

UNIVERSITY OF MISSOURI-KANSAS CITY

BY-LAWS
OF THE
CONSERVATORY
OF
MUSIC AND DANCE

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PREAMBLE

The Conservatory of Music and Dance is a School of the University of Missouri-Kansas City. As such, it functions and operates with the authority delegated by the Board of Curators of the

University of Missouri through the President of the University of Missouri and the Chancellor of the University of Missouri-Kansas City. The Office of the Dean is the responsible administrative unit for the Conservatory of Music and Dance.

The Dean or his/her designated representative is recognized to represent the Conservatory of Music and Dance in the implementation of the express intention of the faculty and in other appropriate business within the University. The faculty of the Conservatory of Music and Dance has certain responsibilities and must make appropriate recommendations and arrive at decisions using orderly, concise procedures. This document provides for the internal organization of the faculty and specifies the structure and processes for conducting faculty business.

ARTICLE I: VOTING FACULTY

- A. As provided by the governing documents of the University of Missouri-Kansas City, the faculty of the Conservatory of Music and Dance consists of the President of the University, the Chancellor, the Provost, and regular and non-regular members. For the purposes of these by-laws, regular or non-regular status is based upon the designation found on the faculty member's appointment document.
- B. Voting Faculty. The voting faculty of the Conservatory of Music and Dance shall consist of all regular (tenured or tenure-track) faculty holding rank from Assistant Professor to Professor with a .50 or greater teaching appointment, and all non-regular faculty, such as Adjunct and Visiting Appointments, with a .51 or greater teaching appointment. After one academic year of service at the Conservatory, part-time (holding .74 or less appointment) faculty may notify the Faculty Executive, Budget, and Advisory Committee in writing of their desire for membership on the voting faculty, at which time they shall become voting members upon approval of the full faculty by simple majority of the members present. All members of the voting faculty shall be expected to serve on appropriate Conservatory Faculty Committees, in accordance with the by-laws, and shall be included on ballots for those committees.
- C. The voting faculty of the Conservatory shall organize the curriculum, recommend degrees, and establish procedures and policies governing the work of the Conservatory as provided by the governing documents of the University of Missouri-Kansas City. All matters that concern curriculum shall be approved by a majority vote of the voting faculty before going into effect. This vote may be conducted at a regular meeting, a special meeting, or by electronic ballot as deemed appropriate by the Faculty Executive, Budget, and Advisory Committee. Matters of school policy and/or regulations shall be discussed among divisions, standing committees, or *ad hoc* committees and brought before the full faculty, resulting in timely and appropriate input to the Dean. Each item of business passed by the faculty should include specific recommendations for action, proposed date of implementation and an indication of staffing and/or funding implications.
- D. The faculty recognizes the right of non-voting faculty, including Graduate Teaching Assistants and Lecturers, to establish their own systems of organization. While not considered a part of the voting faculty with the rights and privileges assigned to that

group, this group shall be entitled to make recommendations to any Conservatory Faculty Committee.

ARTICLE II: ORGANIZATIONAL STRUCTURE OF THE FACULTY

- A. The faculty is organized into groups of shared academic and artistic activity constituted by the Dean of the Conservator, and referred to as Divisions. Chairs of the Divisions are appointed by the Dean, ratified by the faculty of the Division, and submitted to the Provost for approval.
- B. The Division Chairs shall:
 - 1. Be the chief liaisons between their divisions and the administration of the Conservatory.
 - 2. Be responsible for holding regularly scheduled divisional meetings, and call special meetings as needed.
 - 3. Maintain written records of each meeting and provides these records to the Secretary of the Faculty Executive, Budget, and Advisory Committee via electronic communication within one week after each meeting.
 - 4. With division members, and members of supporting areas, meet with and be advisory to the Dean regarding the hiring of new faculty in their divisions.
 - 5. Be continually informed and make recommendations regarding faculty teaching assignments.
- C. There shall be one elected representative body known as the Faculty Executive, Budget and Advisory Committee, and three standing Faculty Committees for the Conservatory: the Promotion and Tenure Committee, as provided for in the UMKC Governing Practices, the Curriculum Committee and the Assessment Committee.
- D. *Ad hoc* committees may be formed by the Faculty Executive, Budget, and Advisory Committee and other committees may be formed by the Dean.

ARTICLE III: THE FACULTY EXECUTIVE, BUDGET, AND ADVISORY COMMITTEE AND OFFICERS

- A. The Faculty Executive, Budget, and Advisory Committee shall consist of the three faculty officers and four additional faculty. Faculty officers shall be full time, regular or non-regular faculty members whose principal roles and responsibilities are teaching and research/creative activity, and are designated as Faculty Chair, Faculty Vice-Chair, and Faculty Secretary.
- B. Members shall serve staggered two-year terms.

- C. No member of the Faculty Executive, Budget, and Advisory Committee may serve more than two consecutive terms.
- D. Election of the members of the Faculty Executive, Budget, and Advisory Committee (FEBAC) shall begin, in years when a Faculty Chair is elected, with election of a Faculty Chair before April 1. After the Faculty Chair has been elected, divisions shall hold intra-divisional elections to determine the six divisional members of the FEBAC. The Division Chair shall prepare a list of eligible nominees consisting of all voting faculty within the division whose principal roles and responsibilities are teaching and research/creative activity. Division representatives for FEBAC membership shall be elected by secret ballot, counted by two division members at the time of voting. All voting shall be completed by April 15 and results shall be announced to the full faculty as soon as possible. (For election of the Chair, see Article III.G.2.)
- E. If any member of the Faculty Executive, Budget, and Advisory Committee other than an officer does not complete his/her term of office, the division represented shall hold a special election in the manner specified in Article III.D. If said member had been an officer, the Faculty Executive, Budget, and Advisory Committee shall elect a new officer in the manner specified in Article III.G.2.
- F. The Faculty Executive, Budget, and Advisory Committee has two functions. The first, or "Executive" function, is to facilitate the execution and implementation of normal faculty business, including, but not limited to, matters of curriculum, by-laws, faculty policy, and committee membership. The second, or "Advisory" function, is to serve as the primary advisory voice of the faculty to the Dean in matters which affect the Conservatory as a whole, including, but not limited to, issues of curriculum, budget, scholarships, and policy.

The Faculty Executive, Budget, and Advisory Committee shall:

1. Supervise the elections in the spring of each academic year for the Promotion and Tenure Committee, as provided in Article IV.C.1. In addition, FEBAC will solicit nominees from the faculty at large to identify individuals to fill openings on the Curriculum Committee and the Assessment Committee. Additional faculty nominees will be selected from a list of regular and non-regular faculty. A slate of nominees representing various divisions will be developed and those nominees will be contacted by the Faculty Executive, Budget and Advisory Committee to ascertain their willingness to serve. A final slate of willing nominees will be forwarded to the Dean and presented to the faculty for ratification either by ballot or at a faculty meeting before the end of the winter semester. When feasible, in

the year before consideration for tenure, non-tenured faculty members shall not be asked to serve on committees.

2. Be continually informed of all actions of Conservatory Divisions, faculty committees, and the Faculty Senate of the University.
3. Have the power to create *ad hoc* committees.
4. Present to the faculty for ratification any change of membership of any of the Faculty Committees.
5. Prepare the agenda for all faculty meetings except for those called by the Dean.
6. Implement decisions of the faculty and exercise such other powers as from time to time are granted it by the voting faculty.
7. Provide for the immediate updating of the by-laws as distributed whenever amendments are adopted.
8. Be an important vehicle for communication between the Dean and the faculty. The Committee shall meet twice a month, or more if necessary, once for general faculty business and once in an advisory capacity with the Dean. If there are no agenda items for a meeting, it may be canceled. Agendas for the advisory meetings are prepared jointly by the Dean and the Chair of the Committee. These meetings fulfill two functions:
 - (1) the Committee presents to the Dean matters of concern to faculty which have been brought to the Committee either through division, committee, or other channels; and
 - (2) the Dean presents matters of his/her concern to the Committee for discussion and appropriate action. These matters may in turn be forwarded by the Committee to appropriate faculty members or groups for further discussion and/or action. Results of these discussions and/or proposals may be returned to the Dean directly or via the Committee.
9. Receive from the Dean as part of a continuous dialogue all information regarding the budget process. The Committee shall share budget information with the faculty of the Conservatory, and advise the Dean regarding objectives and funding priorities as well as necessary budgetary allocations to achieve those objectives.
10. Be available as a whole or, as appropriate, represented by the Chair or Vice-Chair to confer with and advise all officers of the administration as defined in the governing documents of UMKC on all matters within the jurisdiction of the voting faculty, and make appropriate recommendations to those officers.

G. The Faculty Chair, Vice-Chair, and Secretary

1. The Faculty Chair shall be elected for a two-year term and may serve additional terms if willing and duly elected by the full faculty according to the provisions of Article III. G. 2.
2. In years when a Faculty Chair is to be elected, the outgoing Faculty Executive Budget and Advisory Committee shall administer an election by secret ballot with the full faculty prior to April 1. The ballot shall contain the names of all voting faculty whose principal roles and responsibilities are teaching and research/creative activity. Each voting faculty member shall vote for one person. Ballots shall be counted by two members of the outgoing FEBAC, and the person receiving the most votes shall be designated Chair. In the case of a tie, a new ballot shall be distributed to break the tie between or among these faculty members. Each year, the Vice-Chair and Faculty Secretary shall be elected by the newly-constituted FEBAC. Willing candidates shall be nominated, and voting shall be by secret ballot, counted by two members at the time of voting. Officers shall be announced to the full faculty as soon as possible.
3. If the Faculty Chair does not complete his/her term of office, a special election, administered by the remaining members of the FEBAC under the leadership of the Vice-Chair, shall be held in the manner specified in Article III.G.2. as soon as the vacancy is known. If the newly-elected Faculty Chair is already a member of the FEBAC, the division formerly represented shall hold a special election in the manner specified in Article III.D. to replace the divisional representative.
4. The Faculty Chair shall:
 - a. Be the regular presiding officer at all faculty meetings, except for those called by the Dean.
 - b. Be the regular presiding officer of the Faculty Executive Budget and Advisory Committee.
5. The Faculty Vice-Chair shall:
 - a. Assume the duties of the Chair in the latter's absence.
6. The Faculty Secretary shall:
 - a. Be responsible for recording the minutes of all faculty meetings.
 - b. Distribute minutes of the last faculty meeting to all Conservatory faculty, staff and administrators at least one week prior to the next meeting.
 - c. Serve as Secretary of the Faculty Executive, Budget, and Advisory Committee unless another willing member is designated.
 - d. Be responsible for maintaining a current cross-index of business transacted by the faculty, and passing along this archive to his/her

- successor.
- e. Maintain a file of formally generated and submitted reports and records of faculty, divisional, and committee meetings, and update the Conservatory by-laws.
7. Faculty officers and FEBAC members may serve on other Conservatory Faculty Committees when needed and when these individuals are willing to serve.

ARTICLE IV: FACULTY STANDING COMMITTEES
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There shall be three Faculty Standing Committees: the Curriculum Committee, the Assessment Committee, and the Promotion and Tenure Committee. The Curriculum Committee and the Assessment Committee will be nominated by the Faculty Executive, Budget and Advisory Committee, presented to the Dean and ratified by the faculty as described in Article III.F.1. of these by-laws. The Promotion and Tenure Committee will be elected by the faculty from a slate of eligible and willing faculty according to guidelines of Article IV.C.1.. Respective committees will elect chairs at the end of the winter semester to begin serving in the following fall semester, and members must have completed at least one year of service on a given committee to be eligible to serve as its chair. At the beginning of each fall term the committees, in consultation with the Conservatory Student Association, shall appoint willing students (one undergraduate and one graduate) to serve a one-year term. Faculty terms for all committee memberships will be three years. Members may succeed themselves for additional terms on any committee if they express willingness to serve and are duly elected according to procedures specified in these by-laws.

A. The Curriculum Committee shall:

1. Consist of six regular or non-regular faculty members, representing all divisions of the Conservatory when possible and must represent at least four of the six divisions. This membership will also be delineated to include at least two Doctoral Faculty members and three [non-doctoral] Graduate Faculty members. In addition the committee shall include three *ex officio members*: an administrative officer having faculty rank, one graduate student, and one undergraduate student who shall contribute to deliberations, but shall not have voting privileges
2. Prepare formal notes of each meeting and distribute these to the members of the Faculty Executive, Budget and Advisory Committee, Division Chairs, and Conservatory administrators within one week after each meeting.
3. Receive, review, and recommend to the Faculty Executive, Budget, and Advisory Committee for faculty action matters pertaining to curriculum content, policy, and regulations.

4. Be the initiating point for faculty to apply for Doctoral and Graduate Faculty membership. The Committee shall encourage eligible faculty to nominate themselves, shall process all applications for new and renewed memberships, and shall forward all applications with appropriate recommendations to the Dean to be forwarded to the School of Graduate Studies.
5. Serve staggered terms of three years.

B. The Assessment Committee shall:

1. Consist of seven regular or non-regular faculty members representing at least four of the six divisions of the Conservatory. In addition the committee shall include three *ex officio members*: an administrative officer having faculty rank, one graduate student, and one undergraduate student who shall contribute to deliberations, but shall not have voting privileges
2. Prepare formal notes of each meeting and distribute these to the members of the Faculty Executive, Budget and Advisory Committee, Division Chairs, and Conservatory administrators within one week after each meeting.
3. Review the procedures by which applications for all prospective students, both graduate and undergraduate, are accepted and acted upon by the faculty of the respective divisions and by the admissions staff and Conservatory administration. Advise the Conservatory faculty of changes in either University-wide or Conservatory policies and/or make recommendations regarding admission, retention, and assessment of students.
4. Review the petitions of students whose academic eligibility is in question and make recommendations to the faculty of the appropriate divisions and to the administration.
5. Receive all written grievances other than those based on discrimination on the basis of race, color, religion, sex, national origin, age, disability, or Vietnam era veteran status from Conservatory students, as defined in the Conservatory Grade Appeals Procedure, on personal and academic matters.
6. Give formal consideration to all written grievances and make recommendations to the Dean regarding the disposition of each vote.
7. Serve staggered terms of three years.

C. The Promotion and Tenure Committee shall:

1. Consist of five regular faculty whose principal roles and responsibilities are teaching and research/creative activity and be constituted by election of the voting faculty. The committee must include at least four (4) faculty holding the rank of full professor. Additionally, one (1) tenured associate professor (who must have

at least five years of service in the Conservatory) will serve as the fifth member of the committee. In the event an insufficient number of full professors are available or willing to serve on the Promotion & Tenure committee, tenured associate professors (who must have at least five years of service in the Conservatory) may serve an unlimited number of one-year terms until an eligible full professor is elected to serve. In cases involving promotion to full professor, associate professors may participate in deliberations, but may not vote.

2. The members will serve staggered terms of three years and may succeed themselves as long as they are willing to serve and duly elected by the Conservatory voting faculty. The Conservatory representative to the campus Promotion and Continuous Appointment Advisory Committee serves as an *ex officio* member of the committee but may not vote.
3. Choose a vice-chair annually. The Vice-Chair must have at least one year remaining of his/her term on the committee. The Vice-chair shall assist the Chair in carrying out the work of the committee.
4. Recommend and review annually the criteria for evaluation of faculty and present any revisions thereof to the voting faculty for ratification. This shall include all processes and documents used as part of the formal evaluation
5. Make recommendations for faculty promotion and tenure to the Dean of the Conservatory.
6. Forward to the Chancellor, through the Dean, the names and the committee recommendation of all faculty members considered for promotion and/or tenure whether or not approved by the Dean.
7. Annually evaluate each regular and non-regular faculty member's work in teaching, research/creative activity and service for purposes of salary determination and report this evaluation to the Dean.
8. Complete Post-Tenure Reviews of regular faculty as called for in the University Collected Rules and Regulations, and submit these reviews to the Dean.

ARTICLE V: UMKC FACULTY SENATORS

Election of Conservatory members of the UMKC Faculty Senate shall be administered by the Faculty Executive, Budget, and Advisory Committee. Only voting faculty, as outlined in the UMKC Collected Rules and Regulations 300.020.C.1 are eligible to be senators. The term is two years for elected senators and senators may serve unlimited successive terms if they express willingness to serve and are duly elected by the Conservatory voting faculty.

ARTICLE VI: FACULTY MEETINGS

- A. Regular meetings of the voting faculty shall be held monthly on the call of the Faculty Chair or the Faculty Executive, Budget, and Advisory Committee except as otherwise provided in the UMKC governing documents, and may be attended by other non-regular faculty, but excluding those who are enrolled as degree-seeking students at the Conservatory of Music. Normally, such meetings shall be called for and held at noon on the first Tuesday of each month, from September through May. Departures from the foregoing may be made for good cause.
- B. Special meetings of the voting faculty may be called at any time by the Faculty Chair, the Faculty Executive, Budget, and Advisory Committee, the Dean, or the Chancellor except as otherwise provided in the UMKC governing documents, and may be attended by all Conservatory faculty and staff except when specifically excluded by appropriate circumstances of the meeting as determined by the person or group calling the meeting.
- C. General meetings of an informational nature may be called and designated as such by the Faculty Chair, the Faculty Executive, Budget, and Advisory Committee, or by the Dean. At these meetings no business is to be transacted.
- D. Notice of the time, place and proposed agenda items for a business meeting of the faculty called by the Faculty Chair shall be given by the Faculty Secretary at least seven days prior to the date of the meeting by electronic mail, addressed to each member of the voting faculty. In the event of an emergency, found to be such by the Faculty Executive, Budget, and Advisory Committee, the foregoing notice requirements may be dispensed with and notice given to members of the faculty in the most feasible manner.
- E. A quorum for the transaction of business shall consist of a majority of the voting faculty. With a quorum present, the vote of a majority of those present and voting shall constitute the vote and decision of the faculty. If proper notification of a meeting has been given as per section D. of article VI, and a quorum is not present, the chair may elect to continue with business. If, at any time, a member of the voting faculty present calls for a quorum count, and a quorum is found not to be present, the item in question will be tabled until the next meeting. The Faculty Executive, Budget, and Advisory Committee may present endorsement and ratification issues as electronic ballots. In these cases, the vote of a majority of the voting faculty will be required to constitute a decision of the faculty.
- F. Except in emergencies, business at a faculty meeting shall be transacted in accordance with an agenda approved by the Faculty Executive, Budget, and Advisory Committee which shall include all items recommended by any Faculty Committee, division of the Conservatory, by any five members of the voting faculty, or by the Administration. Agenda items should be submitted to the Faculty Executive, Budget, and Advisory Committee at least seven days prior to regularly scheduled faculty meetings.
- G. Business shall be conducted in accordance with *Robert's Rules of Order*. The presiding officer may call for a secret ballot on any question and shall do so if the faculty votes for a secret ballot.

- H. Copies of the minutes of each meeting shall be supplied to all members of the Conservatory faculty, staff and administration.

ARTICLE VII: SELECTION, RETENTION, PROMOTION AND/OR TENURE OF FACULTY MEMBERS
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A. Selection:

1. The Dean shall inform the Chair of the appropriate divisions whenever a new faculty member is being sought . (see Article II., B., 4)
2. Upon notification that a new faculty member is being sought, the appropriate Division Chair shall meet with the members of the division and appropriate others as determined by the Division Chair to draw up criteria for the hiring of the new faculty member.
3. The above-mentioned faculty shall then participate in the selection of the new faculty member, as provided for in Section 300.020 E.3.c. of the University of Missouri Collected Rules and Regulations that states: "As a general policy all academic staff appointments to a School Faculty shall be made after the Dean of the school has received a written recommendation from an appropriate department committee or equivalent teaching unit. The Dean shall forward the recommendation of the committee with his own recommendation to the Chancellor.

B. Retention:

1. The Promotion and Tenure Committee as provided for in Article IV., C., shall review the work of all regular and non-regular Conservatory faculty annually. In so doing, the Committee shall use the procedures and materials that are part of the Conservatory's current established system for reporting faculty professional activity.
2. The results of this review process, along with recommendations concerning retention, promotion and/or tenure, shall be forwarded by the Promotion and Tenure Committee to the Dean.
3. If it is determined by the Dean that a faculty member is to be considered for a terminal contract, he/she then shall notify the individual and inform him/her of his/her right to rebuttal within 14 days of said notification.

ARTICLE VIII: AMENDMENTS TO THE BY-LAWS
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A. Amendments to the by-laws may be made as follows:

1. Amendments may be proposed by at least five regular or non-regular faculty members, and must be submitted in written form as an agenda item to the Faculty Executive, Budget, and Advisory Committee.
2. The proposed amendment must be read at a regular faculty meeting prior to the meeting at which the amendment is to be voted upon.
3. The proposed amendment must be published and sent to all voting faculty members at least one week before voting is scheduled.
4. The proposed amendment must receive an affirmative vote of two-thirds of the members present and voting to be effective.
5. The vote on any amendment may be once delayed until the next regular faculty meeting by a petition signed by regular or non-regular faculty members.

APPENDIX A: STATEMENT OF INTERPRETATION GOVERNING PROMOTION AND TENURE COMMITTEE ELECTIONS*
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- A. Anyone not elected for a full-three-year term is eligible for election.
- B. Anyone elected to a full three-year term who takes an official leave of absence will return to complete it if one or more academic years remain to expiration date. Only full academic years (August through May) are considered, and a substitute's term may overlap the regular member's presence at the Conservatory.
- C. Plans by a faculty member for an official leave of absence, while still eligible to be on Faculty Committees, should be made known to the Faculty Executive, Budget, and Advisory Committee to avoid, if possible, replacing a faculty member in the middle of a membership term.

*This resolution, revised May, 1990, was adopted by the Conservatory faculty in its meeting of April 4, 1972 and is not a formal part of the Conservatory by-laws. The elections in question are those specifically adopted for the Conservatory Promotion and Tenure Committee.

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