

# **PART IV**

The EFC new Bylaws

November 3rd, 2013

Dear EFC members:

Please find attached the revised EFC Bylaws from the Bylaws Revision Committee. The main topic of discussion at Wednesday's EFC meeting will be a motion, by me, for the EFC to approve this revision and submit it to the faculty for approval. The revision gives non-tenure-track faculty full representation in the EFC, while ensuring that only tenure-track faculty can vote on tenure-related matters, including what counts as a tenure-related matter. Also, to keep the size of the expanded EFC manageable, the revision raises the EFC-membership ratio from the current ratio of one EFC member for every 9 faculty per unit to one member for every 14 faculty.

I chaired the By-laws Revision Committee, with members Bart Kosko, James Moore, Michael Safonov, and Herb Schorr. The Committee has worked on these revised Bylaws since the October EFC meeting, where the Council met with the Senate President Chuck Gomer's panel to discuss their proposed bylaws. This revision effort has involved discussions with numerous faculty, including the Dean's Office and Senate President Chuck Gomer and Senate President-elect John Silvester, as well as Senate President Gomer's panel. The Committee started with the April 2012 Bylaws revision, which gives full representation to NTT faculty, and made only *minimal* changes to that revision to protect tenure matters, specifically that only TT members can determine whether a matter is tenure-related, and only TT faculty can vote to amend any tenure-related portion of the Bylaws. Below is a list of the five substantive proposed changes (in red text) to the April 2012 revision document. Two of the five changes come from Senate President Gomer's panel. I have also appended below then-EFC-Chair John Silvester's email of April 6, 2012 summarizing how the April 2012 revisions (in blue text) alter the 2003 EFC Bylaws (mainly by giving NTT faculty representation and moving the election of EFC officers from September to the spring). The April 2012 Bylaws revision nearly passed in the TT-faculty-wide secret vote of May 2012. I am confident that this new revision will pass a secret faculty vote if the EFC approves it.

I look forward to your comments and to seeing you on Wednesday at this crucial meeting.

Best regards,

Joseph Kunc  
Chair of the Engineering Faculty Council

Dear Faculty:

The Engineering Faculty Council on November 6th approved the enclosed revised EFC Bylaws for submission to the Viterbi faculty for secret vote. For reference, my earlier email of November 11th contained an electronic version of these revised Bylaws, along with a summary of the changes in the proposed revision as well as a color version showing the old and the new proposed text.

Please find below your ballot and voting instructions.

Joe Kunc  
Chair of the Engineering Faculty Council

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**Your Vote:**

I approve of the revisions to the EFC Bylaws dated November 6, 2013 as proposed by the EFC:

Yes\_\_\_\_ No\_\_\_\_

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(↑ Cut here ↑)

**Voting Instructions**

- (1) Place your marked ballot into the small envelope labeled "BALLOT".
- (2) Place the small envelope labeled "BALLOT" into the larger white envelope which has your name in the upper left hand corner and which is addressed to:  
Connie Roque, Academic Senate, UUC 419, MC-2991.
- (3) Sign the upper left hand corner of the larger white envelope before mailing. Ballots without the signature will not be counted.

***YOUR SIGNATURE MUST BE ON THE OUTER ENVELOPE IN THE UPPER LEFT HAND CORNER  
BENEATH YOUR NAME OR YOUR VOTE WILL NOT BE COUNTED.***

If you would like to mail the ballot from your house, use: Connie Roque, 817 W. 34th Street, Los Angeles, CA 90089-2991.

If you would like to hand deliver your BALLOT bring it to Connie Roque, Academic Senate Office on the 4th floor of the United University Church. The church is next to Ahn House, which is next to JEP House. It is also across from the Taper Hall. Connie's office hours are from 8:00am to 4:00pm. Her phone number is 213-740- 7169, her email is [croque@usc.edu](mailto:croque@usc.edu)

**BALLOTS (without Voting Instructions) MUST BE RECEIVED BY 5:00 PM ON DECEMBER 6, 2013**



# BYLAWS OF THE FACULTY COUNCIL OF THE VITERBI SCHOOL OF ENGINEERING

Adopted: October 20, 1992

Revised: March 14, 2003, November 06, 2013

## I. Purpose.

The faculty shares responsibility for participating in the governance of the Viterbi School of Engineering and helping to shape its future and has primary responsibility on academic issues. To help fulfill these responsibilities, the faculty will be represented through an elected Council.

## II. Name.

The elected Council will be called the Engineering Faculty Council (EFC).

## III. Principles.

The dean is committed to look to the Council for advice on the most important issues facing the school, to provide it with necessary information, and to consult with it.

The faculty is committed to look to, nominate and elect to the Council the colleagues whose judgment they most value - junior and senior faculty whom they most respect as teachers and scholars, who reflect the diversity of the school and who have a concern for its overall interests.

## IV. Role.

The Council will:

A. advise the dean and faculty on the central academic and institutional issues of the school with such reports, deliberations and nomination as it chooses,

B. act jointly with the dean to suggest, and to advise and consult on the appointment of, the chairs and members of all school committees,

C. call special meetings of the faculty or conduct faculty polls,

D. advise the dean and faculty by functioning as a planning committee for the School,

E. represent the School Faculty in the Academic Senate,

F. maintain an archival website that lists EFC meeting minutes, approved resolutions, and other important EFC documents in accord with a posted EFC website policy that the EFC has duly approved.

V. Composition.

A. The following units are entitled to representation on the Council: each academic department, the Information Technology Program (ITP), the Informatics Program (IP), and the Engineering Writing Program (EWP). The representation will be by unit as follows: One representative for every fourteen full-time faculty members with a primary appointment in the Viterbi School of Engineering, inclusive of such faculty members on sabbatical or special leaves, exclusive of such faculty members on a terminal leave of absence or in phased retirement, and exclusive of faculty with a visiting appointment. The number of representatives will be determined by dividing the number of eligible faculty by fourteen and then rounding to the nearest whole number. Units with seven or fewer such faculty members are entitled to one representative. Academic departments having fourteen or more full-time non-tenure-track faculty will have separate representation for the tenured/tenure-track faculty and the non-tenure-track faculty; the number of non-tenure-track representatives and the number of tenured or tenure-track representatives will be determined separately using the above formula.

B. The term is 2 years, with half elected each year and serving until successors are elected. (For purposes of service on the Council, a council year runs from July 1 until the following June 30th.) No member may serve more than two terms consecutively. Council members serving partial terms as the result of special elections to fill vacant positions will be deemed to have served a full term if their service spans more than one academic year. Council members completing a partial term consisting of no more than one academic year remain eligible for two additional consecutive terms of service.

C. The most senior member of the dean's staff with responsibility for academic affairs, the most senior member of the dean's staff with responsibility for administration, the chair of the Appointments, Promotion and Tenure Committee of the School, and the immediate past-chair of the Council are additional members of the Council, but are non-voting.

D. Council meetings may be called, and agenda items added, by the dean, the chair, or the Council itself.



## VI. Nominations and Elections

### A. Fairness.

The nomination and election process is supervised by the outgoing Council. The dean's office on request of the Council will provide all needed secretarial assistance. The dean on request of the Council will encourage persons to accept nomination.

### B. Nomination.

A questionnaire will be circulated to all faculty inviting nominations and self-nominations (this will normally be done in February). Nominations may be made by full-time faculty members whose primary appointment is in the Viterbi School of Engineering. Nominations may be cross-unit.

### C. Balloting.

The election will be conducted by a secret written ballot sent to all full-time faculty members, inclusive of such faculty members on sabbatical or special leaves, exclusive of such faculty members on a terminal leave of absence or in phased retirement, and the results tallied by an Election Committee and forwarded to the faculty and the Academic Senate Office. All those self-nominated or nominated who consent to run will be listed on the ballot.

Voting will be by unit as defined in Section V.A.

In voting, each person may cast as many votes as there are vacant seats to be filled in their unit.

Should a vacancy occur, a special election may be held, to be initiated by the Council.

### D. Eligibility.

Those eligible to vote, run, and serve are any full-time faculty member whose primary appointment is in the unit. In departments with separate representation for the tenured/tenure-track faculty and the non-tenure-track faculty, only tenured/tenure-track faculty may run and serve for the tenured/tenure-track slots and only non-tenure-track faculty may run and serve for the non-tenure-track slots, but all full-time faculty members whose primary appointment is in the unit may vote for the candidates in both categories.

Since unit chairs and faculty on the dean's staff already have a formalized advisory role with the dean, they are not eligible for membership on the Council during their administrative terms of service, but are counted for purposes of departmental representation, and are eligible to nominate and vote.

Faculty members who are more than half-time University administrators are not eligible to nominate, to vote for, or to serve as members of the Council, but are counted for purposes of departmental representation.

#### VII. Election of Council Officers and Academic Senate Alternates

A. The council will have the following officers: Chair, Vice-Chair, and Secretary.

B. The chair will be a Tenured Faculty Member preferably at the rank of Professor and the Chair's title will be "Chair of the Faculty of the Viterbi School of Engineering."

C. The election of Officers (for the following year's Council) will normally be held at the last meeting of the Council in an Academic Year. Eligible candidates will be nominated from the members of the following year's Council.

D. In addition, up to two members of the faculty with a full-time appointment in the School (preferably members of the Council) will be elected as Senate Alternates who will serve as alternate representatives to the Academic Senate of the University when the primary representative(s) is (are) unable to attend. Senate Alternates may be elected at the same meeting as the Officers or at a subsequent meeting.

E. the Council shall also elect a Webmaster from the full-time faculty of the School (preferably a member of the Council).

F. The election will be by secret ballot for each of the officers, each of the Senate Alternates, and Webmaster. The current members of the council present at the election meeting (including those having submitted a proxy according to the procedure described in section X.7) are eligible to vote.

G. The terms of office of the Officers, the Senate Alternates, and the Webmaster will correspond to the council year defined in Section V.B.

#### VIII. Relations with Other Schools.



The Council's Chair and Vice Chair shall serve as the School's voting members in the Academic Senate. The Council's duly elected Senate Alternates may vote on behalf of either the Chair or Vice Chair if the Chair or Vice Chair is not present at a Senate meeting when the Senate President calls a vote.

If the Academic Senate establishes a smaller inter-school coordinating body, then the Chair of the Council will be the School's representative, with any additional representatives the School is entitled to selected by the Council from its members or from the School full-time faculty.

#### IX. Amendment Process.

These by-laws shall, except for tenure-related matters, be amended by a majority vote, and by secret ballot, of the full-time faculty with a primary appointment in the Viterbi School of Engineering. A majority shall consist of votes cast by more than fifty percent of such full-time faculty. In the case of amending any tenure-related provision, only tenured or tenure-track faculty may vote to amend such provision, by secret ballot, and by a majority vote where a majority shall consist of votes cast by more than fifty percent of the tenured or tenure-track faculty. Any by-laws amendment must be finalized and presented to faculty to allow a minimum of 30 days (only counting days during Fall and Spring semesters, and not including winter or summer break) for discussion and balloting.

#### X. Rules and Procedures.

1. All major meetings will be conducted under reasonable parliamentary procedure as exemplified by the most recently revised edition of Robert's Rules of Order. If a conflict arises between Robert's procedure and established Council practice, then Council practice shall prevail.

2. No official business may be conducted by the Council unless a quorum is present. A quorum consists of a simple majority of elected members of the Council. The Council will hold a meeting each month of the academic school year.

The monthly meeting will normally be held during the first week of the month except in January when it may be held in the second week. The meeting is traditionally a luncheon meeting on the first Wednesday of the month (except January). The Chair shall distribute a proposed meeting agenda for the monthly meeting at least one week in advance and shall make every effort to allow other EFC members and interested members of the School, including the dean, to propose agenda items.



3. Voting. Official actions by the Council may be taken only upon majority vote of elected members present and voting at a meeting at which a quorum has been established. In special circumstances (typically where time is of the essence) the Chair shall have the authority to call for electronic (e-mail) votes from Council members on specific motions if (1) the Chair gives all Council members adequate electronic notice of the proposed vote on the motion and adequate time to reasonably debate the proposed motion and (2) the Chair has made a reasonable attempt to present the proposed motion at either the Council's monthly meeting or at a specially called Executive Session. Other Council members may not call an electronic vote but they may call for a special Executive Session as detailed in X.4. below. The preference shall always be for in-person votes on resolutions at the monthly EFC meeting. At the request of any member, the votes of the tenured/tenure-track members and non-tenure-track members shall be recorded separately.

4. Matters related to Tenure and the Tenure-System. Only tenured and tenure-track members may vote on recommendations pertaining to policies and procedures concerning tenure and the tenure system. This includes, for example, issues related to the granting of tenure; modification of the tenure system; and due process procedures concerning tenured or tenure-track faculty members. The tenured and tenure-track faculty may hold special meetings restricted in attendance to tenured and tenure-track faculty when such issues are to be discussed or voted on. A meeting of the tenured and tenure-track faculty may be called by the EFC Chair or any two tenured or tenure-track members of the EFC. The meetings will be conducted along similar lines to the general EFC meetings. Further, the EFC Chair, who must be tenured, shall have the authority to determine whether an issue is tenure-related, subject to override by a simple majority of the then-present tenured or tenure-track members of the EFC. In addition, at any time a simple majority of the then-present tenured or tenure-track EFC members may determine whether an issue is tenure-related.

5. Two or more members may request that the Council meet in Executive Session. Only elected Council members or special guests whom the Chair invites may participate in Executive Session.

6. Other than Executive Sessions and Sessions restricted to Tenured and Tenure-Track faculty, all meetings of the Council are open to any and all members of the faculty as guests. Guests may not vote. However, if specifically invited by the Chair to do so, guests may address the council and/or engage in discussions of the Council and may propose motions.

7. Proxy voting is permitted only if (a) the proxy instruction is in writing, (b) the person designated to cast the proxy vote is identified, and (c) the position to be taken with respect to a particular issue is specified.

8. Minutes of each Council meeting will be approved at the following meeting, and then distributed to the faculty of the School of Engineering and posted on the EFC website.

9. At the end of each Council's one-year term, the Chair of the Council will report to the entire faculty of the School, providing a comprehensive review of the activities of the Council during the year. This report should include all major (non-confidential) Council documents from the past year. The outgoing Chair shall promptly deposit all appropriate EFC documents with the Academic Senate, and provide access to mailing lists to the next elected EFC Chair.

10. The Chair will preside over business meetings of the Faculty Council, and will represent the Council in communications with the dean of the School, with the Academic Senate, and with the faculty of the University.

The Vice Chair will preside at business meetings of the council in the temporary absence of the Chair and other tasks as the Chair may delegate during the Chair's temporary absence.

11. Removal of officers, Senate alternates, and Council members. If the Chair should leave this position permanently, or for more two or more months, for any reason during an academic year, the Council shall elect a new Chair.

12. Resignations. The Council shall promptly elect a new Vice Chair or Secretary if either officer resigns his or her position or abandons such position for two consecutive months, unless a majority of Council members vote to retain such officer. The same shall apply to Senate alternates who miss two consecutive meetings of the Academic Senate. The Council shall vote on the continued participation of Council members who miss two consecutive monthly Council meetings. The Chair will contact the relevant department chair to inform the department chair of the member's absence. The Chair shall contact the home department chair of any member who resigns or abandons his or her position and conduct either a vote for a new Council member or a temporary alternate. The Department may choose not to replace the member for that Council term.