

Draft Division J Bylaws¹²
6/17/09 Draft

Article I: Name

The name of this organization is AERA Division J Postsecondary Education.

Article II: Affiliation

The organization, AERA Division J Postsecondary Education, is a Division of the American Educational Research Association (AERA) and, as such, members of Division J pay annual dues to AERA and participate as active members of AERA.

Article III: Governing Authority

As a division of AERA, Division J Postsecondary Education is governed by the Bylaws and Articles of Incorporation of AERA and by the Division's Bylaws. Division J's Bylaws shall not conflict with the Bylaws and Articles of Incorporation of AERA.

Article IV: Mission

The mission of the AERA Division J Postsecondary Education is to advance postsecondary educational research with the goal of developing and testing theory, improving practice, and informing policy decisions.

Article V: Purpose

The major purposes of Division J Postsecondary Education are to:

1. Provide an international forum to disseminate and discuss research, in order to advance research and theory on postsecondary education
2. Maintain an important and vital link between researchers whose primary focus is on postsecondary education and those whose focus is on other educational levels
3. Provide a formal AERA structure with which other organizations having an interest in postsecondary education could identify and interact
4. Provide an organization and network for students entering the field of postsecondary educational research
5. Provide communication linkages among postsecondary researchers for the identification of research priorities, the exchange of ideas and methods, and the facilitation of cooperative research and evaluation

Article VI: Membership

Section 1: Membership Eligibility

Division J focuses on advancing research on postsecondary education with the goal of developing and testing theory, improving practice, and informing policy decisions. Individuals may select membership in Division J provided they are current members of AERA. Only voting members of AERA may vote and hold an elected office in Division J.

Section 2: Membership Dues

Each member shall pay annual membership dues in accordance with the Bylaws, policies, and practices of the AERA.

Section 3: Membership Year. The membership year of the Division shall be the same as that of the Association as established by the AERA Executive Board.

Article VII: Officers and Appointees

The elected officers of Division J are the Vice President, Immediate Past Vice President, Vice President-Elect, Secretary, and Executive Council Members at Large. Only Regular and Emeritus members of the AERA may hold elected office as dictated by the *Bylaws of the American Educational Research Association*.

Section 1: Terms of Office

- a. The term of the Vice President is three years [or as modified or designated within the *Bylaws of the American Educational Research Association*]³.
- b. The term of the Secretary shall be two years and the term of Executive Council Members at Large will be three years [or as modified or designated within the *Bylaws of the American Educational Research Association*].
- c. Terms of office shall begin the day following the close of the Annual Meeting of the American Educational Research Association [or modified as designated within the *Bylaws of the American Educational Research Association*].
- d. If a Vice President, Secretary, or Executive Council Member at Large is not able to take office within one month of the Annual Meeting, filling the respective position will occur as specified below.

Section 2: Vacancies

- a. If the Vice President or Secretary is not ready to take office within one month of the time the term is supposed to begin, the Executive Council of the Division may declare the office vacant and appoint a substitute to serve until a successor can be elected in a regular or special election.

- b. If an elected officer is unable or fails to perform duties satisfactorily over a period of time, at the recommendation of the Executive Council of the Division, the AERA Executive Board shall have the authority to declare the office vacant and shall arrange for the duties of the office to be performed. In the case of Vice Presidents of Divisions, the AERA Executive Board shall consult with the Executive Council of the Division before taking action. The Executive Board's actions shall be subject to review by the Association Council.
- c. If a Member at Large is not ready to take office within one month of the time the term is supposed to begin, the Vice Present may declare the office vacant and appoint a substitute who will serve in the capacity of Member at Large.
- d. If a Member at Large is unable or fails to perform duties satisfactorily over a period of time, the Vice President, after consultation with the Division Executive Council, is authorized to declare the office/position vacant and arrange for the duties of the office/position to be performed.

Section 3: Officer Duties

As stated by the Division Bylaws, the elected officers of the Division are the Vice President, the Immediate Past Vice President, the Vice President Elect, the Secretary, and Executive Council Members at Large.

The Vice President shall:

- a. Call and conduct the annual business meeting of a division;
- b. Submit an annual report to the Executive Director;
- c. Submit to the Executive Director by the deadline date established by him/her each year a budget request to cover the cost of all divisional activities including funds for newsletters, travel funds for committee meetings, travel funds or honoraria for guest speakers for the Annual Meeting, special studies, or other activities authorized by the Division Executive Council. The understanding is that these budget requests will be subject to the approval of the Association Council.
- d. Manage the division budget as approved by Council.
- e. Make a vice presidential address, preferably in the last year of a Vice President's term;
- f. Make all appointments to divisional offices (other than the elected Secretary and Members at Large), divisional committees and for Association committees on which there are divisional representatives.
- g. Serve on the Association Council and fulfill duties of such according to the Association Bylaws.
- h. Have responsibility for activities that will further the objectives and aims of his/her division.
- i. Appoint an Editor for the division newsletter and a website coordinator, each with a term of three years.
- j. Oversee appointment of graduate student representatives.
- k. In case of an unexpected vacancy, appoint Members at large as specified in Article VII, Section 2, items c and d.
- l. Work with the Division Program Committee to build the annual meeting program.

The Secretary shall:

- a. Keep minutes of meetings and phone conferences;
- b. Maintain the Division Handbook;
- c. Maintain the Division Bylaws;
- d. Forward previous meeting minutes, Division Bylaws, and Division Handbooks to newly elected Vice Presidents and Secretaries as requested.

Division J Executive Council Members at Large shall:

- a. Participate in meetings of the Division J Executive Council
- b. Provide advice and counsel to the Vice President
- c. Approve policy decisions and by-law amendments before they are sent to the membership.

Article VIII: Nominations and Elections

Section 1: Nominations

- a. The Division Nominating Committee, appointed by the Vice President and chaired by the Immediate Past Vice President, shall propose nominations (not less than two names for each office) and ascertain the availability of nominees for the office of Vice President, Secretary, and Executive Council Members at Large.
- b. The Division Nominating Committee shall submit to the Vice President nominees for Vice President, Secretary, and Members at Large, accompanied by evidence of nominee consent to run. The Vice President shall submit the nominees to the AERA Executive Director for inclusion in the AERA election, which shall take place in accordance with AERA Bylaws.
- c. Voting for the Vice President, Secretary, and Executive Council Members at Large shall take place by mail or electronic ballot, in accordance with AERA Bylaws.

Section 2: Election

- a. The voting members of the Division, in accordance with the election regulations of AERA, choose the elected officers and Members at Large of Division J by mail, electronically, or by other means as determined by the AERA Council.

Section 3: Schedule for Nominations and Elections

- a. The schedule for nominations and elections shall conform to the AERA Bylaws.

Article IX: Committees

Section 1: Committee Structure: The committee structure of the Division shall consist of The Executive Council and (a) standing committees, (b) ad hoc committees and (c) annual committees.

Section 2: Executive Council

The Division Executive Council consists of the Vice President (who serves as the Chair), the Vice President-Elect (when applicable), Immediate Past Vice President, the Secretary, the

Program Chair, Graduate Student Representative, and three members-at-large. The Vice President may invite any committee chair to be an ex officio member. The Executive Council serves as an advisory group to the Vice President. It reviews the Division general affairs and has the authority to make recommendations to the Division membership as appropriate. The Executive Council holds at least one meeting each year, usually in conjunction with the Association's annual meeting. The Vice President may call meetings at other times and must call one upon the petition of a majority of the Executive Council members. Two-thirds of the members of the Executive Council shall constitute a quorum, and unless otherwise specified by these Bylaws, decisions shall be by a majority of those present.

Section 3: Standing Committees

- a. The Standing Committees for Division J shall be: Program, Affirmative Action, Awards, Outstanding Dissertation of the Year, Membership, and Evaluation. The Division Executive Council, if not in conflict with Association directives, describes the duties of Standing Committees. Revision of these duties will occur from time to time.
- b. The Division Executive Council, if not in conflict with Association directives, establishes or discontinues Division Standing Committees.
- c. The Division Program Committee is a standing committee established by the Division Executive Council. The Program Chair serves as the Chair of the Program Committee. Committee members include the Program Chair, Program Chair Elect, and Section Chairs.
- d. Functions
 - Program Committee: provides oversight for developing a scholarly Division J program as part of the annual meeting and supports general efforts of the AERA program. The program committee coordinates the submission, review, and acceptance processes; creates sessions; and secures session discussants and chairs as appropriate.
 - Affirmative Action Committee: embraces the affirmative action mission and goal statements of AERA, implements activities in support of facilitating outreach efforts within the division, monitors diversity in division activities, and assists the Vice President and committee chairs with appointments. The Chair of the Affirmative Action Committee represents the division on the AERA Affirmative Action Council.
 - Awards Committee: initiates the yearly call for nominations, reviews and recommends awards described in Article XI.
 - Outstanding Dissertation of the Year Committee: initiates, reviews, and recognizes dissertations as described in Article XI.
 - Membership Committee: advises the Vice President about the division's membership and implements activities designed to reach out and inform individuals about the many benefits of Division J membership with the goal of recruiting new and maintaining current members.
 - Evaluation Committee: coordinates the evaluation of Division J sessions and activities at each annual meeting.

Section 4: Appointees Duties

Program Chair:

Under the direction of the Vice President, the Program Chair shall be in charge of arranging for the Division's program at the Association's Annual Meeting, including the appointment of Section Chairs. The Vice President appoints the Program Chair for a one-year term. The incumbent can receive a reappointment.

Section Chairs:

As part of the Division Program Committee and under the direction of the Program Chair, each Section Chair is in charge of determining the Division's program for a subject category.

Editor of the Division Newsletter:

The Editor of the division newsletter, appointed by the Vice-President for a term of three years, is responsible for the content and electronic distribution of the semi-annual editions of the Division's newsletter.

Website Coordinator:

The website coordinator, appointed by the Vice-President for a term of three years, is responsible for the maintaining the Division J section of the AERA website in coordination with the AERA Office.

Standing Committee Chairs:

Standing committee chairs, appointed by the Vice President, shall serve a term of 1 to 3 years as mutually agreed upon by the Committee Chair and the Division Vice-President. The Chairs shall provide leadership for their respective committees; shall, in consultation with the chair of the Division's Affirmative Action Committee chair, appoint committee members; and shall carry out the assigned work of the committee.

Section 5: Standing Committee Membership and Terms of Office

Standing Committees have at least three members. The term of office is normally three years, staggered so that approximately one-third of the members' terms end in any year. Committee chairs recommend members of their respective committees in consultation with the Division J Affirmative Action Committee Chair and the Vice President. All appointments, made by the Vice President, are subject to the AERA Conflict of Interest policy.

Section 6: *Ad Hoc* Committees

a. Membership. The Vice President shall appoint the Chair and members of the ad hoc committees

b. Duties. *Ad hoc* committees carry out particular tasks as described in a charge from the Vice President following consultation with the Executive Council. The Vice President designates the term of the *ad hoc* committee. The term does not exceed the Vice President's term of office. Committee membership will end at the end of one's term or earlier, based on completing assigned tasks or if, in the Vice President's judgment, the committee is not making substantial progress toward its purpose.

Section 7: Annual Committees

a. Annual Committees. Annual committees include the Division Nominating Committee and an Emerging Scholars Workshop Committee.

b. Membership. The Vice President appoints necessary annual committees. These include the Division Nominating Committee and Emerging Scholars Workshop Committee

c. Functions:

The Division Nominating Committee proposes nominations (not less than two names for each office) and ascertains the availability of nominees for the office of Vice President, Secretary, and Executive Council Members at Large. The Committee submits the nominees to the Vice President along with evidence of the nominees' consent to run.

The Emerging Scholars Workshop Committee designs and plans the Emerging Scholars Workshop for advanced graduate students and early career faculty. The workshop is held in conjunction with the Annual Meeting.

Article X: Division J Meetings

Section 1: Scheduling and Notice of Meetings

The Vice President shall have authority to set the time and place of meetings of the Division. On the petition of ten percent of the voting members, the Division must call and hold a meeting within three months of the date of the petition. The voting members will receive any resolution passed at that meeting for action by the voting members.

Announcement of time and place of any meeting of Division J will occur as far ahead as it is reasonably possible. In any case, each division member will receive a meeting notice at least three weeks in advance.

Section 2: AERA Annual Meeting and Division J Business Meeting

Except for sufficient reason, there shall be a convention of the Association each year. Arrangement of one session as Division J Business Meeting will be for Division affairs. The time

and location shall be listed in the annual meeting program and during the meeting members of the Division Executive Council shall report to the membership and allow for discussion of Division affairs.

Section 3: Rules of Order

In all cases to which they apply and do not conflict with the provisions of these Bylaws, Robert's Rules of Order (current edition) shall govern business meetings of Division J.

Section 4: Membership Approval

Items of Division J business requiring the vote of the voting members will be sent by mail or e-mail and must originate from the Vice President or the Association Council in accordance with these Bylaws except as provided for in Section 1 above and in Article XIII, of the Association's Bylaws. It shall also be in order for any member to introduce these items for discussion and reconsideration at the next succeeding business meeting of the Division. A majority vote of the members present at the meeting shall be sufficient for resubmission of an action to the mail or e-mail vote of the entire membership with opportunity for those favoring resubmission to state their case. A summary of actions taken by the membership shall be included in the Annual Report by the Vice President.

Article XI: AERA-Approved Division J Awards

Division J offers and seeks nominations for three awards: Outstanding Publication, Exemplary Research, and Dissertation of the Year.

Section 1: Division J Exemplary Research Award: This award is a special honor bestowed on one of the Division's most esteemed colleagues. The primary purpose of this award is to recognize and honor an individual who demonstrates an outstanding record of scholarly research in postsecondary education. The focus is on experienced faculty, both associate and full professors, who demonstrate an unusually high level of accomplishment. They are recognized scholars whose published research has made an outstanding contribution to knowledge and understanding in the field of higher education.

Section 2: Division J Outstanding Publication Award: The purpose of this award is to bestow recognition on a colleague for a specific publication (book, book chapter, or journal article) judged as making a substantial contribution to the literature and/or practice of higher education. Publications may have more than one author. Substantial contribution is defined as scholarship that extensively revises knowledge and understanding of a particular problem in the study of higher education or looks at it in a new way. It may also be an interdisciplinary effort that identifies a problem new to the community of scholars in higher education. Publication of the nominated book, book chapter, or article must occur during the preceding calendar year.

Section 3: Outstanding Dissertation Award: The purpose of this award is to recognize a doctoral student who, through his or her dissertation work, does the following:

- advances the Division's overarching values in higher education, broadly defined;
- makes innovative use of methods, extending the approaches available to conducting research in postsecondary education;
- integrates research and theory grounded in a variety of intellectual traditions into his or her own research;
- suggests particularly insightful implications for improving practice (for Ed.D. dissertations), or generates and/or extends theory in potentially useful ways for researchers and practitioners (for Ph.D. dissertations).

Article XII: Dues and Other Fiscal Concerns

Section 1: Dues

The Association Council, as specified in Article XII of the Association's Bylaws, establishes the dues, fees, and special assessments for all categories of membership.

Section 2: Allocation of Funds

The Association Council shall determine the fiscal period for the Association. Prior to the expiration of one fiscal period, the Division Vice President shall prepare and propose an operating budget for the next fiscal period in accordance with Association policies.

Section 3: Overseeing the Allocation of Funds

- a. All receipts and disbursements shall be managed by the Executive Director consonant with the policies of the Association Council.
- b. All employees and officers entrusted with financial responsibilities will be bonded, with premiums on the fidelity bonds paid by the Association.
- c. In keeping with its objectives, the Division may receive grants and contributions from members and other interested parties to help support its programs and objectives. The Division will place any addition of unrestricted grants in its general operating fund and will manage those funds accordingly. Where the grantor imposes special requirements, the Division shall consult with the Association Executive Director and President who will advise and work with the Division on the conditions under which the Division may accept the grant. The Division may receive gifts or endowments where there are special requirements imposed as a condition of acceptance of funds. In such instances, the Association Council shall review the conditions of the gift or endowment, decide on acceptance, and specify conditions for controlling the funds. Funds accepted with conditions shall be held in financial accounts appropriate to the conditions and intended use.
- d. The Division shall use funds collected only to accomplish objectives and purposes stated in these Bylaws. No member or group of members shall commit the financial resources of the Division in any manner except as stipulated in these Bylaws and the Association's Bylaws.
- e. In the event of the Division's dissolution, the Vice President then in office shall remain in office until termination of all affairs of the Division occur. The Division will return funds remaining after payment of debts and obligations to the Association.

Article XIII. Approval and Amendment of the Bylaws

Section 1: Initial Adoption

Adoption of these Bylaws shall be by an affirmative vote by two-thirds of the members returning ballots within 30 days of the date of mailing or e-mailing of the ballots and copies of the Bylaws. The Association Executive Director shall review the procedure and certify the result. The Bylaws are subject to review by the Association Council in accordance with Article VII, Section 3 of the Association's Bylaws.

Section 2: Amendments

The Bylaws of Division J may be amended from time to time in accordance with the provisions specified herein. Initiation of amendments to or other changes in these Bylaws may occur in one of two ways: (1) The Division Executive Council may formulate proposals and submit them with any arguments it chooses to the voting members for a vote; (2) Any five percent of the voting members may submit a proposed amendment or amendments to the Division Executive Council. The amendment or amendments must be in writing and signed by the sponsors. The Division Executive Council shall then submit the proposed amendment with any arguments advanced by its sponsors and with the Division Executive Council arguments and recommendation for or against, to the voting members of the Division for action.

The voting members of Division J may act upon amendments or revisions as follows:

- a. The Vice President shall send an electronic copy, or a link to an electronic copy, of the proposed changes as well as an explanation of proposed changes to members of the Division. Members may request a hardcopy of the changes sent to them via U.S. Mail. Voting members will receive an e-mail copy of the ballot and may request a hardcopy of the ballot via the U.S. Mail. At least 30 days must elapse between the date of the proposal mailing and the date of the vote counting. The proposed amendment(s) may also be presented to voting members of the Division in the form of a membership referendum as part of the AERA and visional election.
- b. An affirmative vote by two-thirds of the members returning ballots within 30 days shall be sufficient for acceptance of an amendment. Reporting of the results of the vote to the membership will occur in the next available issue of a scheduled Division J communication to the members. An amendment to the Bylaws becomes effective upon acceptance unless otherwise specified on the ballot.

Article XIV: Indemnification

No Officer or member of a committee shall be liable to the AERA, or any member, or any other person or persons from any claim of any character resulting from any actions taken or any failure to take action in good faith and believed by them to be authorized by these Bylaws or within their discretion or rights or powers conferred upon them by these Bylaws. Each of these individuals shall be indemnified by the Association against expenses actually and necessarily incurred in connection with the defense of any action, or proceeding in which he or she is made a party by reason of his or her being or having been in this designated role of responsibility.

¹ We consider these bylaws a supplemental document, superseded by the corporate Bylaws of AERA, and may not conflict in substance with them or policies enacted by the AERA Council or Executive Committee.

² Division J acknowledges the contribution of American Educational Research Association (AERA), Division A, Division D, Division H, and Division K as we used their bylaws or related materials to develop the initial draft bylaw document for Division J.

³ Information about terms and tenure of officers has its basis within the Bylaws of the American Educational Research Association. We note phrasing within the AERA Division J Bylaws to ensure that this document is dynamic. Should the full membership approve changes to the Bylaws of the American Educational Research Association, Division J changes will be deemed automatic and not require a review and formal approval process to this supplemental document.

2/25/09