

Revised: November 4, 2022

## Bylaws of the Franklin College of Arts and Sciences

### **ARTICLE I**

#### The Faculty

##### Section I. The Faculty

The Faculty of the Franklin College of Arts and Sciences shall consist of the Dean and all Professors, Associate Professors, Assistant Professors, Instructors, Lecturers, Academic Professionals and ex officio members designated by the Statutes of the University of Georgia.

##### Section II. Regular Meetings

The Faculty of the College shall meet at least once each academic year at a time and a place to be determined by the Dean in consultation with the Senate Executive Committee. Meetings may be held remotely via audio-visual technology when necessary or desired.

Faculty members may submit agenda items either to the Dean or to the Executive Committee of the College Senate. The agenda for a regular meeting shall be provided to members of the Faculty two weeks before the meeting and shall constitute the total business of the meeting. The Dean shall preside and shall address the State of the College and other matters of interest to the Faculty. Notices of regular meetings shall be sent to each member of the Faculty by the Dean at least one month in advance.

##### Section III. Special Meetings

Special meetings of the Faculty may be called in three ways: 1) The Dean may call a meeting. 2) The Dean will convene a special meeting within fourteen days of receiving a petition signed by 100 members of the Faculty. 3) The Faculty Senate may also call special meetings, for which it may set the agendas. The Executive Committee of the Senate in conjunction with the Dean's Office will notify faculty of special meetings and their agendas. Special meetings and any scheduled votes may be held remotely via audio-visual technology when necessary or desired.

### **ARTICLE II**

#### The Faculty Senate

##### Section I. Representation

The Franklin College of Arts and Sciences shall have a Faculty Senate which shall be composed of elected faculty senators apportioned among the various departments as follows: to the thirteen largest departments in terms of number of faculty, two senators each; and to the remaining

departments, one senator each. In the enumeration of faculty for apportioning representation among departments, only actually budgeted faculty EFT shall be counted.

During each spring semester and at least one month in advance of elections of senators, the Dean of the College shall notify the Head of each Department of the number of senators to which the Department shall be entitled for the ensuing three years.

When a department's representation is reduced by reapportionment, the term of an incumbent senator will continue until completion of the full term.

## Section II. Eligibility and Method of Election

Any member of the Faculty who was appointed as the result of a faculty vote and whose appointment is expected to continue as long as the term of service in the Senate is eligible to be elected, except as noted in Section III. The election shall be held by a vote of the Department's faculty. New members of the Senate shall be elected prior to the April meeting of the Senate.

## Section III. Term of Office

Senators shall serve a term of three years and shall take office at the regular August Meeting of the Senate. Senate terms will expire on the day preceding the regular August meeting.

Senators may serve two consecutive terms after which they must wait at least one year before they are eligible for reelection.

## Section IV. Officers

The Senate shall elect the following officers for each academic year:

1. President, who shall be a member of the Senate both at the time of election in April and for the duration of the year in office. The President shall preside over all regular and special meetings of the Senate, see to the orderly conduct of Senate business, arrange for necessary communication and referrals to other officers or deliberative bodies of the University in the name of the Senate and its committees, and otherwise serve as the Senate's official representative. The President shall be a member ex officio of all Senate committees.
2. President-elect, who shall be a member of the Senate both at the time of election in April and for the duration of the year in office. The President-elect, in the absence or incapacity of the President, shall fulfill the duties of the President. The President-elect, at the request of the President, shall substitute for the President in the performance of official duties.
3. Secretary, who shall keep the minutes of the proceedings and perform such other duties as may be directed or approved by the Senate. The Secretary of the Senate shall also serve as Secretary of the Faculty of the College and shall keep the minutes of regular and special meetings of the College Faculty.

## Section V. Election of Senate Officers

At the April meeting the Senate will elect a President-elect who after one year will succeed the President. The Executive Committee shall recommend a slate of nominees for Secretary and for all committee positions for the following year; the Senate will vote on that slate at the August meeting.

When a member resigns from the Senate or becomes unable or ineligible to serve, the President shall ask the member's Department to elect a replacement.

#### Section VI. Meetings

The Faculty Senate shall meet in regular session at least once each month during the academic year, at a time and a place to be determined by the Chair of the Executive Committee, the President, and the Dean in consultation with each other. The Senate President shall preside. In the President's absence, the President-elect shall preside. At each regular meeting, the Dean or the Dean's deputy will address the Senate regarding matters of interest to it and to the Faculty at large. Special meetings and any scheduled votes may be held remotely via audio-visual technology when necessary or desired.

A call for agenda items and pertinent information will be made to the Faculty, and accepted and organized by the Executive Committee and the Dean's office. Items not on the announced agenda may be added at the meeting by a two-thirds majority vote of the Senators attending. The Executive Committee will place on the agenda of the next regular meeting any item endorsed by majority vote of the Senate.

The Executive Committee, the President, or the Dean shall have authority to convene special sessions of the Senate. A special session will be called by the President upon receiving a written petition signed by fifteen members of the Senate.

The Senate will conduct all meetings in accordance with Robert's Rules of Order.

#### Section VII. Notice of Meetings

The Executive Committee, with the assistance of the Dean's office, shall give notice of regular meetings to the Senate and to the Faculty at least one week in advance. All notices shall include proposed agenda and pertinent information. For special meetings, the same procedure shall be followed.

#### Section VIII. Absences and Proxies

A senator who misses two consecutive meetings within one academic year shall be removed from the Senate. The department with the resulting vacancy will select a replacement to serve the duration of the term.

A member of the Senate who must be absent from a meeting may designate a proxy, preferably from the same department. A senator represented by a proxy at a Senate Meeting shall not be counted absent if the proxy attends the meeting. The proxy shall have the same privileges as the absent senator, including the right to vote. The proxy must be eligible for membership in the

Senate as prescribed in Section II of this article. An attending senator may not serve as a proxy for an absent senator.

#### Section IX. Quorum

A majority of the total membership of the Senate shall constitute a quorum. A quorum is required for any official action of the Senate.

#### Section X. Charge

The Senate shall act as the agent of the Faculty in exercising the following duties and functions:

- (a) To consider and act upon matters of educational policy of the College, including the establishment of requirements of all degree programs, the approval of the new degree programs, and the suspension or abolition of existing programs;
- (b) To authorize the granting of degrees to students who have met all degree requirements;
- (c) To consider and make recommendations on matters that concern one or more departments or the College as a whole;
- (d) To assist and advise the Dean on matters of importance to the College;
- (e) To study and make recommendations concerning the structure and organization of the College and to consider any proposal to create, abolish, or significantly restructure any unit of the College;
- (f) To make such rules and regulations for the conduct of its business as it may deem advisable.

### **ARTICLE III**

#### Committees of the Senate

Senate Committees shall be composed as follows:

1. Each committee will consist of at least five Senators, one from each of the divisions of the College. The Executive Committee may choose to appoint additional members to one or more committees.
2. At least two members of each committee will have served on that committee in the previous year.
3. No member of any committee shall serve for more three consecutive years on any given committee.
4. During the April meeting of the Senate, the chairs of each committee for the following year will be chosen from those members who have served on the committee previously.

5. A full slate of committee appointments will be put together by the Executive Committee over the summer and ratified by the Senate at the first meeting of the new session in August.

#### Section I. Executive Committee

The duties and functions of the Committee shall be these:

1. To set the time, the place, and the agenda for each regular meeting and, with the assistance of the Dean's Office, to notify the members of the Senate and the Faculty at large.
2. To call special meetings of the Faculty, as the Committee deems advisable, and, with the assistance of the Dean's Office, to notify the members of the Senate and the Faculty at large.
3. To make necessary arrangements for non-members of the Senate to appear and address the Senate on appropriate issues.
4. To discuss with the newly-elected members of the Senate at their first regular Senate meeting in August the responsibilities, powers, and procedures of the Senate, and to allow them to meet with their assigned committees to learn the duties and functions of those assignments.
5. To recommend to the Senate rules and regulations to govern the conduct of the Senate's business.
6. To make rulings in controversies over the interpretation or application of these Bylaws; such rulings can be overturned by a majority vote of the Senators voting.
7. To accept for the agenda of the next regular meeting any item endorsed by majority vote of the Senate.
8. To prepare a slate of nominees, drawn from the Senate membership, for President-Elect, Secretary and all standing committee positions and special committee positions, if any, at the April meeting of the Senate. The President-Elect will be voted on at the April meeting and the other positions will be voted on at the August meeting of the following academic year.
9. To nominate qualified Faculty members of the College for other positions and offices that the Senate is responsible for filling, and to present the nominees to the Senate for election at the appropriate times.
10. To nominate replacements for committee members who are absent from the campus for more than one academic term or who have ceased to be members of the Senate, and to present the nominees to the Senate for election. The Executive Committee may appoint members of the Senate with their consent to replace members of the committees who certify that they will be unavailable for periods of one semester or less.
11. To advise the Dean on appointments to committees for the administration of College affairs.
12. The Executive Committee may when circumstances warrant override requirements of the Bylaws concerning the appointment of committee members.

#### Section II. Curriculum Committee

The associate dean with oversight of curriculum will serve as an ex officio member of this committee. The associate dean may vote to decide issues which the committee cannot decide by a majority vote of its members.

The duties and function of the Committee shall be these:

1. To act, in the name of the Faculty of the College, on all requests for new courses and course changes and to report its actions to the Senate. If an existing course has undergone an abrupt or gradual change from the content, structure, methodology, or class size specified when the course received approval, the Committee may require a formal resubmission of the course for approval.
2. To review and examine the curricula of the College and make recommendations to the Senate.
3. To consider and make recommendations to the Senate concerning the suitability of courses (in the College, in other colleges, schools, or divisions of the University, and in institutions other than the University of Georgia) for credit for all baccalaureate degrees offered by the Franklin College.
4. To consider and make recommendations to the Senate concerning all proposals for new majors, minors, certification programs, and degree programs.
5. To consult with the coordinator of the College's Interdisciplinary Studies program and make recommendations to the Senate concerning interdisciplinary curricula.
6. To consult with the director of the University Honors Program and make recommendations to the Senate concerning the relationship of the Honors Program to the College and to the College curriculum.
7. To make recommendations to the Senate for the resolution of problems over the interpretation of degree and certificate program requirements in the College.
8. To assist the Dean in fulfilling that officer's charge, given by the Statutes of The University of Georgia, to "administer the rules and regulations enacted by the faculty" (Article VI, Section 2, Subsection b), insofar as those rules and regulations pertain to curricular matters.

The Statutes reserve for the Faculty the authority "to prescribe and define the courses of study" and "to determine the requirements for such degrees as may be offered by the school or college" (Article VIII, Section 2); therefore, except as specified in the Statutes of the University of Georgia and the Bylaws of the University Council of the University of Georgia, the Senate's decisions on curricular matters are not subject to review or alteration by administrators of the College or of the University, although the Curriculum Committee will welcome information and advice from those officials.

### Section III. Committee on Academic Standards

The associate dean who has oversight of student petitions and admissions will serve as an ex officio member of this committee. The associate dean may vote to decide issues which the committee cannot decide by a majority vote of its members.

The duties and functions of the committee shall be these:

1. To make final rulings in the name of the Faculty on petitions by students for exceptions to the academic regulations of the College and on policies concerning admissions, readmission, and transfer and to report its actions to the Senate.
2. To consider and recommend to the Senate rules and regulations concerning academic probation and dismissal as well as criteria and standards in the College for admission, readmission and transfer, and to recommend other measures for the maintenance of appropriate academic standards in the College.
3. To make recommendations to the Senate for the resolution of disputes over the interpretation of academic regulations, including those governing academic probation, dismissal, admission, readmission, and transfer.
4. To hear and rule on grade appeals by students and instructors.

#### Section IV. Committee on Faculty Affairs

The duties and functions of the Committee shall be these:

1. To recommend to the Senate, to the Dean, and to administrators and staff of the University ways to improve conditions of employment for the Faculty of the College.
2. To assess, during the spring term of every fifth calendar year following the incumbent's appointment as Dean, the effectiveness and success of the incumbent Dean in carrying out the charge to "administer the rules and regulations enacted by the faculty" and in performing the other duties and functions assigned to the dean by the Statutes of The University of Georgia (Article VII, Section 2, Subsection b). Service as Acting or Interim Dean for a period less than one calendar year shall not be included for determination of the timing of the review. The results of the review shall be distributed to the Faculty of the College, sent to the Dean, and forwarded to the Provost and the President of the University. The Committee shall conduct additional reviews when the Senate so requests by a majority vote or when 100 Faculty members of the College sign a request and submit it to the Committee.
3. The Committee shall consider and make recommendations on issues of general professional concerns presented by one or more faculty members. Issues may include (but are not limited to) the assignment of professional responsibilities such as teaching loads and allocation of time for research or administration; salaries and benefits; promotion and tenure; post-tenure review; the allocation of faculty lines; and issues relating to termination. If an issue is submitted by other individuals whose connections with the College are professional, such as post-doctoral fellows and graduate assistants the Committee shall decide whether the issue falls within its purview. The committee will not serve as a grievance committee.

#### Section V. Committee on Planning and Evaluation

The Dean may appoint up to three members of this committee to serve along with the members appointed by the Senate. The Dean's appointees will serve a term of one academic year like the other members of the committee.

The duties of the Committee shall be:

1. To advise the Dean and the Senate in (a) formulating long-range plans for the College of Arts and Sciences and (b) including such plans in the University's strategic plan.
2. To advise the Dean in formulating and analyzing major policy initiatives to improve the College.
3. To issue an annual report to the Dean and Senate evaluating the College's success in achieving its goal and fulfilling the University's Strategic Plan.
4. To report on such issues relating to the long-term development of the College as the Dean or the Senate may refer to the committee.

#### Section VI. Other Committees

The Senate may authorize the establishment of additional standing committee or special committees for any purpose within its responsibility and purview.

#### Section VII. Role of the Senate President

The President of the Senate shall be member ex officio of all standing committees.

### **ARTICLE IV**

#### Department Heads

For the purpose of Article IV, the Faculty of the Department is restricted to:

- (a) faculty members with tenure;
- (b) faculty members in tenure track positions;
- (c) other full-time members of the Corps of Instruction (instructors, lecturers, academic professionals) with long-term appointments who were recommended for appointment or reappointment by vote of the appropriate department faculty. Long-term appointments are those reasonably expected by the tenured faculty to extend beyond the date when the appointed Head is scheduled to begin service.

For the purpose of Article IV, a Department Head is the head of any promotion and tenure unit in the College, regardless of title.

#### Section I. Appointment

Department Heads shall be recommended by the Dean to the President as follows:

1. The Faculty of the Department, in consultation with the Dean, shall form a search committee consisting of no fewer than five members, and shall have the obligation of providing for appropriate minority representation and representation from the professorial ranks in the Department on the committee. The Dean may choose to select members for inclusion on the committee, including other individuals from outside the department, if appropriate.
2. The Dean shall choose a chair from among the committee members, or shall ask the committee to do so. The chair shall coordinate the committee's business and provide that Affirmative Action regulations are followed throughout the search.
3. The search committee shall prepare a slate of nominees for presentation to the faculty of the Department. After a period of appropriate review, the faculty will vote on the candidates and present to the Dean a list (ranked or unranked) of acceptable candidates.
4. The Dean may choose a new head from the list or (finding the list unacceptable) return to the department for further discussion.

## Section II. Review and Removal

1. The Department Head shall be reviewed every three years following the incumbent's appointment as Head. Service as Acting or Interim Head for a period less than one calendar year shall not be included for determination of the timing of the review. The process usually begins in the Fall Semester of the third year and must conclude by the end of that year. Before the process begins, the Dean will ask the incumbent head whether he or she wishes to serve another term. The incumbent head's answer will be reported to the faculty. The process may now proceed along one of three courses:

One: If the head does not wish to serve another term, then a search for a new head will occur in accordance with section I.

or

Two: If the head wishes to serve another term, the Dean will then ask whether any other faculty in the department also wish to serve as head. If names of faculty who wish to serve as head emerge, the Dean will convene a meeting of the faculty to occur at least twenty-one days later. During this time, the department will conduct an appropriate review of the candidates. At the meeting, chaired by the Dean (or designate), faculty will discuss the candidates (who will be absent) and then vote by secret ballot their preference for the headship. After receiving the vote, the Dean may choose to conduct a review of leadership needs in the department, which may include individual consultation with departmental faculty members (as well as others, including staff, students, and alumni). If no candidate receives a majority vote (excluding abstentions), the review will take place. The Dean shall take this vote under consideration (along with the results of any review) and announce a decision to the department, usually within four weeks.

or

Three: If the head wishes to serve another term but no additional candidates emerge, the Dean will give at least twenty-one days notice of a departmental faculty meeting at which the Dean or

the Dean's designate shall preside. At the meeting, following a period for open discussion (with the Head absent), the faculty of the Department (with the Head not voting) shall assess the Department's leadership needs by casting secret ballots that offer the following three options: 1) "I favor the reappointment of (name of the Department Head)"; 2) "I do not favor the reappointment of (name of the Department head)"; 3) Abstain." All absentee ballots shall be delivered to the Dean or the Dean's designate. The ballots shall be counted in the meeting by a committee consisting of the Dean or the Dean's designate, the departmental senator or senators, and one faculty member appointed by the Head, and the number of votes cast for each of the three options shall be announced to the faculty.

If two-thirds or more of the faculty voting (excluding abstentions) vote for reappointment, no further review of the Department Head shall be mandatory; however, the Dean shall have the option of continuing the review.

If one-third or more of the faculty voting (excluding abstentions) vote against reappointment, the Dean may conduct a review of leadership needs in the department, which may include individual consultation with departmental faculty members (as well as others, including staff, students, and alumni).

Following the review, the Dean will announce, usually within four weeks, his or her decision about reappointment of the head to the faculty. If the decision is not to reappoint, then a search for a new head will be conducted in accordance with section I.

2. The faculty of a Department may request the Dean to remove a Department Head before the expiration of the Head's term. To initiate the process, a majority of the tenured departmental faculty must give at least twenty-one days written notice to the Dean, the Department Head, and all of the eligible departmental faculty that, at a forthcoming faculty meeting specified in the notice, they will introduce the following resolution: "Resolved that we, the faculty of the Department of (name of the department), meeting in formal session, petition the Dean of the Franklin College of Arts and Sciences to remove our Department Head."

The Dean or the Dean's designate shall preside over the meeting. At the meeting, the faculty (with the Department Head not voting) shall vote "approve", "disapprove", or "abstain" by casting secret ballots on the resolution. The ballots shall be counted in the meeting by a committee consisting of the Dean or Dean's designate, the department's senators or senator, and one faculty member appointed by the Head, and the number of ballots cast for each of the three options shall be announced to the faculty.

If a majority of the faculty voting (including abstentions) vote "approve", the Dean shall review the Department Head and consider leadership needs in the department, which may include individual consultation with departmental faculty members (as well as others, including staff, students, and alumni).

3. Any Department with the consent of the Dean may limit the number of successive terms its Head may serve. Ordinarily, the term of appointment shall be three years.

4. The Dean may initiate a review of a Department Head at any time. The review shall include consultation with departmental faculty members (and may include consultation with others, such as staff, students, and alumni).

### Section III. Rotating Headships

A Department so desiring may initiate the establishment of a system for the rotation of the Headship of the Department after a favorable vote of two-thirds of all the Department faculty, contingent upon approval by the Dean and the President of the University. A Department may likewise discontinue the practice of rotating a Headship, if it so desires, by the same process.

## **ARTICLE V**

### Student Grade Appeals

#### Section I. Grounds for Appeal

1. A primary criterion for a successful grade appeal is the demonstration that the grade was based on factors other than a fair assessment of the student's academic performance in the course.
2. The standards by which grades are assigned, the number and relative weight of assignments on which grades are based, and decisions to allow students to make up or retake missed examinations or assignments, are not grounds for appeal.

#### Section II. Appeals at the Department Level

1. A student seeking a grade change must first discuss the situation with the course instructor. If the instructor declines to change the grade, the student may file an appeal with the Department Head.

2. To initiate an appeal, the student must submit to the Department Head a written petition that describes the grounds for his or her objection to the assigned grade. The Department Head may either:

- i. review the appeal, meet with the student, and talk with the instructor, then provide a written decision to the student and the instructor

OR

- ii. assign the grade appeal to a committee. The instructor who assigned the grade in question is not eligible to serve on this committee.

3. If the Department Head assigns the grade appeal to a committee, the review shall be conducted in accordance with the following guidelines.

- i. Both the student and the instructor will be afforded the opportunity to address the committee.
- ii. If oral presentations are made, the committee shall meet separately with the student and the instructor.

iii. The student may have an advisor present at the committee. However, the advisor may not address the committee.

iv. The departmental committee shall decide the appeal by majority vote.

v. The committee shall submit their decision in writing to the Department Head. The Department Head shall furnish copies of the committee's written decision to the student and the instructor.

vi. If the committee rules in favor of the student, the instructor may file an appeal with the Academic Standards Committee, within thirty days after receiving the committee's decision. The request for an appeal shall be made in writing, care of the Dean's Office, and the instructor shall furnish a copy to the Department Head. If the instructor declines to appeal the decision, or does not file an appeal within thirty days, the Department Head shall submit the grade change to the Registrar's Office, and submit a copy of the departmental committee's written decision to the Dean's Office. If the instructor appeals the committee's decision within the thirty-day period, the Department Head shall not submit the grade change, and shall inform the student that the instructor has filed an appeal.

vii. If the committee rules in favor of the instructor, the student may file an appeal with the Academic Standards Committee, within thirty days after receiving the committee's decision. The request for an appeal shall be made in writing, care of the Dean's office, and the Dean's office shall furnish a copy to the Department Head. The Department Head shall then inform the instructor that the student has filed an appeal.

### Section III. Appeals at the College Level

1. Appeals at the College level shall be heard by the Academic Standards Committee of the Franklin College Senate.

2. Whereas academic departments are uniquely qualified in their areas of expertise and in the evaluation of academic performance in those areas, the Academic Standards Committee will give deference to the judgments and recommendation of the departmental committee and may only overturn a departmental committee determination by a two-thirds majority vote.

3. The College-level appeal shall be conducted in accordance with the following guidelines.

i. All pertinent documentation from the departmental review shall be forwarded to the Academic Standards Committee.

ii. The Head of the Academic Standards Committee shall chair the appeal process.

iii. Both the student and the instructor will be afforded the opportunity to address the committee.

iv. If oral presentations are made, the committee shall meet separately with the student and the instructor.

v. The student may have an advisor present at the committee. However, the advisor may not address the committee.

vi. A two-thirds majority vote shall be required for the Academic Standards Committee to overturn the departmental decision.

vii. The committee shall submit their decision in writing to the Dean's office. The Dean's office shall furnish copies of the committee's written decision to the Department Head, the student and the instructor.

viii. If the committee rules in favor of the student, the instructor may file an appeal with the Educational Affairs Committee of the University Council, within thirty days after receiving the committee's decision. The request for an appeal shall be in writing, and a copy shall be given to the Dean's office. If the instructor declines to appeal the decision, or does not file an appeal within thirty days, the Dean's office shall process the grade change. If the instructor appeals the committee's decision within the thirty-day period, the Dean's office shall not process the grade change, and shall inform the Department Head and the student that the instructor has filed an appeal.

ix. If the committee rules in favor of the instructor, the student may file an appeal with the Educational Affairs Committee of the University Council, within thirty days after receiving the committee's decision. The request for an appeal shall be in writing, and a copy shall be given to the Dean's office. The Dean's office shall then inform the Department Head and the instructor that the student has filed an appeal.

#### Section IV. Student Grievances Not Covered by the Grade Appeal Process

Excluded from this procedure are any allegations involving discrimination or harassment which may violate the University of Georgia Non-Discrimination and Anti-Harassment Policy and/or the University of Georgia Sexual Orientation Policy. Those matters shall be referred to the appropriate office as required by the applicable policy.

### **ARTICLE VI**

#### Heads of the Divisions

After consultation with the faculty of the departments constituting a Division, the Dean may recommend to the President the appointment of a person to head each Division of the College. Except in unusual circumstances, a Divisional Head shall not be a Department Head.

The Divisional Head shall be evaluated by the faculty of the Division at least every three years; the evaluation shall be conducted by the Dean who shall notify the President of the results for consideration in the overall evaluation of the Divisional Head's performance.

### **ARTICLE VII**

#### Amendments

The Faculty of the Franklin College shall have the power to alter, repeal, or amend these Bylaws, or to adopt new bylaws. Copies of proposed amendments or proposed new bylaws shall be sent to all members of the faculty, and the proposed amendments or new bylaws shall be discussed and debated at a general meeting of the Faculty to be held at least one week prior to the vote. The vote on such proposals shall be by written or electronic ballot. A majority of votes cast by those faculty members voting on any amendment or proposed bylaws shall be required for adoption. The President of the Senate, assisted by the Dean's office shall see that the provisions of this Article are properly carried out.