1. INTRODUCTION

1.1 This Constitution supersedes all previous versions, partially accepted or accepted in principle by the Department, and all motions passed by the Department in the matters herein covered. Questions of interpretation are to be settled by majority vote at a meeting of the Department Council. Any part of this Constitution shall be without effect if it violates policies of the Senate, Board of Governors or other responsible authority of York University.
1.2 Amendments

This Constitution may be amended by means of a motion sponsored by five members of the Department Council and circulated with the agenda of the next Department Council, accepted by at least 60% of those voting at a duly constituted meeting and subsequently by more than 50% of those voting in a mail ballot. In case acceptance at the meeting is unanimous, the mail ballot may be dispensed with. A motion for amendment must indicate the changes in wording which are to appear in the Constitution. The Chair is responsible for ensuring that the text of the Constitution is changed to reflect any amendments which are passed.

2. MEMBERS OF DEPARTMENT COUNCIL AND SECTIONAL STRUCTURE

The following are members of the Department Council:

2.1 All full-time faculty members having at least a one-third appointment in the Department and those who have held such a position and who are now retired or on leave but who have not accepted a full-time position elsewhere;

2.2 All part-time faculty members during the course of an academic year when they are teaching at least two full courses or equivalent in the Department;

2.3 The Operations Manager;

2.4 The Administrative Assistant (Undergraduate Office);

2.5 The Systems Administrator;

2.6 Two undergraduate students selected by Club Infinity and two graduate students selected by the graduate students in mathematics;

2.7 Such additional members as may be approved for one-year terms by a meeting of the Department.

2.8 Faculty members of the Department will belong to one or more of the following Sections:
   - Applied Mathematics Section;
   - Pure Mathematics Section;
   - Statistics Section.

For purposes of tenure and promotion and elections to the Executive Committee, those belonging to more than one Section will be asked to choose a Home Section. Home Sections may be changed by notifying the Chair during the month of September. A member may change Home Section only once per year.
3. MEETINGS OF THE DEPARTMENT COUNCIL AND OF THE SECTIONS

3.1 Regular meetings of the Department Council shall take place normally at 4:00 p.m. on the fourth Tuesday of each month from September to November and from January to May. Notice of at least five University working days must be given for meetings held at other times or days.

3.2 Emergency meetings of Council may be called by the Chair or by any five members of the Department Council on a notice of no less than two University working days. Emergency meetings may only deal with emergency business.

3.3 A meeting shall not last longer than 90 minutes without the approval of a majority of the members present. The quorum for a meeting of the Department Council is 12 members.

3.5 All members of the Department Council (as defined in Section 2) may vote.

3.6 Procedure and conduct shall be those set by precedent. In case of dispute or necessity, the procedures used shall be those of the Senate of York University.

3.7 Motions declared to be "important" by seven or more members of the Department Council must be passed at two meetings in order to take effect. The second passage may be replaced by a mail ballot, the deadline for receipt of ballots being not less than two weeks after the first passage of the motion.

3.8 A motion passed at a meeting of one of the Undergraduate Curriculum Committees for which an agenda has been circulated to all members of the Council shall be deemed to have been passed by the Council provided the following three conditions have been met:

   (i) The motion has been circulated to all members of Council with a preface stating that it has been passed by the Committee (specified) and stating the following warning:
       "THE FOLLOWING MOTION SHALL BE DEEMED TO HAVE BEEN PASSED BY THE DEPARTMENT COUNCIL IF NO OBJECTION IS LODGED BY ANY MEMBER BEFORE (specific date)";

   (ii) The date indicated in the warning should be at least five and normally at least ten working days after the date of the warning itself; and

   (iii) No such objection has been lodged by any member of Council within the stated time period.

3.9 The agenda for meetings of the Department Council shall include reports from the Chair and the Executive Committee as well as any business which a member may ask to have dealt with at least six working days in advance.
3.10 Meetings of a Section are called by the corresponding Sectional Director, or by any five members of the Section, on a notice of no less than five working days. The quorum for a meeting of a Section is one half of the home membership or ten members whichever is less.

3.11 Notices to Council and to Sections can be given by sending electronic mail to the appropriate alias council@mathstat.yorku.ca. It is understood that the aliases will be administered so that information reaches all intended recipients.

4. STANDING COMMITTEES

4.1 The following are Standing Committees of the Department:
- Academic Standards Committee;
- Colloquium Committee;
- Computer Users Committee;
- Undergraduate Curriculum Committee (Applied Mathematics);
- Undergraduate Curriculum Committee (Pure Mathematics);
- Undergraduate Curriculum Committee (Statistics);
- Undergraduate Curriculum Committee (Mathematics for Commerce);
- Undergraduate Curriculum Committee (Education);
- Ethics Review Committee;
- Executive Committee;
- Faculty Awards Committee;
- Fields Sponsoring University Activities Committee;
- Governance Committee;
- High School Liaison Committee;
- Hospitality Committee;
- Industrial Liaison Committee;
- Library Committee;
- Publications Committee;
- Student Awards Committee;
- Teaching and Learning Committee;
- Tenure and Promotions Adjudicating Committees.

4.2 The meetings of all standing committees with the exception of the Executive Committee, the Tenure and Promotions Adjudicating Committees, and those meetings of any other committee which, in the opinion of the committee in question, is dealing with confidential matters are open to all members of the Department. Minutes of meetings of standing committees, except Tenure and Promotion Adjudicating Committees, are to be distributed to all members of the Department Council within five working days of the meeting.
5. THE CHAIR AND ASSOCIATE CHAIR

5.1 Duties

The Chair is the official spokesperson and negotiator for the Department with the duty of implementing departmental policy. He/she will inform the Executive Committee and the Department promptly of all matters which come to his/her attention relating to the functions of the Department. He/she shall ensure active departmental participation in meetings of the Senate, the Faculty Councils and other appropriate bodies. The Chair shall preside over and prepare agendas for meetings of the Department Council and of the Executive Committee.

5.2 Selection

1. No later than October 31 of the last year of the term of the incumbent Chair, the Department Council shall elect a Chair Search Committee. Normally there will be at least one former Chair on this committee.

2. The Committee will conduct a ballot among Council members. The ballot will contain the name of all tenured members of the Department, with the exception of those who have already been Chair or who will be on Administrative Leave (unless they ask to have their names on the ballot).

For each name on the ballot, those voting have three choices: to check a box labelled "highly acceptable", to check a box labelled "acceptable", or not to check either box.

All members of the Department Council are eligible to vote. The ballot will be a secret mail ballot, conducted according to the procedures described in the Departmental Constitution.

After the voting is closed, a "short list" of the names of those deemed either acceptable or highly acceptable by at least 60% of those voting will be compiled, along with counts of votes for those members, for the Search Committee's information. A list of the names in order of number of votes received is made available to the Department Council, as well as to the Dean of Science and Engineering.

3. Once the short list is made, the Search Committee meets with each member on the short list, and attempts to persuade those members to take the job.

If two or more people on the short list agree to serve, then an election by Council is conducted to select one of them to be the chosen candidate. If only one person on the short list agrees, then that person is the chosen candidate. In either of these two cases, the Committee informs the Dean of the name of the chosen candidate, and invites the Dean to appoint that person Chair.
If nobody on the short list agrees to serve, then the Committee informs the Dean of this, and asks the Dean for help. The Committee would discuss with the Dean the detailed results of the balloting, and the reasons given by people on the short list for declining to serve.

The Department Council will be informed when the Search Committee has ascertained that one or more people on the short list are willing to serve, or when it is about to inform the Dean that nobody is willing.

4. Should the Dean be unable to convince anyone on the short list to serve, then the matter shall be referred back to the Search Committee, who shall consult with Council about how to proceed.

5.3 In the event that the Chair is temporarily unable to serve, the Executive Committee shall assume his/her responsibilities and, possibly, delegate them to members of the Department. For absences of between 7 and 30 days the Chair shall name an Acting Chair; for longer absences this replacement must be approved by the Executive Committee or the Department Council.

5.4 Chair's Teaching Load

The Chair shall have a reduced teaching load, in accordance with the YUFA Collective Agreement.

5.5 The Chair is an ex-officio voting member of the following committees:
- Executive Committee;
- Colloquium Committee;
- Undergraduate Curriculum Committees.

5.6 The normal term of office for the Chair shall be three years, starting on July 1. In each except the last year of office, a vote of confidence in the Chair shall be held during the month of April. All members of the Department Council shall be entitled to take part in this vote, which shall be conducted as a mail ballot initiated by the Secretary of the Executive Committee.

5.7 There shall be an Associate Chair whose duties are determined by agreement with the Chair. The Associate Chair is appointed by the Chair, or Chair-Elect, with the approval of the Executive Committee. The Associate Chair will assume the Chair's responsibilities in the absence of the Chair for up to seven days.

5.8 The Associate Chair shall have a reduced teaching load, in accordance with the YUFA Collective Agreement.

5.9 The Associate Chair is an ex-officio voting member of the following committees:
- Academic Standards;
- Executive;
- Undergraduate Curriculum;
- Governance.

5.10 The term of office of the Associate Chair shall be determined by agreement with the Chair, or Chair-Elect, but is not to exceed three years or extend beyond the term of the Chair.

6. THE EXECUTIVE COMMITTEE AND HIRING PROCEDURES

6.1 Duties

The Executive Committee acts for the Department in making recommendations to the Dean on specific personnel matters (such as hiring, but not tenure and promotions matters for those already hired) within the framework of guidelines approved by the Department. The Committee acts for the Department at times when meetings of the Department Council cannot be held conveniently. The Committee also acts as an advisory committee to the Chair.

6.2 Membership

1. Ex-officio members:
   - The Chair of the Department;
   - The Director of the Graduate Program in Mathematics and Statistics;
   - The Sectional Director (Applied Mathematics);
   - The Sectional Director (Pure Mathematics);
   - The Sectional Director (Statistics);
   - The Coordinator of Math for Commerce;
   - The Coordinator of the Mathematics Education Curriculum Committee (as of July 1, 2011);
   - The Associate Chair;
   - The Operations Manager.

2. Elected Members:

   At any one time, there shall be five members elected from among the tenure stream members, by the on-site tenure stream members of the Department. Two shall be elected from the Department at large, and one from among the members of each Section by the home members of that Section. Members who are on leave for half or more of any academic year shall not be eligible for membership of the Committee in that year.

   The normal term for members of the Committee elected by the Department at large shall be two years. One of these two elected positions will be vacated and open for election each year. The normal term for the elected Sectional representatives shall be two years.
Should an elected member resign or move to an ex-officio position on the committee, or be unable to carry out duties on the committee for any extended period (such as by going on leave), an election shall be held for a replacement for the duration of the vacated period.

Balloting shall normally start early in March.

3. Elections

Balloting shall normally be conducted once per year, in early March. Each elector shall complete two original ballots, one showing a list of all tenure-stream members of the department, and the other showing a list of all tenure-stream members of the elector's home section. On both ballots the elector sequentially ranks some or all of the candidates, marking 1 for first choice, 2 for second choice, etc. If any number appears more than once on a ballot, that ballot shall be deemed to be spoiled.

These ballots shall be retained and used to compute the outcome of all rounds of all executive committee elections held until the next ballot is conducted (normally the following March). Should an elected individual resign or move to an ex-officio position on the committee, or be unable to carry out duties on the committee for any extended period (such as by going on leave), an election shall be held for a replacement for the duration of the vacated period. This election will normally be recomputed based on the latest original ballot.

In each round of an election, an inferred ballot will be computed from every applicable original ballot. The inferred ballot will omit any candidate ineligible for that round of this election, and will rank the eligible candidates sequentially in a manner consistent with the relative rankings of candidates on the original ballot.

Each election will consist of two rounds. In the first round, ineligible candidates will consist of members who will already be on the committee (ex-officio or by previous election), who will be on leave for half or more of the first year of the term of office, or who indicate to the chair the desire to withdraw their names from the ballot. In the second round, ineligible candidates will consist of those ineligible on the first round, together with any candidates eliminated on the basis of the first round.

If the number of positions at stake in an election is $m$, then an eligible candidate's polling score shall be the number of inferred ballots on which the candidate's rank is between 1 and $m$ inclusive. A candidate will be eliminated on the basis of the first round if there are more than $m+2$ eligible candidates with strictly higher polling scores. Eligible candidates not eliminated on the basis of the first round advance to the second round.

The $m$ candidates with the highest polling scores on the second round shall be declared elected. Ties on the second round shall be broken by first comparing the number of 1st place rankings on the inferred ballot, then the number of 2nd place rankings if necessary,
and so on. Any ties remaining unbroken shall then be decided by lot. Normally, only the names of the elected candidates, and those proceeding to the second round will be released to the department, but not information about rankings.

Sectional election results shall be computed only after the computation of election results for any vacant departmental positions. Elections for the two-year departmental positions and any departmental replacement positions shall be held simultaneously, with the candidates obtaining the highest polling scores being elected to the longest terms. Any ties shall be resolved by the procedure given earlier.

6.3 Voting privileges

At meetings of the Committee each member may vote.

6.4 Meetings

Regular meetings of the Committee may be called by the Chair or by any three members of the Committee on a notice of five working days. Emergency meetings may be called on twenty-four hours' notice but only for the conduct of emergency business. Any member of the Committee may submit items for the agenda of a regular meeting at least six working days in advance of the meeting. The minutes of the meetings are distributed to all members of the Department.

6.5 Hiring procedures

New faculty positions will normally be pre-assigned to a particular Section. The hiring committee for each Section shall consist of:
- the Sectional Director;
- the Executive Committee member elected by the Section;
- the Chair of the Department;
- the Director of the Graduate Programme in Mathematics and Statistics;
- other members as described below.

In any year a meeting of the tenure-stream members of a Section may be called to appoint additional members of the Section to the hiring committee. These members would serve for one year, and would normally be elected by a mail ballot of the tenure-stream home members of the Section as in Section 6.2(c). If approved by an unopposed vote at the meeting, the mail ballot may be foregone.

In any year in which the Section does not add at least one member to the hiring committee (as above) the two members of the Executive Committee elected "at large" would become members of the hiring committee.

Any recommendation of a hiring committee must be approved by the Executive Committee before it is sent to the Dean.
7. THE SECTIONAL DIRECTORS AND MATH FOR COMMERCE COORDINATOR

7.1 Duties

The tasks of the Sectional Directors and Math for Commerce Coordinator, which may vary from time to time, are determined by agreement with the Chair. They shall include the duties of the Undergraduate Directors of the corresponding Sections. The Sectional Directors and Math for Commerce Coordinator also take turns in serving for one-year periods as Secretary of the Executive Committee.

7.2 The Sectional Directors and Math for Commerce Coordinator are appointed by the Chair. The Section Directors require approval, in secret ballot, of the majority of the voting home members of the relevant Sections while the Math for Commerce Coordinator requires approval by a secret ballot of Council.

7.3 The term of office shall be set by agreement with the Chair, but it is not to exceed three years.

7.3 The Sectional Directors and Math for Commerce Coordinator shall have a reduced teaching load, in accordance with the YUFA Collective Agreement.

7.4 Each Sectional Director and the Math for Commerce Coordinator is an ex-officio voting member of the Undergraduate Curriculum Committee in her/his Section and of the following committees:
- Academic Standards Committee;
- Executive Committee;
- Publications Committee.

The Math for Commerce Coordinator is normally the chair of the Math for Commerce Curriculum Committee.

8. THE OPERATIONS MANAGER

The Operations Manager is appointed according to York University appointments policies and his/her duties are part of the terms of appointment. He/she is an ex-officio member of the following committees:
- Colloquium Committee;
- Executive Committee.
9. THE ADMINISTRATIVE ASSISTANT (UNDERGRADUATE OFFICE)

The Administrative Assistant (Undergraduate Office) is appointed according to York University appointments policies and her/his duties are part of the terms of appointment. She/he is an ex-officio member of the following committees:
- Academic Standards Committee;
- Publications Committee;
- Teaching and Learning Committee;
- Undergraduate Curriculum Committees.

10. THE TENURE AND PROMOTION ADJUDICATING COMMITTEES

A Tenure and Promotions coordinator shall be appointed each year by the Chair, to coordinate between and advise the file preparation and adjudicating committees concerning their work.

Each tenure or promotion file shall be prepared by a file preparation committee consisting of three tenure stream faculty members. One member of a candidate's file preparation committee shall named by the candidate. The other two members shall be appointed by the adjudicating committee of the candidate's home section. The two members so appointed shall normally be chosen from among the membership of that adjudicating committee.

Each Advancement to Candidacy file will normally be prepared by a file preparation committee consisting of the Sectional Director, the Department Chair, and the Chair of the department's Tenure and Promotion Committee. The pre-candidate may name an additional tenure stream faculty member to the file preparation committee.

When necessary, sections shall strike Tenure and Promotions Adjudicating committees. Each section's Tenure and Promotions Adjudicating committee shall adjudicate the tenure and/or promotion files of the home members of that section. Each committee shall consist of between six and eight tenure stream faculty members, and of between two and three students currently enrolled at York University. The size of the committee will be determined each year at a meeting of the section. Members of a Tenure and Promotions Adjudicating committee would serve for one year, and would normally be elected by a mail ballot of the tenure-stream home members of the Section as in paragraph 6.2(c). If approved by an unopposed vote at a sectional meeting, the mail ballot may be foregone. Each adjudicating committee shall select a chair from among its members.

11. ELECTION TO COMMITTEES

Apart from the Executive Committee, the Hiring Committees and the representative positions on the Tenure and Promotion Committees, elections to committees in the
Department shall proceed as follows: Each year in April, the Chair in consultation with the Sectional Directors shall make a tentative assignment to committees for the following academic year. This assignment shall be based on members' wishes and shall be made with a view towards equitable distribution of workload. The same procedure will be used to fill positions on ad hoc committees, at any time of the year.

12. MAIL BALLOTS

Throughout this Constitution a "mail ballot" refers to a ballot placed in the Department's internal mail system. At least five working days must be allowed for the return of such ballots. There will also be an announcement of the ballot e-mailed to council@mathstat.yorku.ca, saying that electronic ballot can be e-mailed to anyone who requests it. Although members of the Department Council temporarily away from campus (e.g., on sabbatical leave) shall have the right to vote, there is no requirement that ballots be sent to them or that the return deadline be extended to enable them to vote.