CONSTITUTION AND BYLAWS

Section 1: University Libraries Faculty

The Faculty is governed by the Laws of the Regents and the University of Colorado Faculty Handbook. The Faculty is composed of all those at the rank of Lecturer or above; they must hold a current appointment at 50% or above at the University of Colorado Libraries. In extraordinary circumstances, on a joint request from the Dean of Libraries and another senior campus officer, a member of the University faculty, who is a librarian and who serves in a librarian capacity in a unit outside the University Libraries and is rostered to that unit may be designated a member of Libraries faculty, primarily for the purposes of tenure and advancement in academic rank. Voting privileges are extended to all members of the Faculty. In tenure related decisions, only tenured faculty who are at or above the rank to which the candidate aspires may vote on cases.

In accordance with the Association of College and Research Libraries Statement on the Terminal Professional Degree for Academic Librarians (http://www.ala.org/acrl/standards/statementterminal), University Libraries faculty members hold the master’s degree in library science from a library school program accredited by the American Library Association or from a program accredited or recognized by a national body of another country. A faculty member hired in the libraries may hold an appropriate terminal degree in another field relevant to the information sciences, such as archives administration, digital curation, information technology or other related disciplines.

Section 2: Officers

Chair
The Dean shall act as Chair of the Faculty.

Secretary
The Secretary is elected by the Faculty to a one-year term. The Secretary presides over Faculty meetings, determines the agenda, distributes minutes, and forwards the minutes as they are approved for addition to the University Libraries Faculty Minutes Archive. The Secretary serves as Chair of the Committee of Chairs, and may not chair any other committee.

Section 3: Meetings, Voting and Elections

Faculty Meetings
The Faculty holds a business meeting each month if necessary, to be presided over by the Secretary or a designated substitute. Unless otherwise provided, the latest revision of Sturgis’ The Standard Code of Parliamentary Procedure governs the conduct of the meetings. Special meetings may be called by the Dean, the Secretary, or any other member of the Committee of Chairs, as deemed necessary. Meetings of the faculty are open to all current personnel of academic rank who are rostered in the University Libraries, regardless of the nature of their appointment (e.g., visiting, half-time, grant-funded, etc.), as well as to Libraries emeritus faculty, interns and fellows. Other individuals may attend faculty meetings as guests.
Elections
The service year for elected faculty is January 1-December 31, except the Chair of the Tenure committee (1 May-30 April) and members of the Tenure Committee (beginning July 1 of the year they were tenured.) An election is held annually to elect officers and committee members for the coming year.

Voting
Thirty-three percent of the Faculty who are currently rostered in the Libraries and not absent on extended leave of absence constitutes a quorum. The Secretary determines the result of each vote taken during Faculty meetings and announces it to the Faculty. In the case of a close vote, or at the request of any member, an exact tally of votes is taken. The outcome of all votes is recorded in the minutes of the meeting. A vote may be taken at meetings, or after meetings by ballot, but not by proxy. A vote may be taken by ballot if requested at a faculty meeting. Voting by ballot shall be closed on the fifth business day following the day on which ballots are available. To be valid, a vote requires a quorum. Proposed amendments to the Faculty bylaws and the Libraries Faculty Handbook shall be presented at a Faculty meeting for discussion. Final passage of any amended bylaws text may not take place until the meeting following original introduction, and requires a two-thirds majority of votes cast to pass. All other motions require a simple majority of votes cast to pass.

Minutes
The Minutes of faculty meetings, once approved by the Faculty, constitute the official record of discussions and decisions of the Faculty, and are permanently retained and available to any member of the faculty.

Section 4: Committees

Committees
Service on committees, task forces, etc. is the privilege and responsibility of all members of the Faculty. The Faculty may establish Standing Committees. The Faculty may establish short-term Ad Hoc Committees or Task Forces as necessary to address issues that fall outside the specific purview of a single Standing Committee. Elected committee members may not serve consecutive terms.

Committee Documents
Documents relating to Committee activity should be retained permanently, except as noted in committee procedures. Non-confidential documents may be consulted by any member of the Libraries Faculty. Documents related to individual personnel actions are confidential. Committees are responsible for devising and maintaining procedures to carry out their charge. Such procedures should be in written form and available for consultation by any member of the Libraries Faculty.

Appeals Committee
The Appeals Committee consists of 5 members elected from the Libraries Faculty, serving a two-year staggered term. The Appeals Committee facilitates resolution of non-tenure related appeals and grievances regarding action of Faculty committees or supervisors that have an impact on an individual faculty member's compensation, career, or privileges, utilizing procedures that are in conformity with current University grievance procedures.

Awards and Elections Committee
The Awards and Elections Committee consists of 3 members elected from the Libraries Faculty, serving a three-year staggered term. The Awards and Elections Committee is responsible for the selection of the recipient of the
Ralph E. Ellsworth Award, and the elections of the Libraries Faculty, including filling mid-term vacancies on committees.

Committee of Chairs
The Committee of Chairs comprises the Secretary, the immediate past Secretary, and the chairs of the Standing Faculty Committees, or their representative. It acts for, and in consultation with, the Faculty in areas not within the purview of any Standing Committee or Task Force, and appoints Ad Hoc Committees and Task Forces. The current Secretary of the Faculty serves as Chair. The Committee solicits Faculty opinion on its actions, and informs the Faculty of its activities.

Faculty Personnel Committee
The Faculty Personnel Committee (FPC) consists of 5 members elected from the Libraries Faculty, serving a two-year staggered term. Members may not serve concurrently on the Appeals Committee, and must have been a member of the Libraries Faculty for at least one calendar year before becoming a candidate for election to the FPC. FPC is responsible for annual evaluations, handling equity requests, assigning career merit and documentation scores, and other duties relating to faculty personnel policies and procedures not covered by the Tenure Committee. The Committee actions and recommendations serve to promote uniformity, fairness and due process in all Libraries personnel actions. In conjunction with the Dean’s office, the Committee establishes and distributes a timeline for evaluations and appeals each academic year. Members of the FPC are bound by the University of Colorado’s personnel rules.

Library Symposium Committee
The Library Symposium Committee consists of 3 members elected from the Libraries Faculty, serving a three year staggered term. The Symposium Committee is responsible for organizing symposia that share and inspire Libraries faculty research.

Mentoring Committee
The Mentoring Committee consists of 3 members elected from the Libraries Faculty, serving a three year staggered term. The Mentoring Committee, including at least one tenured and one untenured faculty member, is responsible for assigning mentoring groups, developing the mentoring program, evaluating faculty participation, and assessing the effectiveness of the mentoring program.

Recruitment to the Profession of Librarianship Committee
The Recruitment to the Profession Committee consists of 3 elected faculty members and 2 staff members, chosen by the committee, each serving a two-year staggered term. The Recruitment to the Profession of Librarianship Committee exists to support the future of the profession by offering experiential learning, professional development, and mentorship opportunities to students exploring academic librarianship as a career. The committee oversees the Provost and Friends of the Libraries Fellowships, the Friends of the Libraries Public Services Apprentices, and internships.

Tenure Committee
The Tenure Committee is the body within the Libraries Faculty that is authorized to vote on decisions relating to tenure. These decisions include reappointment, promotion, and tenuring of tenure-stream faculty; and advising on leaves. Decisions made by the Tenure Committee are advisory to the Dean of Libraries. The Tenure Committee consists of all tenured Libraries Faculty. The Tenure Committee selects a Chair, who serves a one-year term, and may serve consecutive terms. The Tenure Committee evaluates candidates for transfer to the
tenure-track, reappointment review, promotion and tenure, promotion to full professor, and post tenure review, and makes recommendations to the Dean; considers sabbatical proposals, and makes recommendations regarding sabbatical requests to the Dean; considers proposals for one-semester release from librarianship, and makes recommendations to the Dean; and evaluates candidates for potential hire with tenure. Libraries faculty follow the procedures for appointment, reappointment, promotion, tenure and post-tenure review established for University of Colorado faculty by the Office of Faculty Affairs and regental policy.

Section 5: Evaluations, Appeals and Grievances

**Tenure Evaluation of Faculty**
See Tenure committee above for details on this process.

**Annual Evaluation of Faculty**
The Faculty Personnel Committee (FPC) oversees the annual evaluation process for Libraries Faculty. FPC distributes the Faculty evaluation packets annually to all Libraries Faculty, and provides instructions and advice on the process. FPC conducts a comparative review of performance in the two areas of Scholarly Activity (Research, Scholarship, and Creative Work) and Service for each member of Libraries Faculty and provides a numerical rating and a summary of the achievements in each category for each member of the Libraries Faculty. FPC conducts a comparative review of the Practice of Librarianship for all Libraries Faculty.

**Salary and Equity Review and Recommendations**
Each year when the amount of money available for salary increases is known, FPC meets with the Executive Committee to review the administration's general plan for allocation of these funds. The plan is based on the results of the annual faculty evaluations. Each year an internal salary equity study based on career merit is performed. FPC develops a plan for salary distribution and equity awards and recommends it to the Executive Committee.

**Appeals Process**
The Appeals Committee recommends a faculty member request reconsideration before instituting an appeal. Appeals of tenure-related promotion and reappointment decisions reached outside the Libraries are submitted directly to the University Committee on Privilege and Tenure. There is no internal appeals procedure for these decisions. Actions subject to requests for formal appeals include:
- Annual evaluation of librarianship (can be initiated by faculty member or by FPC)
- Scores for Research/Scholarly work and Service
- Non-reappointment (not connected to tenure track)
- Non-promotion to Senior Instructor
- Special salary adjustment
- Denial of faculty support
- Denial of differentiated workload

Appeals are submitted in writing to the chair of the Appeals Committee. Appeals should include documentation relating to the reconsideration process, if that process was used, and the rationale for the appeal. The Appeals Committee forms a panel suitable to each appeal received, using the following guidelines:
- The Panel shall consist of a fair and impartial group of three Appeals Committee members. A Committee member with conflict of interest resulting from either personal or working relationships, shall not be included in the panel of three. Each party in an appeal may request that a Committee member be
excused for just cause.

- Additional faculty members may be added to an appeal panel when needed to make a total of three.

The recommendation of an Appeals Panel is advisory to the Dean, who makes a final decision. The faculty member also has the right to appeal decisions of the Dean through the University grievance process.

**Grievance Process**

**Part 1: Definitions**

**Grievance:** A formal, written complaint by a faculty member that a decision made or other action taken (or failure to act) by an individual or group in a decision-making role in the Libraries is:

- based on a misinterpretation of, misapplication of, or failure to apply one or more departmental, college, or university policies or established practices, and/or
- unfair (i.e., arbitrary, capricious, without good cause, retaliatory, based on personal malice, and/or inconsistent with treatment accorded to the grievant’s peers in similar circumstances)

**Grievant:** The faculty member(s) who initiate a grievance.

**Respondent:** The person(s) whose decision, action, or alleged failure to act is the basis of the grievance.

**Appeals Committee:** Standing committee composed of 5 faculty members elected by the Libraries faculty, to which a formal grievance is initially submitted.

**Grievance Panel:** Three members selected from the membership of the Appeals Committee to hear a particular grievance. The Chair of the Appeals Committee selects the members of the Grievance Panel in consultation with the grievant(s) and respondent(s). The Chair of the Appeals Committee may serve on a Grievance Panel. In instances where an insufficient number of faculty members are available to serve, the Dean may request assistance in selecting Panel members from the BFA Grievance Advisory Committee.

**Day:** Any calendar day, excluding days when the University is officially closed.

**Informal Resolution:** The resolution of an otherwise grievable issue through face-to-face conversation and negotiation between the parties without resort to formal processes. Informal resolution may be facilitated by the Faculty Ombuds or the Director of Faculty Relations.

These procedures may be employed only for matters for which other procedures have not been established by the Libraries or the University. Specifically excluded are grievances related to salary, merit evaluation, reappointment, tenure, promotion, and post-tenure review, and to allegations of protected-class discrimination or harassment. These procedures may not be used to challenge, modify, or eliminate any existing policies or established practices. These procedures may not be used to address interpersonal conflicts. Faculty members affected by interpersonal conflicts are encouraged to take advantage of services provided by the Faculty Ombuds or the Director of Faculty Relations. These procedures may not be used to address allegations of misconduct or unprofessional behavior.

**Part 2: Grievance Procedure**

To the extent practicable, the grievance process shall be conducted in confidence. No person who is a party to the grievance or otherwise involved in its adjudication shall discuss the grievance with others. The grievant shall not be subject to retaliation as a consequence of filing a grievance.

Prior to initiating a grievance, the aggrieved party may consult confidentially with his or her first or second level evaluator, the Dean of the Libraries, the Faculty Ombuds Office, the Director of Faculty Relations, or the BFA Grievance Advisory Committee. Prior to submitting a written complaint, or at any point during the formal
grievance process, the grievant and respondent may agree to engage in an informal resolution process. If the formal grievance process has been initiated, both parties shall notify the Appeals Committee of their intent to engage in informal resolution. Formal procedures and associated deadlines shall be suspended until the parties notify the Appeals Committee either that the matter has been resolved or that efforts to resolve the matter informally have failed. Timely hearing and resolution of grievances is essential to the effective functioning of the Libraries. All parties are expected to meet deadlines established for the grievance process. Deadlines may be extended only upon mutual written agreement of the parties and the Grievance Panel.

The grievant initiates the formal grievance procedure by submitting a written complaint to the Appeals Committee, which facilitates the process. The complaint shall specify the act(s) or failure to act that is the basis of the grievance, together with specific reference to the policy or policies alleged to have not been followed, applied inappropriately, applied unfairly, or based upon personal malice. The grievance must be submitted within 20 working days of the date on which the grievant knew or should have reasonably known about the action (or failure to act) on which the grievance is based.

The Chair of the Appeals Committee shall constitute and convene the Grievance Panel within 10 days of receipt of the grievant’s written complaint. If the Chair of the Appeals Committee is also a member of the Grievance Panel, he or she shall chair the Grievance Panel. If not, the Grievance Panel shall elect a chair. Either party to the grievance may also request that the chair of the appeals committee recuse himself/herself from presiding over or otherwise participating in any part the proceedings. The Grievance Panel shall review the complaint and establish procedures for further deliberation. Procedures may include requesting additional information, soliciting a formal response from the respondent, interviewing witnesses or others who have relevant information, and interviewing the parties. At its sole discretion, the Panel may at any time issue a finding that the grievance is without merit. Parties to the grievance shall provide information requested by the Grievance Panel without undue delay.

The Grievance Panel shall have 20 days from its initial meeting to complete its deliberations and issue a written report. The report shall include both the Panel’s findings of fact and its recommendation. The Grievance Panel shall reach its decision by majority vote.

Within 10 days of the decision by the Grievance Panel, the grievant or respondent may appeal to the Dean of the Libraries for a review of the decision. The appeal shall be submitted in writing and shall specify the basis of the appeal. The Dean may employ such procedures as he or she deems appropriate to consider the appeal. The Dean shall have 20 days from receipt of the appeal to render a written decision.