant to the Standing Committees document of the Bylaws.

g. The Dean may appoint search committees for departmental chairpersons. If a search committee is established, the following procedure will be in effect: In arriving at the slate of members, the Dean (or Dean's representative) shall first meet with the respective department to understand its perspective concerning teaching responsibilities, research needs, service commitments and other concerns. The Dean will then select a committee that is broadly representative of faculty, students, resident and staff concerns. The search committee chairperson shall be appointed by the Dean. As instructed by the Dean, the search committee shall recommend to the Dean one or more qualified candidates.

h. The Dean shall submit to the faculty, annually, comments and recommendations concerning the state of the School or more frequently as deemed necessary.

Subsection Three - Departmental Chairperson

a. The chairperson of each academic department of the School shall be initially appointed by the Dean normally for a period of up to five years and may be reappointed for unlimited additional terms. The chairperson shall serve at the discretion of the Dean in accordance with the School's guidelines. The chairperson shall be evaluated on a regular basis according to the School's guidelines or more frequently if required for departmental professional accreditation.

Subsection Four - Duties and Responsibilities of the Chairperson

Duties and responsibilities of the Chairperson include, but are not limited to:

a. Chairpersons shall, consistent with the objectives of the School, be directly responsible to the Dean for all administrative and academic programs and for the welfare of their faculty pursuant to activities of teaching, research and service.

b. Chairpersons shall be responsible for the preparation of an annual report to

the Dean on programs of their respective departments and, in collaboration with the Office of the Dean, for the preparation of an annual budget.

- c. Chairpersons shall be responsible for the use and proper care of the University facilities assigned to or acquired by their department.
- d. Chairpersons shall preside over departmental meetings.
- e. Chairpersons shall report to their department faculty on policy and other matters that affect the School, the welfare of their faculty, and programs of their departments.
- f. Chairpersons shall be responsible for supervision, evaluation, and documentation of performance of faculty within their departments.
- g. Chairpersons shall be responsible for the recruitment and support and development of a high quality staff for teaching, research and service.
- h. Chairpersons shall ensure that departmental members have the opportunity to participate in departmental policy decisions affecting their welfare and that of the department.
- i. Chairpersons shall be responsible for keeping adequate records of all significant departmental activities and events. All such records are the property of the School and must remain in the department.

ARTICLE IV - GOVERNANCE

Section One - Faculty Assembly

The Faculty Assembly shall consist of all voting members of the faculty of the School.

Subsection One - Duties and Responsibilities

- a. The Faculty Assembly shall meet at least annually at a time and place set by the Dean of the School.
- b. The Faculty Assembly shall receive an annual report from the Dean and the Faculty Academic Council on the State of the School. The Dean shall circulate a written agenda to all Faculty Assembly members at least one week prior to a scheduled meeting.
- c. The Dean, or the Dean's designee, shall serve as the presiding officer at all meetings of the Faculty Assembly.
- d. Electronic means may be used, where appropriate, to enable the annual

meeting to be held simultaneously in multiple sites.

e. A quorum of the Faculty Assembly necessary for the transaction of business at any meeting shall be 60 voting members.

f. All votes of the Faculty Assembly will be accomplished by individual paper or electronic ballot.

g. Meetings of the Faculty Assembly may be called by the Dean or by petition of at least 10% of the voting members of the Faculty Assembly.

h. The Faculty Assembly is the sole body empowered to approve the Bylaws of the School of Medicine and Health Sciences and to ratify amendments to the Bylaws.

i. The Faculty Assembly elects representatives to the Faculty Academic Council and members to serve on the Nominating Committee, for terms to begin the next academic year.

j. Voting for representatives to the Faculty Academic Council shall be by individual ballot on nominees proposed by the Nominating Committee. Only members of the Faculty Assembly may be nominated.

k. All representatives to the Faculty Academic Council and members of the Nominating Committee shall be elected by a simple majority vote.

Section Two - Nominating Committee

a. The Nominating Committee of the Faculty Assembly shall consist of nine voting members with the Dean being an advisory, nonvoting member of the committee. All members must be members of the Faculty Assembly, but may not hold an administrative position.

- 1) Three members shall be from the basic science faculty.
- 2) Three members shall be from the full-time clinical science faculty.
- 3) Two members shall be from the part-time clinical faculty.
- 4) One member shall be from the allied health sciences faculty.

b. No more than one member of the Nominating Committee may come from any one department. All terms of office shall commence at the beginning of the next academic year following election. Vacancies during a term shall be filled by the Dean, until the next regular election by the Faculty Assembly, at which time a person will be elected to fill the remainder of the term of office. Committee members shall serve staggered three-year terms and shall be eligible for further service if re-elected; no person may serve more than two consecutive full terms.

c. The Nominating Committee shall elect a member to serve as chairperson at its first meeting, with such chairperson elected on a yearly basis. The Nominating Committee shall meet initially upon the call of the executive associate dean responsible for Academic Affairs and thereafter upon the call of the Chair. A minimum of five members of the Nominating Committee must be present to constitute a quorum for the transaction of business.

d. The Nominating Committee shall prepare a list of nominees for each available position on the Faculty Academic Council and/or the Standing Committees of the School. Such a list shall contain at least two nominees for each position and insofar as possible ensure committee membership shall be equitably distributed among departments.

e. The list of nominees shall be completed by July 1st of each year and submitted to the Dean at such time, to be used in the annual election by the Faculty Assembly.

f. Ballots for the election of the Faculty Academic Council and the Standing Committees shall be submitted to the Faculty Assembly no later than August 1st.

Section Three - Faculty Academic Council

a. The Faculty Academic Council shall consider and recommend academic policy for the School upon recommendations from its Standing Committees or upon its own initiative. Such academic policy as recommended shall be forwarded to the administration of the School. Final authority for action on the recommendation of the Faculty Academic Council shall reside with the Dean.

b. There shall be a minimum of 20 voting members of the Faculty Academic Council, each with one vote, which shall consist of the following:

- 1) The Dean of the School, who shall serve as the presiding officer of the Faculty Academic Council.
- 2) Each departmental chairperson.
- 3) Basic Science Faculty
 - a) Five elected basic science faculty members, insofar as possible, evenly distributed across all departments.
 - b) Elected for three-year terms by the Faculty Assembly.
 - c) One or two members will be elected each year for a three-year term.
- 4) Clinical Science Faculty
 - a) Five faculty members from clinical science departments, insofar as possible, evenly distributed across all departments. Of the clinical science faculty members of the Faculty Academic Council, at least one member must

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- b) be elected from each of the campuses in the state.
 - b) Elected for three-year terms by the Faculty Assembly.
 - c) One or two members will be elected each year for a three-year term.
- 5) Allied Health Science Faculty
 - a) One faculty member from allied health sciences departments.
 - b) Elected for a three-year term by the Faculty Assembly.
 - 6) The President of the Medical Student Council serving for a one-year term.
 - 7) One elected biomedical graduate student representative of the School serving for a one-year term.
 - 8) The full time assistant deans and the associate deans serve as advisory, nonvoting members of the Faculty Academic Council

c. Members elected by the Faculty Assembly shall take office immediately following their election.

d. The Faculty Academic Council shall meet at least quarterly during the academic year at a time and place specified by the presiding officer. Additional meetings may be held at the call of the presiding officer or by a simple majority of the council members.

e. A quorum for transaction of business at any meeting of the Faculty Academic Council shall consist of a simple majority of council members. Members must be present, physically or by electronic means, to be included in the quorum, and voting by proxy shall not be permitted.

f. A written agenda and all supporting documents shall be distributed to all members of the Faculty Academic Council by the presiding officer at least one week prior to any meeting.

g. Votes taken during a meeting of the Faculty Academic Council may be recorded roll-call votes on the request of a voting member.

h. No meeting of the Faculty Academic Council shall last longer than two hours unless two-thirds of those voting members present vote to extend the meeting.

i. Actions and recommendations of the Faculty Academic Council shall be reported at least annually to the Faculty Assembly.

j. The Faculty Academic Council shall keep minutes of each meeting and copies of said minutes shall be sent to members of the Faculty Academic Council and shall be available to members of the faculty.

k. Policy decisions approved by the Faculty Academic Council and agreed to by the Dean will be entered into a permanent UNDSMHS policy register which will be kept in the administrative offices of the Dean and which will be available for review by any member of the faculty.

1. Standing Committees of the Faculty Academic Council:

The Faculty Academic Council may establish standing committees and ad hoc committees as it considers necessary. Such committees shall include, but are not limited to, those committees described in the document entitled University of North Dakota School of Medicine and Health Sciences Standing Committees.

- 1) Standing Committees established by the Faculty Academic Council shall ordinarily consist of an odd number of members and shall have no fewer than seven members. Associate and assistant deans may be advisory, nonvoting members of each committee. At least a simple majority of members of Standing Committees established under these Bylaws shall be elected by vote of the Faculty Assembly. The remaining members of such committees may be appointed by the Dean. Membership of Standing Committees shall represent, insofar as possible, equitably the basic science, clinical science, allied health and community faculty portions of the Faculty Assembly.
- 2) The chairperson of each committee established by the Faculty Academic Council shall be selected by members of the committee unless otherwise specified in the document entitled University of North Dakota School of Medicine and Health Sciences Standing Committees.
- 3) Medical, graduate and undergraduate students in the School may be appointed by the Dean to committees established by the Faculty Academic Council. Committee members shall serve staggered three-year terms and shall be eligible for further service. No person may serve beyond two full consecutive terms without a minimum of a one-year hiatus. If a committee member cannot serve the full term, the Dean shall select a person to serve until the next general election of standing committee members.
- 4) Standing Committees of the Faculty Academic Council shall keep minutes of each meeting and copies of said minutes shall be forwarded to the Dean's office and shall be available to members of the Faculty Academic Council.

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- 5) The chairperson or designee of each Standing Committee shall present a written report of the committee's actions to the Faculty Academic Council at least annually and shall be available at the meeting(s) for answering questions.
 - 6) Standing Committees shall meet initially upon the call of the appropriate Associate Dean, and thereafter upon the call of the chair or a simple majority of the committee members. Normally, at least two weeks notice shall be given to all members prior to each meeting.
 - 7) A quorum of any Standing Committee shall be defined as a simple majority of the voting committee membership.
 - 8) The committee chair may request the Dean to replace a member of the committee who fails to regularly attend meetings.
- m. Ad hoc committees of the Faculty Academic Council:
- 1) May be appointed by the Faculty Academic Council for specific purposes and for a limited period of time that will not exceed 12 months unless re-established by vote of the Faculty Academic Council.
 - 2) Upon completion of their task, or at intervals specified in their charge, the ad hoc committee will issue a report to the Faculty Academic Council.
 - 3) Ad hoc committees shall keep minutes of their meetings and shall report to the Faculty Academic Council.
 - 4) A quorum shall be defined as a simple majority of the voting membership of the committee.

Section Four - Dean's Advisory Council

- a. Charge: to provide counsel and advice to the Dean upon matters of School policy.
- b. The Dean's Council shall consist of nine members:
 - 1) Two appointed basic science chairpersons.
 - a). One basic science chair appointed for a term of three years.
 - b). One basic science chair appointed for a term of two years.
 - 2) Two appointed clinical science chairpersons.
 - a). One clinical science chair appointed for a term of three years.
 - b). One clinical science chair appointed for a term of two years.
 - 3) One appointed at large faculty member for a term of three years.
 - 4) One appointed member of the School staff not employed in any Dean's office for a term of two years.
 - 5) The Executive Associate Dean responsible for academic affairs (ex officio).

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- 6) The Associate Dean responsible for student affairs (ex officio).
 - 7) One appointed medical student for a term of one year.
- c. A quorum shall consist of no fewer than 7 members of the Council.
 - d. Appointed members may be reappointed for a second full term of office after which they may not be reappointed for at least three years.
 - e. Upon a Dean leaving office for any reason, the Council may be dissolved at the pleasure of the interim or successor dean and a new council may be appointed.
 - f. The Dean's Council shall meet upon call of the Dean but no less frequently than once per calendar month.
 - g. The minutes of the Dean's Advisory Council will be distributed to all members of the Faculty Academic Council no later than one week following a meeting of the Dean's Council.

Section Five - Referral Procedure

- a. Faculty wishing to challenge a specific action of the Faculty Academic Council shall submit to the Dean a written petition stating their objection and proposed remedy which must be signed by at least 50 members of the Faculty Assembly.
- b. The Dean will schedule, within one week of validation of the signatures affixed to the petition, a special meeting of the Faculty Academic Council for the purpose of appointing an ad hoc committee to prepare the Faculty Academic Council's rebuttal.
- c. The petitioners and the ad hoc committee of the Faculty Academic Council will have 30 days to prepare supporting documentation for their respective positions on the issue(s).
- d. The petition, supporting documentation and a mail ballot will be distributed by the Dean to the Faculty Assembly by certified mail, return receipt requested.
- e. Authenticated ballots must be returned or postmarked no later than ten working days following the date of receipt of the certified mailing of the ballot.
- f. The Dean will appoint a committee of tellers to tabulate the vote. The committee of tellers must have at least one of the petitioners as a member. A simple majority of the votes cast by the Faculty Assembly shall decide the issue.

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- g. Any issue so decided shall be accepted by the Faculty Academic Council as recommended policy or procedure for the School and shall be referred to the Dean for action.

ARTICLE V - PARLIAMENTARY PROCEDURE

All meetings of any body or committee authorized by these Bylaws shall operate under The Sturgis Standard Code of Parliamentary Procedure.

ARTICLE VI - INCONSISTENCY

In case of any inconsistency between these Bylaws and the University of North Dakota Constitution, the policies, rules or regulations of the North Dakota State Board of Higher Education or the laws of the State of North Dakota, said Board policies, rules or regulations or state law shall govern. Any matter pertaining to the operation of the School not covered by these Bylaws shall be governed by: the University of North Dakota Faculty Handbook; The University of North Dakota Constitution; the policies, rules or regulations of the North Dakota State Board of Higher Education; or the laws of the State of North Dakota, as may be appropriate.

ARTICLE VII - AMENDMENTS, INTERPRETATION AND IMPLEMENTATION

Section One - Amendments.

- a. Any member of the Faculty Assembly may propose an amendment to the Bylaws.
- b. The proposed amendment, with supporting documentation, shall be submitted to the Dean for inclusion in the agenda of the Faculty Academic Council.
- c. The Faculty Academic Council shall consider the proposed amendment at its next scheduled meeting.
- d. At the discretion of the presiding officer of the Faculty Academic Council, the amendment petitioner may be invited to participate in the Faculty Academic Council discussion.
- e. Upon two-thirds of the Faculty Academic Council members voting agreeing to the amendment, it shall be submitted to the Faculty Assembly for approval.
- f. The proposed amendment, with supporting material and ballot, shall be submitted to the Faculty Assembly within 10 working days of the vote of the Faculty Academic Council.
- g. Returned ballots must be postmarked no more than 10 working days after the ballots and supporting documentation is distributed to the Faculty Assembly.

h. A majority approval vote of the voting Faculty Assembly is required for the amendment to be accepted.

i. The Bylaws Committee will meet within 10 working days following Faculty Assembly approval to incorporate the amendment into the Bylaws.

Section Two - Interpretation. The final authority to interpret these Bylaws shall reside in the Faculty Academic Council.

Section Three - Effective Date. These Bylaws shall become effective after their adoption by a two-thirds majority vote of the members of the Faculty Academic Council, a simple majority vote by the voting Faculty Assembly and timely implementation by the Dean. Upon the adoption of these Bylaws, all pre-existing committees shall continue to function as previously prescribed until the procedures set forth in these Bylaws can be implemented by the Dean.

Section Four - Terminology. Any official change in terminology that is purely editorial shall be incorporated into the Bylaws without a vote by the Faculty Academic Council.