



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

**Approved by FAC - July 27, 2011
Approved by FAC - May 5, 2014
Revised by FAC - May 4, 2015
Revised by FAC-May 2, 2016
Revised March 14, 2017
Revised June 18, 2018
Approved by FAC - May 5, 2018
Revised and Approved by FAC-Feb 3, 2020
Approved by voting faculty-April 7, 2020
Editorial Revision Bylaws-Jan 31, 2022**

Revised by Bylaws 2.9.23 and 5.11.23

PREAMBLE

The bylaws contained herein provide the basic charter by which the University of North Dakota School of Medicine and Health Sciences shall function within the scope of its authority and responsibilities as defined by the State Board of Higher Education and North Dakota University Systems policies and procedures.

Article I-Name of the Organization

The name of the organization shall be the University of North Dakota School of Medicine and Health Sciences and will be referred to herein as the "School."

Article II-Purpose Statement

The primary purpose of the University of North Dakota School of Medicine & Health Sciences is to educate physicians and other health professionals for subsequent service in North Dakota and to enhance the quality of life of its people. Other purposes include the discovery of knowledge that benefits the people of this state and enhances the quality of their lives (N.D.C.C. § 15-52-01).

Article III-Organization

Section One-The Faculty

The general term faculty includes both voting and nonvoting faculty 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, or Research Assistant Professor, Teaching Instructor, Teaching Assistant Professor, Teaching Associate Professor, and Teaching 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 education program designed to educate physicians for the practice of medicine.
- B. Establish and maintain undergraduate, graduate, and continuing education programs in the biomedical and health sciences.
- C. Maintain standards of teaching, service, and research that meet or exceed accreditation standards.
- D. Fulfill all of the responsibilities of the faculty to students, colleagues, and the University of North Dakota as specified in its Faculty Handbook.
- E. Approve the Bylaws of the School and ratify amendments made to the Bylaws.

Section Two-The Administration

The administration shall consist of the dean, all associate and assistant deans, all departmental chairs, 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 chairs, shall be considered members of the dean's staff.

Subsection One-The Dean

The dean is the chief academic officer of the School and shall be responsible for the overall direction, development, evaluation, and support of all School activities. The dean has the authority to approve and authorize all policies in accordance with the School's Policy on Policy. The dean shall provide, at least annually, a State-of-the-School address to an assembly of the faculty. The responsibilities and privileges of the dean and the administrative officers are defined in their position descriptions (<https://med.und.edu/administration-finance/position-descriptions.html>).

Subsection Two-Departmental Chair

The chair of each academic department of the School shall be appointed by the dean and may be reappointed for unlimited additional terms. The chair is a member of the faculty and shall serve at the discretion of the dean. The chair shall be evaluated at least annually according to guidelines set by the University and the State Board of Higher Education. The responsibilities and privileges of a department chair are defined in their position description.

Section Three-Committees

The School shall have 2 types of committees, each of which shall maintain a record of its charge, membership, and other operational details.

- A. School-wide committees: The School-wide committees are reporting committees of the Faculty Council (FC). Membership is constituted from school-wide faculty. These shall have as their scope issues affecting the entire school.
- B. Programmatic committees: The Programmatic committees shall have as their scope issues affecting one or more programs within the school but not the entire school. The Programmatic Committees inform the FC of their activities but are not a reporting committee to the FC. The membership of the Programmatic committees is constituted by the faculty of those programs except for the Graduate Medical Education Committee, whose membership will align with requirements of the Accreditation Council for Graduate Medical Education. Programmatic committees have oversight authority over their associated curricula and may determine academic policy specific to their program or department. These committees may change their charge, membership, and terms and conditions on their own authority without approval by the FC.

The FC, School-wide committees, and Programmatic committees shall have the authority to establish standing or *ad hoc* subcommittees as needed. When a subcommittee is established, the committee that establishes it shall define its charge, membership, and other operational details. The establishing committees shall maintain a record of these details according to the School's policy.

Section Four-Faculty Council (FC)

A. Duties and Responsibilities of the Faculty Council:

1. The Faculty Council (FC) shall ensure that the School meets its Purpose Statement.
2. The FC shall provide oversight of the School's strategic plan.
3. The FC shall recommend School-wide policy to the dean upon recommendations from its committees or upon its own initiative in order to meet its charges and responsibilities. Final authority for action on the recommendation of FC shall reside with the dean.
4. The FC shall provide oversight over its committees and the performance of their assigned functions.

5. The FC shall communicate its actions to all members of the faculty.
6. The FC shall maintain easily accessible and up-to-date reporting of all activities and meeting minutes.

B. Membership:

1. Each department chair.
2. Members-at-large are to represent the interests of the School as a whole rather than individual departments, are elected at large by the faculty, and shall consist of:
 - a. Seven (7) Biomedical Sciences faculty members:
 - b. Three (3) Clinical Sciences faculty members, each affiliated with a different regional campus, insofar as possible, and
 - c. Three (3) Health Sciences faculty members.
3. Non-voting membership: The dean and all associate and assistant deans. Elected students, from the student body, shall consist of one (1) basic sciences graduate student, one (1) clinical sciences graduate student, one (1) health sciences student and the president of the second year Medical Student Council.
4. The FC will have both a chair and a chair-elect, elected from the voting membership of the Council.
 - a. At the first meeting of the FC in the new academic year, the chair will convene the meeting and conduct the election.
 - b. The chair-elect will be elected from the voting membership of the council. In the event that the chair-elect is in the 3rd year of an elected 3-year appointment, their appointment to the council will be automatically extended by one year.
 - c. In the event that the chair cannot fulfill the term, the chair-elect will advance to chair and a replacement chair-elect will be elected. Likewise, if the chair-elect cannot fulfill the term prior to assuming the role as chair, a replacement chair-elect will be elected.
 - d. Both the chair and chair-elect will have full voting rights on all matters that are brought before the committee.
5. Responsibilities of the chair-elect include:
 - a. Attend all FC meetings.
 - b. Assist the chair in developing the agenda for upcoming meetings and reviewing the minutes of previous meetings.

- c. Confer with the chair as requested with matters of school-wide policy that are brought before the Council.
- d. In the event that the Chair cannot attend the meeting, serve in place of the chair.

C. Terms and Conditions of the FC:

1. The FC shall meet at least quarterly during the academic year. Additional meetings may be held at the request of the Council chair, by a minimum of five council members or by the Dean.
2. A quorum for transaction of business at any meeting of the FC shall consist of a simple majority of the council's voting members. Members must be present, physically or by electronic means, to be included in the quorum. Voting by proxy is not be permitted.
3. A written agenda and all supporting documents shall be distributed to all members of the FC at least three working days prior to any meeting.
4. Votes taken during the meeting of the FC may be recorded as roll call votes on the request of a voting member.
5. School-wide policy decisions approved by the FC and endorsed by the dean will be posted electronically on the website.
6. The voting faculty shall elect representatives to the FC for terms to begin July 1st following the election.
7. Voting for representatives to the FC shall be by individual ballot on nominees proposed by the nominating committee. Only members of the voting faculty may be nominated. Ballots are to be dispersed by May 1st of each year to the voting faculty. All representatives to the FC shall be elected by a plurality vote.
8. Elected terms will be for three (3) years and no one person can serve more than two consecutive terms without a one-year hiatus. Students shall serve one-year terms.

D. School-wide Committees of the Faculty Council:

1. Bylaws

- a. Charge: The Bylaws Committee shall:
 - i. Review the SMHS Bylaws formally on a biennial basis to ensure it reflects the needs and functions of the School.
 - ii. Review School-wide policies on an annual basis to ensure they reflect the needs and functions of the School.
 - iii. Address any issues or concerns at any time at the request of the FC, any committee of the FC or based on a submitted written

- petition proposing an amendment to the Bylaws.
- iv. Incorporate into the Bylaws all amendments approved by the faculty.
 - v. Incorporate into the Bylaws any purely editorial change in wording not requiring approval by the faculty.
 - vi. Include amendments to the Bylaws, approved by the FC and by the voting faculty, into the existing Bylaws.
 - vii. Advise the FC on resolving conflicts or omissions in the current Bylaws.
 - viii. Make sure posted bylaws remain up-to-date.
- b. Line of Reporting: The Bylaws Committee shall report all actions annually to FC and shall include information requested by FC. The Committee shall send all recommendations to FC for review.
- c. Membership:
- i. Voting membership: The voting membership of the Bylaws Committee shall be nine members and include:
 - 1. Three members of the basic science faculty. Two members nominated and elected at large. One member appointed by the Dean.
 - 2. Three members of the clinical sciences faculty. Two members nominated and elected at large. One member appointed by the Dean.
 - 3. Three members of the health sciences faculty. Two members nominated and elected at large. One member appointed by the Dean.
 - ii. Nonvoting membership: The Associate Dean for Education and Faculty Affairs.

2. Committee on Promotion and Tenure

- a. Charge: The Committee on Promotion and Tenure (CPT) shall:
- i. Develop School-wide policy and procedure in the form of CPT Guidelines for conducting periodic performance reviews and recommendations for promotion and tenure of faculty of the School. Such policies shall be based upon guidance from the University Faculty Handbook. The FC must approve proposed School-wide policies developed by CPT before they may be promulgated.
 - ii. Ensure that every department develops promotion and tenure

guidelines for their faculty consistent with the School's CPT Guidelines.

- iii. Approve all departmental guidelines for promotion and tenure of faculty to ensure comparable processes throughout the School and conformity with University and System rules, policies and procedures.
 - iv. Independently evaluate each dossier submitted to the School CPT. Review and make recommendations on promotion using only the approved criteria established by the submitting department.
 - v. Independently evaluate each dossier submitted to the School CPT. Review and make recommendations on the award of tenure using only the approved criteria established by the submitting department.
 - vi. Review and provide counsel regarding the credentials of individuals for appointment within faculty title series and rank.
- b. Line of Reporting: The CPT shall send all recommendations for the establishment of school-wide policies and procedures for promotion and tenure to FC for review. The CPT shall report its actions and activities annually and as requested to FC.
- c. Membership:
- i. Voting membership: The voting membership of the Committee on Promotion and Tenure shall be nine members of the academic faculty title series and include:
 - 1. Three members of the Scientist scholar faculty. Two members nominated and elected at large. One member appointed by the Dean.
 - 2. Three members of the Clinician Scholar faculty. Two members nominated and elected at large. One member appointed by the Dean.
 - 3. Three members of the Educator Scholar faculty. Two members nominated and elected at large. One member appointed by the Dean.
 - ii. Membership Eligibility: The nine voting members shall hold the rank at the Associate Professor or Professor levels. At least three members shall be tenured faculty. Chairpersons are not eligible for membership.
 - iii. Nonvoting membership: The Associate Dean for Education and

Faculty Affairs.

3. Committee on Resources for Education

- a. Charge: The Committee on Resources in Education shall:
 - i. Identify needs and recommend solutions regarding educational resources that affect the academic and research programs of the School and its stakeholders.
 - ii. Engage in long range planning to meet current and future needs and make recommendations to FC.
- b. Line of Reporting: The Committee on Resources in Education shall report all actions annually to FC and shall include information requested by FC. The Committee shall send all recommendations to FC for review.
- c. Membership:
 - i. Voting membership: The voting membership of the Committee on Resources in Education shall be thirteen members and include:
 1. Two members from the Biomedical and Health Sciences Curriculum Committee; one representing basic sciences and one representing health sciences.
 2. One member from the College of Nursing and Professional Disciplines, selected by their Dean.
 3. Director of the Simulation Center, or designee.
 4. Chief Information Officer, or designee.
 5. Director of Library Resources, or designee.
 6. Three students, one from each of the basic sciences, clinical sciences and health sciences areas. Each student will be elected by their peers and appointed by the dean or dean's designee.
 7. One representative from the Office of Education Resources, appointed by the Associate Dean for Teaching and Learning.
 8. One representative from the Indians into Medicine (INMED) Program, appointed by the director of INMED.
 9. One representative from the Undergraduate Medical Education Committee, elected by that committee.
 10. One additional representative appointed by the dean.

- ii. Nonvoting membership: The Associate Dean for Teaching and Learning.

- iii. Terms/Conditions:

The committee shall meet at least quarterly.

4. Nominating Committee

- a. Charge: The Nominating Committee shall:

- i. Prepare a list of qualified nominees for each available voting position on the FC, School-wide committees, and Programmatic committees. Such a list shall contain at least two nominees for each position and shall include all qualified self-nominated faculty.

- ii. Ensure that candidates represent the diversity and geographical distribution of the faculty, insofar as possible.

- iii. Hold and manage faculty elections to select qualified individuals to fill those voting positions in the FC, School-wide committees, and Programmatic committees.

- b. Line of Reporting: The nominating committee shall report its actions and activities annually and as requested to the FC. The committee shall send all recommendations for the establishment of School-wide policies and procedures to FC for review.

- c. Membership:

- i. Voting membership: The voting membership of the Nominating Committee shall consist of nine voting members and include:

- 1. Three members of the basic science faculty. Two members nominated and elected at large. One member appointed by the Dean.

- 2. Three members of the clinical sciences faculty. Two members nominated and elected at large. One member appointed by the Dean.

- 3. Three members of the health sciences faculty. Two members nominated and elected at large. One member appointed by the Dean.

- ii. Nonvoting membership: The Dean of the SMHS.

- iii. Terms/Conditions:

- 1. For faculty that have multiple affiliations, the nominating

committee requests faculty self-identify their category (basic sciences, clinical sciences, health sciences) and the nominating committee will review the category the faculty member selects in order to best serve the functions of the committee and the school at large. All terms of office shall commence July 1 of the next academic year following election.

2. The list of nominees shall be completed by April 1 of each year and submitted to the Dean at such time, to be used in the annual election by the voting faculty.
3. Election ballots shall be submitted to the voting faculty no later than May 1.

5. Research Committee

- a. Charge: The Research Committee shall:
 - i. Develop and recommend school-wide policy and guidelines for the conduct of research in biomedical, educational, and clinical sciences.
 - ii. Formulate strategies and approaches to prioritize investment of institutional research resources, recommend School-wide policies for priorities in research and methods to support interdisciplinary and translational research and support mentorship of faculty.
- b. Line of Reporting: The Research Committee shall report its actions and activities annually and as requested to the FC. The Committee shall send all recommendations for the establishment of School policies and procedures to the FC for review.
- c. Membership:
 - i. Voting membership: The voting membership of the Research Committee shall consist of twelve voting members, who have research activity, peer-reviewed publications, and/or peer-reviewed research funding:
 1. Seven members nominated and elected at large.
 2. Five members appointed by the Dean.
 - ii. Nonvoting membership: The Senior Associate Dean for Medicine and Research, the Director of Learner Research, and the Associate Dean for Education and Faculty Affairs.

E. Procedures for School-wide committees of the FC:

1. At least a simple majority of voting members of committees established under

these bylaws shall be elected by the voting faculty.

2. The chair of each committee shall be elected by members of the committee.
3. Unless otherwise specified, 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 FC chair in consultation with the Dean shall select a person to serve until the next general election of committee members.
4. Medical, graduate and undergraduate students in the School may be appointed by the dean to committees established by the FC.
5. Committees shall keep minutes of each meeting and copies of said minutes shall be forwarded to the Dean's office. The Dean's Office shall post these minutes to the School's website.
6. The chair, or designee, of each committee shall present a written report of the committee's actions to the FC at least annually and shall be available at the meeting(s) for answering questions.
7. Committees shall meet initially upon the call of the appropriate advisory administrative officer, 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.
8. A quorum of any committee shall be defined as a simple majority of the voting committee membership.
9. A committee chair may request that the FC chair replace a member of the committee who fails to regularly attend meetings.

F. Programmatic Committees:

1. Undergraduate Medical Education Committee (UMEC)

The UMEC in collaboration with the dean shall oversee the undergraduate medical education program. The UMEC has full authority over the design, management, implementation and assessment of its curriculum. The UMEC shall establish policy in order to carry out the charge of the committee and to meet LCME accreditation requirements.

2. Biomedical and Health Sciences Curriculum Committee (BHSCC)

The BHSCC will oversee the biomedical and health sciences undergraduate and graduate programs' curriculum requests pursuant to University policy and procedure.

3. Graduate Medical Education Committee (GMEC)

The GMEC will oversee graduate medical education and shall have authority to oversee and determine policy for all aspects of the graduate medical education program in accordance with the Accreditation Council for Graduate Medical Education guidelines.

Section Five-Referral and Appeals Procedures

1. Appeals:

- A. Any faculty member(s) wishing to challenge a specific action of the FC shall submit to the council a written petition stating their objection and proposed remedy, endorsed by 20 of the voting faculty.
- B. An *ad hoc* appeals committee of the FC consisting of three members will meet with the faculty member(s) within ten working days to discuss the issue.
- C. If the issue is not resolved satisfactorily, a special meeting of the FC will be held within 20 working days to address the issue. If the issue is not satisfactorily resolved at this level it will be referred to a Faculty Assembly presided over by the dean and, in which the issue in question will be decided based on a plurality of the voting faculty membership in attendance.

2. Referrals:

Any faculty member(s) may refer an issue to the FC, either through the chair or a member of the council, with a written petition signed by five members of the voting faculty.

Article IV-Parliamentary Procedure

All meetings of a committee authorized by these bylaws shall operate under the most recent edition of the Sturgis Standard Code of Parliamentary Procedure.

Article V-Inconsistency

In case of any inconsistency between these bylaws and the University of North Dakota University System procedures, 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 policies; 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 VI-Amendment, Interpretation, and Implementation

Section One-Amendments

- A. There are two ways in which amendments to the bylaws may be proposed:
 - 1. Any member of the faculty may propose an amendment to the bylaws by submitting a written petition signed by at least 20 members of the voting

faculty. The amendment may be withdrawn at any time with a majority of the faculty members who signed the petition agreeing to do so.

2. An amendment to the bylaws may also be proposed by simple majority vote of FC at a scheduled meeting.
- B. Any amendment so proposed, with supporting documentation, shall be submitted to the bylaws committee for discussion.
- C. The bylaws committee shall consider the proposed amendment within 30 calendar days of receipt of the proposed amendment.
- D. At the discretion of the membership of the bylaws committee, the amendment petitioner may be invited to participate in the discussion. The proposed amendment and bylaws committee recommendation shall be submitted to the FC at its next scheduled meeting.
- E. The FC shall submit the amendment along with its recommendation to the voting faculty for a vote.
- F. The proposed amendment, with supporting material and ballot, shall be submitted to the voting faculty within ten (10) working days of the recommendation of the FC.
- G. Returned ballots must be recorded no more than 30 calendar days after the ballots and supporting documentation are distributed to the voting faculty.
- H. Approval by two-thirds of the voting members of the faculty voting is required for an amendment to be accepted.
- I. The bylaws committee will meet within ten (10) working days following approval to incorporate an approved amendment into the bylaws.

Section Two-Interpretation

The final authority to interpret these bylaws shall reside in the FC.

Section Three- Implementation

Any changes to these bylaws shall become effective 30 calendar days after approval by the faculty.