

**AMENDED AND RESTATED BY-LAWS
OF
THE UNIVERSITY OF CINCINNATI FACULTY**

**ARTICLE I
AUTHORITY**

- 1.1 Authority.** The University of Cincinnati (“University”) is a state school created under Ohio law. Pursuant to Ohio Revised Code section 3361 and Ohio Administrative Code 3361:50-3-02, the faculty of the University (“Faculty”) may adopt rules to govern the conduct of its affairs.
- 1.2 Adoption of By-Laws.** The Faculty adopts these Amended and Restated By-Laws (“By-Laws”) to govern the conduct of its affairs.
- 1.3 Relationship to Collective Bargaining Agreement.** The By-Laws are intended to address matters of Faculty governance that are not addressed under the current AAUP Collective Bargaining Agreement, as amended (“CBA”). In the event that any provision of the By-Laws conflicts with the CBA, the CBA shall govern.
- 1.4 Amendment.** Any By-Law may be amended or repealed by the Faculty at any regular or special meeting by a vote of the majority of the members present. The proposed change must be submitted to the Chairperson of the Faculty (“Chairperson”), and the Chairperson must give written notice of the proposal to the Faculty at least two weeks prior to the meeting at which adoption is proposed. Any amendment or repeal shall become effective immediately upon approval by the University’s Board of Trustees (“Board”). Approval by the Board is deemed to incorporate the change into rule 3361:50-3-02 of the Ohio Administrative Code.

**ARTICLE II
UNIVERSITY FACULTY**

- 2.1 Purpose.** The Faculty shall consider matters affecting the University and shall assist, advise, and counsel the President of the University (“President”) and the Board. Matters to be considered include, but are not limited to, academic policies, admissions, degree programs, budgets, collegiate structures, and the formation and implementation of long-term plans.
- 2.2 Membership.**
- a. Composition.** The Faculty is composed of the following individuals:
- 1.** The President.
 - 2.** Vice presidents of the University with academic appointments.
 - 3.** Vice provosts.
 - 4.** Persons with the title of dean.

5. Every full-time member of the faculty of a school, college, or other academic unit holding the rank of professor, associate professor, assistant professor, or instructor.
 6. Every full-time professional librarian holding the rank of senior librarian, associate senior librarian, associate librarian, assistant librarian, or beginning librarian.
 7. All full-time faculty in the division of professional practice holding a field service title of professor, associate professor, assistant professor, or instructor.
 8. All full-time persons holding educator, practice, clinical, field service, or research titles.
 9. All persons with adjunct appointments of 65% or more of a full-time faculty position.
- b. **Additional Members.** The Senior Vice President of Academic Affairs and Provost (“Provost”), or the dean of a college, school, or academic unit, may nominate an individual for Faculty membership. Nominees must hold one of the following positions at the time of nomination: (i) visiting appointment; (ii) full-time appointment as a research associate in any grade; (iii) adjunct appointment at less than 65% of a full-time faculty position; (iv) volunteer title (preceding regular academic titles); or (v) lecturer. Nominations for membership must be approved or rejected by the Faculty Senate (“Senate”), taking into account the individual’s professional eminence or distinction, length of service at the University, proportion of full-time responsibility, and general extent of involvement in University affairs.
- c. **Administrative Officers.** The Provost may nominate administrative officers for Faculty membership, provided that the officer has appropriate academic qualifications and a title below that of dean. Nominations for membership must be approved or rejected by the Senate.

2.3 **Officers.** The Faculty’s officers will consist of a Chairperson, Vice Chairperson, Secretary, Chairperson-Elect, and Past Chairperson.

- a. **Chairperson.** The Faculty shall elect a Chairperson of the Faculty (“Chairperson”) who shall be the presiding officer of the Faculty. In addition, the Chairperson shall preside over the Faculty Senate and serve as a faculty representative to the Board. The Chairperson shall hold office for a term of two years. The term shall commence on the first day of the first month of the new academic year. The Chairperson may not be re-elected for a consecutive term.
- b. **Vice Chairperson.** The Chairperson shall appoint a Vice Chairperson of the Faculty (“Vice Chairperson”). The Vice Chairperson must be confirmed by the Senate at the next regularly scheduled meeting following appointment. If the elected Chairperson is unable to serve because of absence, disability, or other reason, the Vice Chairperson will serve as Chairperson. The Vice Chairperson shall hold office for a term of one year. The term shall commence on the first day of the first month of the new academic year.

- c. **Secretary.** The Faculty shall elect a Secretary. The Secretary shall keep minutes of the meetings of the Faculty and Senate and prepare such reports and communications as authorized by the Senate. In the absence of the Secretary, the Chairperson shall appoint a Secretary pro-tem to serve during such absence. The Secretary shall hold office for a term of two years. The term shall commence on the first day of the first month of the new academic year. The Secretary may not be re-elected for a consecutive term.
- d. **Chairperson Elect.** The person elected Chairperson (“Chairperson-Elect”) shall serve as an officer of the Faculty for a term of one year immediately prior to assuming the office of Chairperson. The term shall commence on the first day of the first month of the new academic year.
- e. **Past Chairperson.** The immediately preceding Chairperson (“Past Chairperson”) shall serve as an officer of the Faculty for a term of one year immediately following the expiration of the individual’s term as Chairperson. The term shall commence on the first day of the first month of the new academic year.

2.4 Board of Trustees Representatives. The Faculty shall elect two representatives to the Board (“Board Representatives”). The Board Representatives shall hold office for a term of two years and may be re-elected for one subsequent term. The term shall commence on the first day of the first month of the new academic year. During the term, Board Representatives may not serve as a Unit Senator or as an At-Large Senator.

2.5 Meetings.

- a. **Regular Meetings.** The regular meetings of the Faculty shall be held during the fall and spring terms prior to exam week. The date of the meeting shall be fixed by the President and the Chairperson. Notices of the meetings shall be given to the members of the Faculty at least two weeks in advance of the meetings.
- b. **Special Meetings.** Special meetings of the Faculty may be held at any time pursuant to call by the President or the Chairperson or by a majority vote of the faculty of any degree-offering unit of the University, the division of professional practice, or collectively all the libraries of the University. Degree-offering units include the colleges, the division of research and advanced studies, and the school of social work. Notice of every special meeting shall be given to the members of the Faculty at least one week in advance of such meeting.
- c. **Quorum.** The presence of 100 members of the Faculty at any regular or special meeting shall constitute a quorum.
- d. **Time and Place.** The hour and place of regular and special meetings of the Faculty shall be fixed by the President and the Chairperson.
- e. **President’s Privilege.** The President shall have the privilege of the floor at Faculty meetings.
- f. **Order of Business.** The order of business at meetings of the Faculty shall be:
 - 1. Approval of the minutes.

2. Chairperson's report.
 3. President's report.
 4. Committee reports.
 5. Unfinished business.
 6. New business.
 7. Adjournment.
- g. Voting.** All voting shall be by voice vote unless otherwise provided in these By-Laws. Only those members present at the meeting may vote on matters presented to the Faculty for action. An affirmative vote of a majority of those present and voting is sufficient to pass any matter presented for decision unless otherwise provided in these By-Laws. Voting by proxy, mail, electronic communication, phone, or similar means is prohibited.
- h. Notice.** Before the Faculty votes on a motion, the Chairperson shall provide notice of the essential issues and content of the matter to the Faculty at least one week before the meeting. If prior notice has not been provided, an affirmative vote of two-thirds of the members present shall permit a vote on the motion.
- i. Parliamentary Rules.** The proceedings of the Faculty shall be governed by rules contained in the most recent revised edition of Robert's Rules of Order. Every motion shall be reduced to writing upon request of a member. The Chairperson shall appoint a parliamentarian whose duty is to ensure that these By-Laws are adhered to in the conduct of meetings. The parliamentarian shall serve at the pleasure of the Chairperson.

ARTICLE III FACULTY SENATE

- 3.1 Purpose.** A Faculty Senate ("Senate") shall exist in order to exercise the powers of the Faculty in the interim between its meetings.
- 3.2 Powers and Duties.** The primary duty of the Senate is to consider and, if necessary, act on matters referred to it by the President, the Faculty, or by any member of the Faculty. In addition to initiating actions on these referred matters, the Senate will consider and act on other pertinent matters relating to the missions and operation of the University. Every action taken on matters affecting the University shall be reported to the Faculty by the Chairperson in a timely manner, but no later than at its next regular meeting.
- 3.3 Membership.** The Senate shall be composed of the following members ("Senators"):
- a. Ex Officio Members.** Persons holding the following positions are ex officio members of the Faculty Senate.
 1. The President.

2. The Chairperson.
 3. The Secretary.
 4. The Vice Chairperson.
 5. The Board Representatives.
 6. The Past Chairperson.
 7. The Chairperson-Elect.
- b. At-Large Senators.** Eight Senators will be elected from the Faculty at-large (“At-Large Senators”). At-Large Senators will serve for a term of two years. The term shall commence on the first day of the first month of the new academic year. At-Large Senators may be re-elected for a subsequent term. After two consecutive terms on the Senate, an At-Large Senator may not serve as an At-Large Senator for a period of two years.
- c. Unit Senators.** Senators that represent a particular unit of the Faculty (“Unit Senators”) are described below. Unit Senators will serve for a term of two years. The term shall commence on the first day of the first month of the new academic year. Unit Senators may be re-elected for a subsequent term. After two consecutive terms on the Senate, a Unit Senator may not serve as a Unit Senator for that unit for a period of two years.
1. **Full Time Faculty.** Two Senators will be elected from each of the degree-offering units of the University, the division of professional practice, and collectively all the libraries of the University. If degree-offering units are restructured, the current Senators will retain their unexpired terms.
 2. **Emeriti.** One Senator will be elected by the emeriti faculty.
 3. **Part-Time Faculty.** Two Senators will be elected from that group of part-time faculty who are scheduled to teach a minimum of two semester courses or the equivalent per year (up to 65% of a full-time faculty position) and who have taught as part-time faculty at the University for three years or more.
- d. Pluralism.** No Faculty member may hold more than one seat on the Senate at the same time. If a Faculty member is elected to a second position on the Senate, one position will be vacated automatically in the following order: (i) Unit Senator; (ii) At-Large Senator; (iii) Board Representative; and (iv) Secretary. In the event that an individual is elected as a Unit Senator from more than one degree-offering unit of the University, the individual shall determine which seat to retain.
- 3.4 Cabinet.** A cabinet of the Senate (“Cabinet”) shall exist to assist the Chairperson in coordinating the activities of the Senate.
- a. Purpose.** The Cabinet shall advise the Chairperson on the determination of the issues to be considered by standing committees or on the establishment of ad hoc committees. It shall maintain liaison with the other committees, keeping itself fully informed on the stage of their deliberations, and informing those committees of the intended calendar of

the Senate. The Cabinet shall assist the Chairperson in preparing the agenda for each meeting of the Senate. All items of business proposed by Senators shall be referred to the Cabinet. In addition, the Cabinet will be available for consultation with the President.

b. Membership. The Cabinet shall consist of the following:

1. The Chairperson, who will serve as chair of the Cabinet.
2. The Vice Chairperson.
3. The Secretary.
4. The Board Representatives.
5. The Past Chairperson for the year immediately following his/her term of office as Chairperson.
6. The Chairperson-Elect for the year immediately preceding his/her term of office as Chairperson.
7. The chairpersons of the standing committees.
8. No more than two additional members of the Senate.

3.5 Meetings.

- a. Regular Meetings.** The Senate shall hold regular monthly meetings throughout the calendar year. Meetings may be cancelled by majority vote.
- b. Special Meetings.** Special meetings of the Senate may be called at any time by the President, the Chairperson, or by any three Senators upon notice given at least 24 hours before the special meeting.
- c. Quorum.** The presence of thirteen elected members of the Senate at any regular or special meeting shall constitute a quorum.
- d. President's Privilege.** The President shall have the privilege of the floor at Senate meetings.
- e. Attendance.** Senators must attend scheduled meetings regularly. Lack of attendance must be resolved by the Senator and the Cabinet.
- f. Agenda.** The order of business and the agenda for Senate meetings shall be determined by the Cabinet and distributed to the Senate at least three days prior to the meeting. The agenda may be changed by the Cabinet or by an affirmative vote of two-thirds of the Senators present.
- g. Voting.** All voting shall be by voice vote unless otherwise provided in these By-Laws. Only those Senators present at the meeting may vote. An affirmative vote of a majority of those present and voting is sufficient to pass any matter presented for decision unless otherwise provided in these By-Laws. Voting by proxy, mail, electronic communication, phone, or similar means is prohibited.

- h. Notice.** Before the Senate votes on a motion, the Chairperson shall provide notice of the essential issues and content of the matter to the Senate at least three days before the meeting. If prior notice has not been provided, an affirmative vote of two-thirds of those present shall permit a vote on the motion.
- i. Parliamentary Rules.** The proceedings of the Senate shall be governed by rules contained in the most recent revised edition of Robert's Rules of Order. Every motion shall be reduced to writing upon request of a Senator. The Chairperson shall appoint a parliamentarian whose duty is to ensure that these By-Laws are adhered to in the conduct of meetings. The parliamentarian shall serve at the pleasure of the Chairperson.

3.6 Committees. There shall be a number of committees within the Senate in order to more efficiently conduct Senate business during the interim between Senate meetings.

a. General Rules.

- 1. Committee Chairs.** Following the election of Faculty members to the standing committees, the Chairperson shall appoint a Senator to chair each standing committee, subject to Senate confirmation. In the case of the Information Technology chair, the appointed person must be a member of the committee prior to appointment as chair. Committee chairs will serve as chair of the respective committee for the current academic year.
- 2. Ex Officio Membership.** The Chairperson Elect shall be an ex officio member of all standing committees.
- 3. Liaison.** One or more members of each standing committee may, from time to time, serve as Senate representative and liaison to all University committees responsible for matters similar to the Committee's charge. For example, members of the Academic Affairs Committee may serve as liaison and Senate representative to a University committee responsible for educational policy.
- 4. Vacancies.** In the event that there is a vacancy in any standing or ad hoc committee, whether an elected or appointed position, a successor shall be appointed for the unexpired term by the Chairperson in consultation with the Cabinet. However, vacancies on the grievance committee faculty panel established under Section 8.3 of the CBA ("Grievance Committee") shall be filled according to the rules for that committee.

b. Standing Committees. Each of the standing committees below has been established by the Senate and constitutes a standing committee of the Senate.

1. Committee on Committees.

- (a) Membership.** In addition to the chair appointed by the Chairperson, the Chairperson shall appoint the Senator from each academic unit who is serving in the second year of the Senator's term to the Committee on Committees. The appointments will be made at the first meeting of the Senate in each academic year.

- (b) **Duties.** The Committee on Committees shall provide the Senate with nominees for open positions on standing committees. In addition, the Committee on Committees shall provide the Senate lists of nominees for designation as the faculty representative for all University committees when Faculty interests are involved, or, if so directed by the Senate, to make those designations directly. Each member of the committee shall maintain a list of Faculty from the member's academic unit and endeavor to learn about their interests and abilities with regards to service on University and Senate committees.
- (c) **Nominations.** When feasible, the Committee on Committees will nominate two individuals for every open position on a standing committee or University committee. To the extent feasible, nominees should reflect the diverse interests and viewpoints of the Faculty. With respect to the Research and Scholarship Committee, every effort should be made to ensure that the members of the committee represent the full range of faculty research and scholarship.
- (d) **Executive Sub-Committee.** The Committee on Committees may create an executive sub-committee of five persons from among its membership. If so directed by the chair of the committee, the executive sub-committee may act in place of the full Committee on Committees.

2. Academic Affairs Committee.

- (a) **Membership.** In addition to the chair appointed by the Chairperson, the Academic Affairs Committee shall consist of six members elected by the Senate and serving two year staggered terms.
- (b) **Duties.** The Academic Affairs Committee shall investigate and make recommendations for Senate action concerning any existing or proposed educational or academic policy or practice at the University that is referred to the committee by the Faculty, the Senate, or the Chairperson.

3. Budget and Priorities Committee.

- (a) **Membership.** In addition to the chair appointed by the Chairperson, the Budget and Priorities Committee shall consist of six members elected by the Senate and serving two year staggered terms.
- (b) **Duties.** The Budget and Priorities Committee shall examine financial matters of the University and recommend to the Senate ordering of priorities for new funds and for reallocation of present resources, including specific dollar amounts. As feasible, the committee shall also suggest possible sources for new funding.

4. Planning Committee.

- (a) **Membership.** In addition to the chair appointed by the Chairperson, the Planning Committee shall consist of six members elected by the Senate and serving two year staggered terms.

- (b) **Duties.** The Planning Committee shall consider all aspects of planning, both curricular and physical, and make recommendations concerning the development of short-range, intermediate-range, and long-range plans. In addition, the committee shall examine, review, and make recommendations about proposals initiated by the University administration or other parties.

5. Human Relations Committee.

- (a) **Membership.** In addition to the chair appointed by the Chairperson, the Human Relations Committee shall consist of six members elected by the Senate and serving two year staggered terms.
- (b) **Duties.** The Human Relations Committee shall monitor existing policies and practices and recommend new policies and practices to ensure a supportive environment that promotes increased diversity and inclusion at the University. The committee shall also administer award selection processes and Faculty recognition. The committee shall interpret its role broadly, addressing itself to specific issues and, in addition, serving as a source for a just University community.

6. Information Technology Committee.

- (a) **Membership.** In addition to the chair appointed by the Chairperson, the Information Technology Committee shall consist of: (i) four at-large members elected by the Senate; (ii) one representative from each degree-offering unit of the University, the division of professional practice, and collectively all libraries of the University (“Unit Representatives”); (iii) the Vice President for Information Technology (ex officio); and (iv) the “UCIT” Director of Educational Services (ex officio).
 - i. **At-Large Members.** The at-large members elected by the Senate shall serve two year staggered terms.
 - ii. **Unit Representatives.** The Unit Representatives shall be the chair of the faculty technology committee in the unit or a member of any such committee properly designated to serve in place of the chair. If no faculty technology committee exists, the unit shall appoint a Faculty member involved with technology.
- (b) **Duties.** The Information Technology Committee shall formulate and express faculty views on information technology issues, including distance learning and online courses, recommend electronic voting procedural standards and tools that ensure security, anonymity, and faculty control, offer consultation and training, and, if asked, assess the legitimacy of software employed for soliciting faculty votes. Matters requiring Faculty action shall be sent as recommendations to the Senate.

7. Research and Scholarship Committee.

- (a) **Membership.** In addition to the chair appointed by the Chairperson, the Research and Technology Committee shall consist of six members elected by the Senate and serving two year staggered terms.
- (b) **Duties.** The Research and Technology Committee shall identify relevant research and scholarship issues, recommend solutions to identified issues, recommend changes for the development and implementation of programs designed to support and reward research activity, examine, review, and make recommendations to the Senate about proposals that affect faculty research and scholarship initiated by the administration or other parties.

8. Governance Committee.

- (a) **Membership.** In addition to the chair appointed by the Chairperson, the Governance Committee shall consist of six members elected by the Senate and serving two year staggered terms.
- (b) **Duties.** The Governance Committee shall review these By-Laws and propose amendments, clarify and strengthen the involvement and training of Faculty on University committees, monitor governance policies and practices to ensure effective Faculty involvement in University decision making, and assist Faculty with governance issues occurring within their college or academic unit.

- c. **Additional Standing Committees.** Other standing committees may be established from time to time as the Faculty or Senate may direct. Membership, procedures for selection, and other matters shall be consistent with the existing standing committees.
- d. **Ad Hoc Committees.** Ad hoc committees shall be appointed for such purposes in such manner as the Faculty, Senate, or University rules may direct. When time is of the essence, the Chairperson, in consultation with the Committee on Committees, may establish ad hoc committees and appoint members of such committees. Any action taken with respect to ad hoc committees must be reported at the next regular meeting of the Senate.

**ARTICLE IV
ELECTIONS**

4.1 Timing of Elections. Elections for Faculty Officers, Board Representatives, the Senate, and the Grievance Committee will be held each year as soon as possible following the regular spring meeting of the Faculty.

- a. **Annual Elections.** Each year, the following positions will be elected:
 1. One Board Representative.
 2. Four At-Large Senators.

3. Fourteen Grievance Committee Representatives.
4. One Unit Senator for each represented unit described in Section 3.3.c.1.
5. One Unit Senator from the part-time faculty described in Section 3.3.c.3.

b. Bi-Annual Elections. In odd years, the following positions will be elected:

1. Chairperson-Elect.
2. Secretary.
3. One Unit Senator for the Emeriti faculty described in Section 3.3.c.2.

4.2 Recall. Any officer of the Faculty, Board Representative, or Senator shall be subject to a recall if two-thirds of the Senate affirms a vote of “no confidence” in the individual’s performance. In the event of such a vote, there will be a recall vote by the Faculty from the constituency represented. A majority vote will be sufficient for recall.

4.3 Vacancies.

- a. Chairperson.** In the event that there is a vacancy in the office of Chairperson when there is a sitting Chairperson-Elect, the Chairperson-Elect shall assume the office of Chairperson and serve until the conclusion of the term for which he or she was elected. In the event that there is a vacancy in the office of Chairperson when there is not a sitting Chairperson-Elect, the Vice Chairperson shall assume temporary duties of the Chairperson until a successor is elected. A successor for the unexpired term shall be elected by ballot from those persons nominated from the floor at the first regular or special meeting of the Faculty after the vacancy occurs.
- b. Secretary.** In the event that there is a vacancy in the office of Secretary, a successor for the unexpired term shall be elected by ballot from those persons nominated from the floor at the first regular or special meeting of the Faculty after the vacancy occurs. The Chairperson, in consultation with the Cabinet, shall appoint a Secretary pro-tem to serve until a successor is elected.
- c. Board Representatives.** In the event that there is a vacancy among the Board Representatives, a successor for the unexpired term shall be elected by ballot from those persons nominated from the floor at the first regular or special meeting of the Faculty after the vacancy occurs. The Chairperson, in consultation with the Cabinet, shall appoint a Board Representative pro-tem to serve until a successor is elected.
- d. Senators.** In the event that there is a vacancy among the At-Large Senators, a successor for the unexpired term shall be elected by ballot from those persons nominated from the floor at the first regular or special meeting of the Faculty after the vacancy occurs. In the event that there is a vacancy among Unit Senators, a successor shall be elected by that unit for the unexpired term.

4.4 Election of Unit Senators. In the spring term each year (or each odd year in the case of Emeriti faculty), the faculty of each represented unit and the part-time faculty shall elect a member to serve as Unit Senator. The second-year Unit Senator from each represented unit and from the

part-time faculty shall forward the name of the newly elected Unit Senator to the Chairperson no later than one week before the last regular Senate meeting of the spring term. Similarly, the outgoing Unit Senator for the Emeriti faculty will forward the name of the newly elected Unit Senator to the Chairperson not later than one week before the last regular Senate meeting of the spring term in which the current Unit Senator's term expires. The election of Unit Senators may be by paper ballot or electronic means (but not by both within the same unit for the same election).

4.5 Election to Senate Committees. In the spring term of each year, the Committee on Committees shall solicit nominations for individuals to fill open positions on the standing committees. At the final spring term meeting of the Senate, the Senators shall vote for members of the standing committees. Newly elected committee members will begin their terms the first day of the first month of the fall term.

4.6 Election to University Committees.

- a. Standing Committees.** Whenever a standing University committee includes Faculty representatives elected by the Senate, the Committee on Committees shall solicit nominations for individuals to fill open positions on the standing University committee. At the final spring term meeting of the Senate, the Senators shall vote for members of the standing University committees. Newly elected committee members will begin their terms the first day of the first month of the fall term.
- b. Ad Hoc or New Committees.** Whenever a new or ad hoc University committee includes Faculty representatives elected by the Senate, the Committee on Committees shall solicit nominations for individuals to fill open positions on the new or ad hoc University committee. The Senate shall vote for members of the new or ad hoc University committee at the next Senate meeting or, if approved by the Cabinet, by electronic ballot prior to the next Senate meeting.
- c. Vacancies.** In the event there is a vacancy in any standing, new, or ad hoc University committee, the Chairperson shall appoint a successor for the unexpired term in consultation with the Cabinet.
- d. Nominations.** After the call for nominations, Faculty shall have three working days to submit nominations and statements of interest. Following this three-day period, members of the Senate will have three additional days to submit additional nominations.
- e. Voting.** As determined by the chair of the Committee on Committees, in collaboration with the Cabinet, election to University committees may be conducted by paper ballot or electronic ballot (but not both for any single election). If a paper ballot, voting will be conducted at a Senate meeting. If an electronic ballot, voting will be conducted using any procedure that gives all Senators a reasonable opportunity to vote. Electronic voting must be completed within three working days of distribution of the final ballot.
- f. Supervision.** All University committee elections will be under the general supervision of the Committee on Committees.

4.7 Election of Officers, Board Representatives, At-Large Senators, and Grievance Committee Members. The election of Officers, Board Representatives, At-Large Senators, and Grievance Committee members shall comply with this Section.

- a. **Prohibition on Multiple Candidacies.** No individual may, at the same time, be a candidate for two or more of the following positions: Chairperson, Secretary, At-Large Senator, or Board Representative.
- b. **Nominating Committee.** The Senate shall form a Nominating Committee each year to administer elections in accordance with these By-Laws.
- c. **Duties of Chairperson.** At the first meeting of the Senate in each calendar year, the Chairperson must:
 - 1. Appoint a chair of the Nominating Committee, who must be a member of the Senate and confirmed by the Senate.
 - 2. Appoint to the Nominating Committee each Unit Senator who is in the first year of the Senator's term.
 - 3. Appoint four individuals from the Nominating Committee to serve, with the chair of the committee, as a nominating coordinating committee.
 - 4. Present the election calendar ("Calendar"), including deadlines for: (i) the convening of the Nominating Committee, (ii) announcement of recommended nominees to the Senate, (iii) announcement of the confirmed slate, (iv) dates for additional nominees, and (v) the election.
- d. **Duties of Nominating Committee.** In accordance with the Calendar presented by the Chairperson and these By-Laws, the Nominating Committee must administer the nomination process for the election. The nominating process must comply with the following:
 - 1. The Nominating Committee must meet, at the call of the chair, to begin the nomination process. This meeting must be no later than the deadline contained in the Calendar.
 - 2. The Nominating Committee must announce the list of recommendations for nominees. When feasible, the list will include at least two nominees for each position. The Chairperson shall announce this list of candidates to the Faculty.
 - 3. Following the announcement of the list, additional nominations may be made by a petition signed by at least 25 Faculty members and presented to the chair of the Nominating Committee by the deadline specified in the Calendar.
 - 4. Following the expiration of the petition period, the Nominating Committee will supply the Chairperson with a confirmed slate listing all nominees for transmittal to the Faculty.
 - 5. Additional nominations for each position may be made from the floor at the regular spring meeting of the Faculty.
 - 6. Each nominee, or an advocate appointed by the nominee, shall be entitled to submit a half-page, single spaced, typed statement of the nominee's position.

Copies of these statements will be available for review by the Faculty in accordance with the Calendar.

7. The official ballot shall include the names of all nominees listed in random order. The ballot and each nominee's position statement shall be posted on the internet.
- e. **Elections.** In accordance with the Calendar presented by the Chairperson and these By-Laws, the Nominating Committee must administer and supervise the election. The election must comply with the following:
1. The election of the positions governed by this Section 4.7 will be determined by plurality vote.
 2. Each member of the Faculty will be emailed a notice of the elections, the uniform resource locator where the official ballot is located, and the time when voting will end. Electronic voting shall be completed by the later of: (i) the date designated by the Nominating Committee, or (ii) 4:00 p.m. on the 14th day following the day of the Faculty regular spring meeting.
 3. If any position remains unfilled after the first ballot, the balloting shall be repeated for that office as many times as necessary to obtain a plurality vote for a single candidate. In the second and each subsequent round of balloting (if necessary), the nominee receiving the lowest number of votes will be stricken from all subsequent ballots. Run-off elections will be held until a candidate is declared elected.
 4. The chair of the Nominating Committee will receive and confirm the results of the election and report them to the Chairperson. The Chairperson will convey the election results to the President and the Faculty. No disclosure of the vote in any unit shall occur prior to the completion of voting in all units.

ARTICLE V COLLEGE FACULTY

- 5.1 **Authority.** Each college faculty shall have the right to organize itself in order to advise, aid, and counsel the dean of the college on matters affecting the college and the University, and shall be given sufficient time to do so. Each college faculty may elect a faculty committee to exercise the powers of the college faculty in the interim between its meetings.
- 5.2 **Graduate Faculty.** The all-university graduate faculty has the right to organize itself and the responsibility for determining educational policies and regulating requirements for the admission of students, their candidacy, and the awarding to them of degrees. A graduate council includes members chosen as representatives of the major graduate program groupings.
- 5.3 **Regulations.** Subject to the approval of the Board, each faculty shall make its own regulations governing the admission and exclusion of students, the courses of instruction to be offered, grading policy, recommendations for degrees, honors, and prizes, and such other matters as may be within its jurisdiction. A copy of such regulations shall be maintained and made available for review in the office of the dean or other head of the college or division and the Provost.

- 5.4 Advice and Counsel.** The faculty shall have a voice through faculty representatives elected for that purpose in the formulation of long-range plans and in decisions relating to their implementation. Similarly, faculty representatives elected for that purpose shall have a voice where decisions relating to the use and creation of existing or prospective physical resources are being made. If a question arises as to whether a matter is a unit, college, or University concern, the question shall be resolved by the President after seeking the advice of the Senate.
- 5.5 By-Laws.** By-laws of the colleges and faculties must be approved by the Provost before they become effective. However, bylaws of the colleges in the medical center shall be reviewed by the Vice President for Health Affairs before being submitted to the Provost for approval.
- 5.6 Membership.** Each college faculty shall consist of the President, the Provost, the dean, professors, associate professors, assistant professors, instructors, and others of academic or administrative rank as may be elected thereto by the respective faculty with the approval of the dean.
- 5.7 Parliamentary Rules.** Decisions taken by the college faculty shall be governed by the general usage of deliberative bodies. Every motion shall be reduced to writing upon request of a member. All voting shall be in accord with procedures set forth in college bylaws. An affirmative vote of a majority of those voting is sufficient to pass any matter presented for decision unless otherwise provided in the college bylaws.
- 5.8 Faculty Decanal Review Committee.** Early in the fall term of the penultimate year of each dean's appointment, if the dean does wish to serve another term, the dean shall be reviewed by a committee of faculty of that college charged to report to the Provost on the quality of leadership provided by their dean in accomplishing the goals and objectives for the college. The Provost will provide the committee with copies of the annual reports that the dean has prepared for the faculty during the dean's tenure. The faculty assessment committee must function in a confidential manner during its deliberations to the extent permitted by law. When the faculty assessment committee has gathered its data and completed its internal deliberations, it shall meet with the Provost to present its findings, to respond to questions by the Provost, and to ask questions of the Provost. Following this dialogue the committee will submit a summary report to the Provost, including a recommendation for reappointment or non-reappointment of the dean. Should the Provost's decision be to recommend reappointment of the dean, the Provost and the dean will review and update, as appropriate, the goals and objectives for that particular college. The dean will then issue a report to the faculty, as done after each of the annual assessments, including in that report the length of the reappointment.

Effective:

Certification:

Name, Title

Date:

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