

## **University of Kansas European Studies By-Laws**

Adopted by the European Studies Program Executive Committee: April 23, 2012

Approved by the Core Faculty and Staff:

### **I. Mission and Objectives**

The European Studies Program (ESP) serves as an intellectual hub of research, teaching, and related activities that focus on European cultures, societies, states, natural resources, and environments for students, faculty, researchers, and staff at the University of Kansas (KU), as well as for the broader local, regional, national, and international communities. The ESP coordinates an interdisciplinary undergraduate academic program that imparts a broad background in the languages, politics, history, literatures, and cultures of Europe in order to provide a solid foundation for careers in the international sphere and/or for graduate study in this area. The ESP stimulates grant activity in support of the European Studies programs at KU and seeks external funding for curricular, research, and outreach projects in European area studies in support of the larger mission of the University.

### **II. Program Structure and Governance**

#### **A. ESP Membership**

Faculty and Staff with an appointment at KU are eligible for membership in the ESP. The Executive Committee, in consultation with the Coordinator of the ESP, can appoint Core, Affiliate, and Associate Faculty and Staff members at any time. Faculty and Staff may request membership by contacting the Coordinator of the ESP. The Executive Committee (EC) will review and revise the list of Core, Affiliate, and Associate Faculty and Staff yearly and publish the updated list on the ESP homepage during the spring semester.

**1. Core Faculty and Staff** must meet one of the following criteria: a) have area training; b) know one or more area languages; c) teach one or more courses with area content; d) if a librarian, work directly with the development of library resources and collections in support of European Studies as part of his or her assigned duties; or e) do research on any aspect of Europe. Core Faculty and Staff may serve on one or more of the ESP Standing Committees as outlined in these by-laws and vote in Standing Committee meetings and on Program initiatives. They must ratify all decisions related to the Program's mission, changes in by-laws, and modifications in degree requirements. Core Faculty should be willing to direct senior theses and Honors theses.

**2. Affiliate Faculty and Staff** must have teaching and/or research activities that touch on Europe and be committed to participating in and supporting outreach programs and other initiatives sponsored by the ESP. Affiliated Faculty and Staff may serve on one or more of the ESP Standing Committees and they have voting rights when they serve on these Committees. Affiliate Faculty should be willing to direct senior theses and Honors theses.

**3. Associate Faculty and Staff** must have an interest in European Studies and be committed to participating in programs and supporting initiatives sponsored by the ESP. Associate Faculty and Staff may participate in all ESP activities but generally will not be invited to serve on standing committees and will not have the right to vote. Affiliate Faculty should be willing to direct senior theses and Honors theses.

## **B. Program Administration**

### **1. Coordinator of ESP**

Oversight of the ESP is the responsibility of the Coordinator, who also serves as the Chairperson of the Executive Committee. The Coordinator is selected by the Director of the Center for Global and International Studies (CGIS) in consultation with the EC and is appointed by the Dean of the College. The Coordinator reports to the Director of CGIS and represents the ESP to the College, the University, CGIS, and the public, articulating the aims and needs of the ESP within the context of the University's educational mission.

#### **Major Duties of the Coordinator:**

- i. Provides oversight and leadership for all ESP activities, including outreach and fundraising, and represents the unit to CLAS, CGIS, and other University entities (Hall Center for the Humanities, International Programs, KUCR, KU Libraries, etc.).
- ii. Oversees all internal budgetary, administrative, and academic matters and coordinates program activities with CGIS to promote the objectives of the ESP.
- iii. Reviews and modifies, in consultation with the Executive Committee, the long-range planning for the Program, especially as it concerns the curriculum, faculty support, outreach, and fundraising.
- iv. Seeks enhancement of all unit resources by actively soliciting external funding for ESP teaching, research, and outreach.
- v. Administers the undergraduate academic programs and develops a cohesive advising system for ESP co-majors and minors at KU.
- vi. Enhances research and educational relationships between the unit and other units within the University, as well as with agencies outside the University.
- vii. Executes University policy in the unit effectively, holding regular meetings of the Executive Committee and communicating useful information to faculty, staff, and students.

### **2. ESP Executive Committee (EC)**

The ESP EC represents the faculty and assists the Coordinator in interpreting and implementing policies, overseeing the recruitment of faculty members, and devising strategies for Program activities. The EC may recommend that important policy issues be referred to the full ESP membership. The EC, with the Coordinator of the ESP, also appoints ad hoc committees to address special initiatives, such as grant applications, special programs, or curriculum development. The EC will make minutes of its meetings available to all Core, Affiliate, and Associate members.

The EC consists of eight members: five representatives elected from the Core Faculty and Staff, one representative from the KU Libraries (appointed by the Dean of the Libraries), one student representative (appointed by the Dean of CLAS), and the ESP Coordinator (*ex-officio*), who serves as Chair and does not vote except to break a tie. Faculty members receiving the plurality of votes for each EC position shall be deemed elected to that position for a two-year term. Faculty and Staff members and students shall not be eligible for membership for more than two consecutive two-year terms, and they must be absent from such assignments for at least one two-year term before becoming eligible again for service.

Faculty and Staff members on the EC are elected by a mail or electronic ballot sent to all Core Faculty and Staff. Core Faculty and Staff may nominate qualified faculty and staff for membership to the EC to the ESP Coordinator, who shall submit a list of all eligible nominees to the Core Faculty and Staff for review and approval.

**Major Duties of the EC include:**

- i. Assisting the ESP Coordinator with the development, interpretation and implementation of ESP policies.
- ii. Approving membership.
- iii. Appointing standing and ad hoc committees.
- iv. Providing guidance concerning external funding and grants.
- v. Recommending curricular changes to the co-major and minor.

**C. Standing Committees**

There shall be two standing committees:

**1. Curriculum Committee (CC):** works with the Coordinator to oversee and advise curriculum review and revision and helps coordinate curriculum planning with participating academic departments and University units (for example, CGIS). The CC also coordinates the Honors track as well as Research Experience Program (REP), Global Awareness Program (GAP), and Service Learning certification. The CC consists of seven members: five elected from the list of qualified members of the ESP, one undergraduate student appointed by the EC, and the Coordinator of ESP. It is the EC's responsibility to ensure that committee membership is broadly representative of the disciplinary areas represented in the Program's curriculum. For Fall 2012, the Executive Committee will serve as the Curriculum Committee.

**2. Faculty Membership Committee (FMC):** maintains the list of those whose research or teaching involves a substantial amount of attention to Europe. The FMC holds elections every year at the end of spring semester. The FMC consists of six members: five elected from the list of qualified members of the ESP and the Coordinator of ESP.

Members of Standing Committees should be broadly representative of the various fields, teaching areas, and research interests that constitute European Studies at KU. Faculty and Staff members receiving the plurality of votes for each Standing Committee position shall be deemed elected to that position for a two-year term. Students appointed to an ESP Standing Committee can participate in discussion and deliberations, but cannot cast a vote. Faculty and Staff members and students shall not be eligible for membership for more than two consecutive two-year terms, and they must be absent from such assignments for at least one two-year term before becoming eligible again for service.

Each Standing Committee shall select a chair from among its members. Votes in committees shall be carried by simple majorities. The Coordinator is a non-voting *ex officio* member of all Standing Committees.

A quorum for all committee meetings shall be considered a majority plus one of the members appointed or elected to the committee. No Faculty or Staff member may serve on more than one

ESP Standing Committee at the same time. If a member of a committee departs prior to the expiration of the term, the Coordinator in consultation with the EC may name a replacement for the remainder of an existing term.

#### **D. Ad Hoc Committees**

The Coordinator of the ESP and the EC may form Ad Hoc Committees as necessary. The duties of Ad Hoc Committees shall not overlap with the duties of Standing Committees as articulated in these by-laws. The Coordinator in consultation with the EC shall determine the membership of the Ad Hoc Committees.

#### **E. Advisory Board**

The ESP will have an Advisory Board, convened by the Coordinator in accordance with KU guidelines concerning the constitution and maintenance of such Boards, and in accordance with the by-laws of the ESP Advisory Board. The Advisory Board comprises alumni who have achieved distinction in European Studies, either in government service, the private sector, or non-profit endeavors, along with other prominent members of the academic, business, and civic community whose accomplishments are similarly distinguished and who have demonstrated an interest in the mission of the Program. The members meet twice a year and work closely with the EC on communications and fundraising for the European Studies Program. The Board will also serve as a strategic “think tank” to assess the Program’s international agenda with respect to its goal of becoming more regionally, nationally, and internationally prominent.

#### **F. General Meeting**

The ESP will hold a general meeting of its members each fall semester. The meeting will include a report from the Coordinator concerning Program activities; time for questions from the faculty; and discussion and recommendations from Core, Affiliate, and Associate Faculty and Staff in attendance concerning the Program’s current operations and future directions.

### **III. Changes to By-laws**

The By-laws may be changed by a two-thirds vote of approval by a quorum of the Core Faculty and Staff. Members may be present to vote or use a mail or electronic ballot as determined by the Coordinator. A quorum for purposes of such a vote shall be defined as no fewer than 10% of the Core Faculty and Staff according to the most recently updated list of such members.

### **IV. Grievances**

Pursuant to Article XIV of the University Senate Code and Articles V and VI of the University Senate Rules and Regulations (USRR) of the University of Kansas, Lawrence, the ESP establishes the following procedure to hear grievances arising within the European Studies Program. Appeal of a grievance heard at a subordinate unit level is to the Judicial Board, not to the College. This procedure shall not be used to hear disputes assigned to other hearing bodies under USRR Article VI, Section 4.

For disputes involving alleged academic misconduct, see the College of Liberal Arts and Sciences policy on academic misconduct. For alleged violations of student rights, the initial hearing normally will be at the unit level. There is an option to hold an initial hearing at the Judicial Board level if both parties agree, or either party petitions the Judicial Board chair to

have the hearing at the Judicial Board level and the petition is granted. The petition must state why a fair hearing cannot be obtained at the unit level; the opposing party has an opportunity to respond to the petition (USRR 6.4.3.1).

Except as provided in USRR 6.5.4, no person shall be disciplined for using the grievance procedure or assisting another in using the grievance procedure.

The European Studies Program Studies shall provide a copy of this procedure to anyone who requests it.

1. To start the grievance process, the complainant must submit a written grievance to the Coordinator of the European Studies Program. The complaint shall contain a statement of the facts underlying the complaint and specify the provision(s) of the Faculty Code of Conduct, University Senate Code, the University Senate Rules and Regulations, the Code of Student Rights and Responsibilities, or other applicable rule, policy, regulation, or law allegedly violated. The complaint shall also indicate the witnesses or other evidence relied on by the complaining party, and copies of any documents relevant to the complaint shall be attached to the complaint.
2. At the time the complaint is submitted to the European Studies Program, the complaining party shall provide a copy of the complaint, with accompanying documents, to the respondent(s).
3. Upon receipt of the complaint, the Program shall contact the respondent to verify that the respondent has received a copy of the complaint and to provide the respondent with a copy of these procedures.
4. Pursuant to University Senate Code 14.2.d, a respondent has the privilege of remaining silent and refusing to give evidence in response to a complaint. The respondent also has the right to respond and give evidence in response to the complaint.
5. The respondent shall submit a written response to the Program within 14 calendar days of receiving the complaint. The response shall contain the respondent's statement of the facts underlying the dispute as well as any other defenses to the allegations in the complaint. The response shall also identify the witnesses or other evidence relied on by the respondent and shall include copies of any documents relevant to the response. The respondent shall provide a complete copy of the response to the complaining party.
6. Upon receipt of the response, the Program shall contact the complaining party to verify that a copy of the response has been provided.
7. Upon receiving the complaint and response, or if the respondent fails to respond within the 14-day time period, the Program Coordinator shall appoint a faculty committee selected from the current members of the Program to consider the complaint. The committee members shall be disinterested parties who have not had previous involvement in the specific situation forming the basis of the complaint.
8. Pursuant to USRR 6.8.4.2, the chair of the committee may contact other hearing bodies within the University to determine whether a grievance or complaint involving the underlying occurrence or events is currently pending before or has been decided by any other hearing body.
9. Time limits. To use this procedure, the complainant must file the written complaint with the Program within six months from the action or event that forms the basis of the

complaint. The six-month time period shall be calculated using calendar days (including weekends and days during which classes are not in session).

10. Upon receiving the complaint, if the chair of the committee determines that any of the following grounds exist, the chair may recommend to the Program Coordinator that the complaint be dismissed without further proceedings. The grounds for such dismissal are: (a) the grievance or another grievance involving substantially the same underlying occurrence or events has already been, or is being, adjudicated by proper University procedures; (b) the grievance has not been filed in a timely fashion; (c) the Program Coordinator lacks jurisdiction over the subject matter or any of the parties; (d) the grievance fails to allege a violation of a University rule; (e) the party filing the grievance lacks standing because the individual has not suffered a distinct injury as a result of the challenged conduct and has not been empowered to bring the complaint on behalf of the University; or (f) the party filing the grievance has been denied the right to file grievances pursuant to USRR 6.5.4.
11. If the chair of the committee determines that a grievance on its face properly should be heard by another body, the chair will recommend that the Program Coordinator send the grievance to the appropriate hearing body without further proceedings in the European Studies Program. The Program Coordinator will send a copy of the referral to the complainant(s) and any responding parties.
12. Prior to scheduling a hearing, the parties shall participate in mediation of the dispute unless either party waives mediation. Mediation shall be governed by USRR 6.2.3.
13. If mediation is successful, the mediator will forward to the Program Coordinator, the committee chair, and all parties a letter describing the outcome of the mediation and the terms upon which the parties have agreed to resolve the dispute. This letter shall be a recommendation to the Program Coordinator. The Program Coordinator will notify the mediator, the committee chair, and the parties that the recommendation has been accepted, modified, or rejected.
14. If mediation is not successful, the mediator will notify the Coordinator, the committee chair, and the parties that mediation has terminated. If mediation is not successful, or if it is waived by either party, the grievance committee will schedule a hearing no later than 30 calendar days from the written submission of the complaint. The 30-day period may be extended for good cause as determined by the chair of the committee. The 30-day period shall be suspended during the mediation process. The hearing will be closed unless all parties agree that it shall be public.
15. Each party may represent himself or herself or be represented by an advisor or counsel of his or her choice.
16. Each party has the right to introduce all relevant testimony and documents if the documents have been provided with the complaint or response.
17. Each party shall be entitled to question the other party's witnesses. The committee may question all witnesses.
18. Witnesses other than parties shall leave the hearing room when they are not testifying.
19. The chair of the committee shall have the right to place reasonable time limits on each party's presentation.
20. The chair of the committee shall have the authority and responsibility to keep order, rule on questions of evidence and relevance, and shall possess other reasonable powers necessary for a fair and orderly hearing.

21. The hearing shall not be governed by the rules of evidence, but the chair of the committee may exclude information he or she deems irrelevant, unnecessary, or duplicative. Statements or admissions made as part of the mediation process are not admissible.
22. The committee will make an audiotape of the hearing but not of the deliberations of the committee. The audiotape will be available to the parties, their authorized representatives, the committee and the Program Coordinator. If a party desires a copy of the audiotape or a transcript of the tape, that party will pay for the cost of such copy or transcript. In the event of an appeal, the audiotape will be provided to the appellate body as part of the record of the case.
23. After the presentation of evidence and arguments, the committee will excuse the parties and deliberate. The committee's decision will be a written recommendation to the Program Coordinator. The committee shall base its recommendations solely upon the information presented at the hearing.
24. The committee will send its written recommendation to the Program Coordinator and the parties as soon as possible and no later than 14 calendar days after the end of the hearing.
25. Within 14 calendar days of receiving the committee recommendation, the Program Coordinator will notify the parties of the acceptance, modification, or rejection of the recommendation. The Program Coordinator will advise the parties of the procedure available to appeal the decision.