

Proposed Reorganized/Amended UNIVERSITY FACULTY: BYLAWS: 3361:50-3-0

Submitted by the Ad Hoc Bylaws Committee

10/26/09

Legend:

OUTLINE /CONTENTS p 1-2 identifies prior Article/Section #s for text moved with no change

Proposed amendments for consideration by the All University meeting November 18,

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A. Article I. The university faculty:

1. Section 1. Authority.
2. Section 2. Purpose
3. Section 3. Membership:
 - a. The university faculty, as distinct from that of any individual college or school,
 - b. Persons holding visiting appointments;
 - c. Administrative officers with titles below
 - d. President of the University (Move from Article I, Section 8 b)
4. Section 4. Elected Officers
 - a. Chairperson (Move text on terms of office from Art III Sec. 1)
 - b. Chairperson Elect (Move text on terms of office from Art III Sec. 1)
 - c. Past Chairperson
 - d. Vice Chairperson (Move from II 9)
 - e. Secretary
 - f. Representatives to the Board of Trustees (Move text on terms of office from Art III Sec. 1)
 - g. Terms of Office
5. Section 5. Meetings.
 - a. Regular meetings.
 - b. Special meetings. Degree offering units include.
 - c. Quorum.
 - d. Time and Place of Meetings
 - e. Order of Business (Move Art III. Sec. 5 a + b)
 - f. The order of business at meetings of the university faculty shall be:
 - i. Approval of the minutes;
 - ii. Report on the faculty senate by the chair-person
 - iii. Report by the president of the university;
 - iv. Committee reports;
 - v. Unfinished business;
 - vi. New business;
 - vii. Adjournment.
 - g. Before the university faculty votes on a motion,
 - h. Parliamentary Rules (Move Art III. Sec.6)

B. Article II. The faculty senate:

1. Section 1. Powers and duties (Move from Sec. 4)
2. Section 2. Membership. (Prior Sec. 1)
 - a. Unit Representatives. b. At Large Senators c. Emeriti. d. Part-time faculty. e. Ex-officio members.
 - f. Pluralism. (Prior Sec. 3)
3. Section 3. Cabinet The cabinet of the faculty senate shall consist of:
 - a. The chairperson of the university faculty, who shall serve as chair,
 - b. The vice chairperson of the university faculty,
 - c. The secretary of the university faculty,
 - d. The faculty representatives to the board of trustees,

- e. The chairpersons of the standing committees
- f. The past chairperson of the university faculty for the year immediately following his/her term of office as chairperson, or The chairperson-elect of the university faculty for the year immediately preceding his/her term of office as chairperson.

A maximum of two additional members of the faculty senate selected by the chairperson.

- 4. Section 4. Meetings: (Prior Sec. 5)
 - a. Regular meetings.
 - b. Special meetings
 - c. Attendance. (Prior Section 6)
 - d. Quorum. (Prior Section 7)
 - e. Order of Business (Move from Art III Sec. 5 c)
- 5. Section 5. Committees.
 - a. Standing committees
 - i. Committee on committees.
 - ii. Academic affairs committee.
 - iii. Budget and priorities committee.
 - iv. Planning committee.
 - v. Human relations committee.
 - vi. Information technology committee.
 - vii. Research and scholarship committee
 - viii. Other standing committees.
 - ix. Ex-officio committee membership.
 - b. Ad hoc committees.
 - c. Vacancies in committees

C. Article III. Election Procedures:

- 1. Section 1 Election of Officers, representatives to the board of trustees and at-large senators
 - a. Each year at the February meeting of the faculty senate,
 - b. Within two weeks thereafter, the chairperson of the nominations
 - c. Each year at the April meeting of the faculty senate,
 - d. By the fifteenth day of April each year, the chairperson of
 - e. Additional nominations by petition, signed by at least twenty-five
 - f. Each nominee or an advocate appointed by the nominee shall be
 - g. Additional nominations for each position may be made
 - h. The official ballot shall include the names of all nominees.
 - i. Election of the chairperson-elect, secretary,
 - j. The balloting shall be under the general supervision
 - k. Recall of elected officers, faculty representatives to the (Prior Sec. 2)
 - l. Filling vacancies: (Prior Section 3)
- 2. Section 2 Election of Faculty Senators
 - Election procedures. (Prior Article II Sec. 2)
- 3. Section 3. Election of faculty to Faculty Senate committees. Move Text Coc Art II Sec. 11 i
- 4. Section 4 Election of faculty to university committees.

D. Article IV. College and Unit Faculty

- 1, Section 1 Authority
- 2. Section 2 Membership
- 3. Parliamentary Rules
- 4. Faculty Decanal Review Committee

E. Article V. Amendment (Prior Art III Sec. 7) Alteration, amendment, or repeal. Any bylaw of

A. Article I. The university faculty:

1. Section 1. Authority. The university faculty does hereby adopt the bylaws hereinafter set forth as the rules by which to govern and control the conduct of its affairs.

2. Section 2. Purpose. There shall be a university faculty to consider matters affecting the university and to make available to the president and the board of trustees its aid, advice, and counsel on issues including but not limited to academic policies, admissions, degree programs, budget recommendations, collegiate structures, the formulation of long range plans and in decisions relating to their implementation...

3. Section 3. Membership:

a. The university faculty, as distinct from that of any individual college or school, shall be composed of: the president of the university; vice presidents of the university with academic appointments; vice provosts; persons with the title of dean; 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; every full-time professional librarian holding the rank of senior librarian, associate senior librarian, associate librarian, assistant librarian or beginning librarian; all full-time faculty in the division of professional practice holding a field service title of professor, associate professor, assistant professor, or instructor; all persons holding clinical, field service or research titles; and all persons with adjunct appointments of sixty-five per cent or more of a full time Faculty position.

b. Persons holding visiting appointments; those holding full-time appointments as research associates in any grade; those holding adjunct appointments at less than sixty-five per cent FTE; as well as those holding volunteer titles (preceding regular academic titles), and lecturer may be nominated for university faculty membership by the dean of the respective college, or school, or academic unit or by the senior vice president and provost for baccalaureate and graduate education, or the senior vice president and provost for health affairs. Approval or disapproval of such nominations shall be voted by the faculty senate of the university faculty. Since such persons are not eligible for tenure, the desirability of granting them university faculty membership shall rest upon consideration such as professional eminence or distinction, length of service at this university, proportion of full-time responsibility, and general extent of involvement in university matters.

c. Administrative officers with titles below that of dean, and whose academic qualifications are appropriate, may be nominated for university faculty membership by the senior vice president and provost for baccalaureate and graduate education or the senior vice president and provost for health affairs. Approval or disapproval of such nominations shall be voted by the faculty senate of the university faculty.

d. The president of the university, as its chief executive officer, shall have the privilege of the floor of the university faculty and faculty senate meetings, within his/her discretion.

4. Section 4. Elected Officers

a. Chairperson. The chairperson of the university faculty shall be the presiding officer of the university faculty and of the Faculty Senate. The chairperson, shall hold office for a term of two years. ~~During his/her term, the chairperson shall serve as a faculty representative to the board of trustees.~~

b. Chairperson-elect. The chairperson-elect shall serve as an ex-officio member of the faculty senate for one year prior to assuming the office of chairperson and, as

c. Past Chairperson. In the year following his/her term, the chairperson shall serve as past-chairperson and be an ex-officio member of the faculty senate.

Deleted: or until his/her successor shall be elected

d. Vice Chairperson. . A vice chairperson, who is a member of the faculty senate and whose duty it shall be to serve as chairperson of the university faculty in the event of the absence or disability of the chairperson, shall be appointed by the chairperson of the university faculty and confirmed by the faculty senate at its next regularly scheduled meeting. The term of the vice chairperson shall be one year.

e. Secretary. The secretary shall keep minutes of the meetings of the university faculty, shall attend meetings of the faculty senate and keep minutes of such meetings, and prepare such reports and communications as authorized and directed by the faculty senate. In the absence of the secretary, a secretary pro-tem shall be appointed by the chairperson to serve during such absence.

The secretary shall hold office for a term of two years,

Deleted: or until his/her successor shall be elected

f. Board of Trustees Representatives. The elected faculty representatives to the board of trustees shall each serve for a two-year term and may be re-elected for one subsequent term. These representatives shall also serve as ex-officio representatives to the faculty senate and may not serve on the faculty senate as elected members from academic units or at-large senators during their terms as faculty representatives to the board of trustees.

g. Terms of Office. The terms of the officers, the representatives to the board of trustees, and faculty senators shall commence the first day of the month of the new academic year. Each year, one faculty representative to the board of trustees and four at-large faculty senators shall be elected for two-year terms. They may be re-elected for one subsequent term. In odd years, the university faculty shall elect a chairperson-elect and a secretary. No person shall be elected and hold the office of chairperson or secretary for consecutive terms.

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5. Section 5. Meetings

a. Regular meetings. The regular meetings of the university faculty shall be held during the month of October and the month of May of each year. The date of the meeting shall be fixed by the president of the university and the chairperson of the university faculty. Notices of the meetings shall be given to the members of the university faculty two weeks in advance of the meetings.

b. Special meetings. Special meetings of the university faculty may be held at any time pursuant to call by the president of the university, by the chairperson of the university faculty, 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. Notice of every special meeting shall be given to the members of the university faculty at least one week in advance of such meeting.

Degree offering units include the colleges, the division of research and advanced studies, and the school of social work.

c. The presence of one hundred members of the university faculty at any regular or special meeting called pursuant to paragraph (A)(4) or (A)(5) of this rule shall constitute a quorum.

d. Time and place of meetings. The hour and place of regular and special meetings of the university faculty shall be fixed by the president of the university and the chairperson of the university faculty.

e. Order of business. The order of business at meetings of the university faculty shall be :

- i. Approval of the minutes;
- ii. Report on the faculty senate by the chair-person of the university faculty;
- iii. Report by the president of the university;
- iv. Committee reports;
- v. Unfinished business;
- vi. New business;
- vii. Adjournment.

f. Before the university faculty votes on a motion, notification including essential content of the item or issue related to the motion shall be provided to the university faculty at least one week before the meeting. In the event that such prior notification has not been provided, an affirmative vote of two-thirds of the faculty present shall permit a vote on a motion.

g. Parliamentary rules. The proceedings of the university faculty and the faculty 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 member. The Chairperson shall appoint a Parliamentarian whose duty it shall be to ensure that these bylaws are adhered to in the conduct of meetings. The Parliamentarian shall serve at the pleasure of the chairperson.

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All voting shall be by voice vote unless otherwise provided in these bylaws, but the presiding officer may, and at the request of ten members shall, appoint tellers and require a rising or ballot vote, as requested. Only those members present at the meeting of the university faculty and of the faculty senate may vote on matters presented to those bodies for action, and 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 bylaws. Neither mail nor proxy voting is allowed.

B. Article II. The faculty senate:

1. **Section 1. Powers and duties.** The faculty senate shall exercise the powers of the university faculty in the interim between its meetings. It shall be the duty of the faculty senate to consider and, if necessary, act on matters referred to it by the president of the university, by the university faculty, or by any member thereof. In addition to initiating actions on these referred matters, the faculty 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 university faculty by the chairperson of the university faculty in a timely manner, but no later than at its next regular meeting.

2. **Section 2 Membership.** The faculty senate of the university faculty shall be composed of the following.

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- a. Full-time faculty. Two members elected from each of the degree-offering units of the university, the division of professional practice, and collectively all the libraries of the university, plus eight members who shall be elected at-large.
- b. Emeriti. One member elected by the emeriti faculty.
- c. Part-time faculty. Two members elected from that group of part-time faculty who are teaching, on the average, a minimum of three quarter courses or the equivalent per year (up to sixty-five per cent of a full-time faculty position as defined by the collective bargaining agreement) and who have taught as part-time faculty in the university of Cincinnati for three years or more. Part-time faculty will elect their own representatives.
- d. Ex-officio members. The president of the university, the chairperson and secretary of the university faculty, and the faculty representatives to the board of trustees shall be ex-officio members of the faculty senate. The past chairperson of the university faculty shall be an ex-officio, at-large member of the faculty senate and a member of the cabinet for the year immediately following his/her term of office as chairperson. The chairperson-elect of the university faculty shall be an ex-officio, at-large member of the faculty senate and a member of the cabinet for the year immediately preceding his/her term of office as chairperson.
- e. Pluralism. No faculty member shall hold more than one seat on the faculty senate at the same time. If a faculty member is elected to a second position on the faculty senate, one position will be

vacated automatically in the following order: Representative from a degree-offering unit of the university, the division of professional practice, or collectively all the libraries of the university; at-large senator; faculty representative to the board of trustees; and secretary of the university faculty.

No faculty member shall, at the same time, be a candidate for the position of chairperson-elect, secretary of the university faculty, faculty representative to the board of trustees, or at-large senator.

In the event that an individual is elected as a faculty senator from more than one degree-offering unit of the university, the individual shall determine which seat to retain.

3. Section 3. Cabinet. The cabinet of the faculty senate shall consist of:

- a. The chairperson of the university faculty, who shall serve as chair,
- b. The vice chairperson of the university faculty,
- c. The secretary of the university faculty,
- d. The faculty representatives to the board of trustees,
- e. The chairpersons of the standing committees,
- ~~f. The past chairperson of the university faculty for the year immediately following his/her term of office as chairperson, or the chairperson-elect of the university faculty for the year immediately preceding his/her term of office as chairperson. A maximum of two additional members of the faculty senate selected by the chairperson.~~

The cabinet shall advise the chairperson of the university faculty on the determination of the issues to be considered by standing committees or on the establishment of ad hoc committees for special purposes. 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 faculty senate. The cabinet shall assist the chairperson of the university faculty in preparing the agenda for each meeting of the faculty senate. All items of business proposed by members of the faculty senate shall be referred to the cabinet. In addition to its responsibilities to the faculty senate, the cabinet shall at all times be available for consultation with the president of the university.

Deleted: of the academic affairs committee,¶
f. The chairperson of the committee on committees,¶
g. The chairperson of the budget and priorities committee,¶
h. The chairperson of the planning committee,¶
i. The chairperson of the committee on human relations,¶
j. The chairperson of the information technology committee¶
k. The chairperson of the research and scholarship committee

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2. Section 2. Election procedures. In Spring term each year, the faculty of each represented unit shall elect a member to the faculty senate for a term of two years. In alternate years, emeriti faculty shall elect a member of the faculty senate for a two-year term. No later than one week before the last Faculty Senate meeting of spring term each year the second year senator of each represented unit shall forward the name of each newly elected faculty senator to the chair of the faculty senate. Any vacancy in the membership of the faculty senate shall be chosen by the faculty of the constituent group concerned from among its members. After two consecutive terms on the faculty senate, a member who represents a degree-offering unit of the university, the division of professional practice, collectively all the libraries of the university, the emeriti faculty, or the part-time faculty may not succeed himself/herself as a representative of that unit until after a lapse of two years regardless of the unit represented. After two consecutive terms on the faculty senate, an at-large faculty senator may not succeed himself/herself in that capacity until after a lapse of two years.

4. Section 4. Meetings:

- a. Regular meetings. The faculty senate shall hold twelve regular monthly meetings each year.
- b. Special meetings. Special meetings of the faculty senate may be called at any time by the president of the university, by the chairperson of the university faculty, or by any three members of the faculty senate upon notice given at least twenty-four hours in advance by the person or persons calling meetings.
- c. Attendance. In order that the various constituencies have full and active representation, it is incumbent upon those elected to the faculty senate to attend scheduled meetings regularly. In the

event that this is not occurring, it shall be the responsibility of the senator and the faculty senate cabinet to resolve the matter.

d. Quorum. The presence of thirteen elected members of the faculty senate at any regular or special meeting called pursuant to paragraph (B)(5)(a) or (B)(5)(b) of this rule shall constitute a quorum.

e. The order of business at meetings of the faculty senate shall be determined by the cabinet.

f. The agenda for the faculty senate shall be prepared by the faculty senate cabinet and distributed to the faculty senate at least three days prior to the senate meeting. At the discretion of the faculty senate cabinet or by a two-thirds vote from the floor of the faculty senate meeting, the order of business may be altered.

g. Before the faculty senate votes on a motion, notification including essential content of the item or issue related to the motion shall be provided to the faculty senators at least three days before the meeting. In the event that such prior notification has not been provided, an affirmative vote of two-thirds of the faculty senators present shall permit a vote on a motion.

5. Section 5. Committees.

a. Standing committees.

Prior to the election of members to the standing committees and with senate confirmation, the chairperson of the university faculty shall have the option of appointing a member of the faculty senate to fill an open position on a standing committee and to serve as chair of that committee for the current academic year.

i. Committee on committees. There shall be a standing committee known as the committee on committees. Each year, at the first meeting of the newly constituted faculty senate, the chairperson of the university faculty shall appoint to this committee the senator from each academic unit represented in the faculty senate who is serving in the second year of his/her term. The chairperson of the university faculty shall also appoint, with the consent of the faculty senate, a member of the faculty senate to chair this committee. Each committee member shall maintain a list of faculty from his/her academic unit and endeavor to learn about their interests and abilities as regards service on university committees.

It shall be the responsibility of this committee to provide to the faculty senate lists of nominees for designation as faculty representative for all university committees when faculty interests are involved or, if so directed by the faculty senate, to make those designations directly. It shall be the committee's responsibility to select nominees who will reflect the diverse interests and viewpoints of the university faculty, insofar as feasible.

Sub-committee: Because it is sometimes necessary for the committee to act quickly, it is empowered to create an executive sub-committee of five persons from among its membership. This sub-committee may act in place of the full committee at the discretion of the chairperson of the committee.

ii. Academic affairs committee. There shall be a standing committee known as the academic affairs committee. It shall have seven members elected by the faculty senate, serving two year staggered terms. The chairperson of the university faculty shall annually appoint an individual who is both a member of the committee and a member of the faculty senate to serve as the chairperson of this committee. The committee on committees shall nominate, when feasible, two persons for every vacancy of the committee. The academic affairs committee shall investigate and make recommendations for faculty senate action concerning any educational or academic policy or practice at the university, or any proposed practice or policy, that is referred to the committee by the university faculty, the faculty senate or the chairperson of the university faculty. One or more of its members may serve as faculty senate representative and liaison to all university committees responsible for academic affairs.

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- i. Approval of the minutes; ¶
- ii. Report by the chairperson of the university_ faculty;¶
- iii. Report by the president of the university;¶
- iv. Report by a senior vice president and_ provost;¶
- v. Report by the president of the "AAUP, University of Cincinnati Chapter";¶
- vi. Report by the student government representative;¶
- vii. Report by the graduate student government representative;¶
- viii. Action items;¶
- ix. Committee reports;¶
- x. Old business;¶
- xi. New business;¶
- xii. Adjournment.¶

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iii. Budget and priorities committee. There shall be a standing committee known as the budget and priorities committee. It shall have seven members elected by the faculty senate, serving two year staggered terms. The chairperson of the university faculty shall annually appoint an individual who is both a member of the committee and a member of the faculty senate to serve as the chairperson of this committee. The committee on committees shall nominate, when feasible, two persons for every vacancy of the committee. The budget and priorities committee shall examine financial matters of the university and recommend to the faculty 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. One or more of its members may serve as faculty senate representative and liaison to all university committees responsible for budget and financial affairs.

iv. Planning committee. There shall be a standing committee known as the planning committee. It shall have seven members elected by the faculty senate, serving two year staggered terms. The chairperson of the university faculty shall annually appoint an individual who is both a member of the committee and a member of the faculty senate to serve as the chairperson of this committee. The committee on committees shall nominate, when feasible, two persons for every vacancy of the committee. The planning committee shall consider all aspects of planning, both curricular and physical. The committee shall make recommendations concerning the development of short-range, intermediate-range, and long-range plans. In addition, it shall examine, review, and make recommendations about proposals initiated by the administration or other parties. One or more of its members may serve as faculty senate representative and liaison to all university committees responsible for planning.

v. Human relations committee. There shall be a standing committee known as the human relations committee. It shall have seven members elected by the faculty senate, serving two year staggered terms. The chairperson of the university faculty shall annually appoint an individual who is both a member of the committee and a member of the faculty senate to serve as the chairperson of this committee. The committee on committees shall nominate, when feasible, two persons for every vacancy of the committee. 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 interpret its role broadly, addressing itself to specific issues and, in addition, serving as a source of increased consciousness for a just university community. One or more of its members may serve as faculty senate representative and liaison to all university committees responsible for human relations and diversity.

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vi. Information technology committee. There shall be a standing committee known as the information technology committee. It shall consist of four at-large members elected by the faculty senate, one representative from each degree-offering unit of the university, the division of professional practice, collectively all the libraries of the university, the vice president for information technology (ex officio), and the "UCit" director of educational services (ex officio). The unit representative shall be the chair of the faculty technology committee in the unit or a member of any such committee properly designated to serve in his or her stead. In the absence of a faculty technology committee, the unit shall appoint a faculty member involved with technology. The at-large members elected by the senate shall serve two-year staggered terms. The chairperson of the university faculty shall annually appoint an individual who is both a member of the committee and a member of the faculty senate to serve as the chairperson of this committee. The information

technology committee shall formulate and express faculty views on information technology issues. Matters requiring faculty action shall be sent as recommendations to the faculty senate.

The committee will recommend electronic voting procedural standards and tools that assure security, anonymity, and faculty control. The committee will offer consultation and training and when asked to do so may assess the legitimacy of software employed for soliciting faculty votes. One or more committee members may serve as faculty senate representative and liaison to all university committees responsible for information technology.

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vii. There shall be a standing committee known as the research and scholarship committee. It shall have seven members elected by the faculty senate, serving two year staggered terms. The chairperson of the university faculty senate shall annually appoint a member of the faculty senate to serve as chairperson of this committee. The committee on committees shall nominate, when feasible, two persons for every vacancy of the committee. The nominating committee should make every effort to ensure that the members shall represent the full range of faculty research and scholarship. The committee shall identify relevant research and scholarship issues and make recommendations to the faculty senate for solution-oriented outcomes. The committee shall make recommendations concerning the development and implementation of programs designed to support and reward research activity. In addition, it shall examine, review, and make recommendations to the faculty senate about proposals that affect faculty research and scholarship initiated by the administration or other parties. One or more of its members may serve as faculty senate representative and liaison to all university committees responsible for research, intellectual property and conflict of interest.

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viii. Other standing committees. Other standing committees may be established for such purposes as the university faculty or the faculty senate shall determine. Membership and procedures for selection shall be consistent with previously described standing committees.

ix. Ex-officio committee membership. The chair-elect shall be an ex-officio member of all standing committees.

b. Ad hoc committees. Ad hoc committees shall be appointed for such purposes and in such manner as the university faculty or the faculty senate may direct. When time is of the essence, the chairperson of the university faculty, in consultation with the committee on committees, may appoint ad hoc committees and report that action at the next regular meeting of the faculty senate.

c. Vacancies in committees. In the event that there is a vacancy in any standing committee, ad-hoc committee, or the university faculty grievance committee, a successor shall be elected or appointed for the unexpired term by the same process by which the original member was selected.

Deleted: b. University faculty grievance committee. There shall be a university faculty grievance committee. Its function, composition, procedures, and election of members shall be determined by the current collective bargaining agreement between the university of Cincinnati and the "American Association of University Professors, University of Cincinnati Chapter."

C. Article III. Election Procedures:

1. Section 1. Election of officers, representatives to the board of trustees, and at-large senators. Each year, as soon as possible after its regular meeting in May, the university faculty shall hold elections. As determined by the chair of the nominations committee in collaboration with unit representatives, the elections in each represented unit may be by paper ballot or by electronic means, but not by both within the same unit.

Each year, one faculty representative to the board of trustees and four at-large faculty senators shall be elected for two-year terms. They may be re-elected for one subsequent term. In odd years, the university faculty shall elect a chairperson-elect and a secretary. The terms of the

officers, the representatives to the board of trustees, and faculty senators shall commence the first day of September.

The chairperson-elect shall serve as an ex-officio member of the faculty senate for one year prior to assuming the office of chairperson and, as chairperson, shall hold office for a term of two years or until his/her successor shall be elected. During his/her term, the chairperson shall serve as a faculty representative to the board of trustees. In the year following his/her term, the chairperson shall serve as past-chairperson and be an ex-officio member of the faculty senate. The secretary shall hold office for a term of two years or until his/her successor shall be elected. No person shall be elected and hold the office of chairperson or secretary for consecutive terms.

The elected faculty representatives to the board of trustees shall each serve for a two-year term and may be re-elected for one subsequent term. These representatives shall also serve as ex-officio representatives to the faculty senate and may not serve on the faculty senate as elected members from academic units or at-large senators during their terms as faculty representatives to the board of trustees.

The procedures governing such elections shall be as follows:

a. **Nominating Committee.** Each year at the February meeting of the faculty senate, the chairperson of the university faculty, with the consent of the faculty senate, shall appoint a member of the faculty senate to chair the nominations committee. At this same meeting, the chairperson of the university faculty shall appoint to the nominations committee the member from each unit represented in the faculty senate who is in the first year of his/her term and, from these senators, shall select four individuals who, with the chair of the nominations committee, shall constitute a nominations coordinating committee.

b. Within two weeks thereafter, the chairperson of the nominations committee shall call a meeting of the nominations committee to begin the nomination process.

c. Each year at the April meeting of the faculty senate, the nominations committee shall announce its list of recommendations for nominees. When feasible, the list will include at least two nominees for each position.

Each year, the list shall include nominees for at-large faculty senators and a faculty representative to the board of trustees, and, in accordance with the provisions of the then current agreement between the university of Cincinnati and the "American Association of University Professors, University of Cincinnati Chapter," the list shall include candidates to fill positions on the Grievance Committee Faculty Panel. In odd numbered years, the list shall include two or more nominees for chairperson-elect of the university faculty who, after one year of service as chairperson-elect, shall serve two years as chairperson of the university faculty, as chairperson of the faculty senate, and as a faculty representative to the board of trustees. In odd numbered years, the list shall also include two or more nominees for the secretary of the university faculty.

Additional nominations may be made from the floor of the faculty senate. When nominations have been completed, the entire slate of candidates is to be confirmed by the faculty senate.

d. By the fifteenth day of April each year, the chairperson of the university faculty shall announce the confirmed slate of candidates to the university faculty.

e. Additional nominations by petition, signed by at least twenty-five faculty members may be presented to the chairperson of the nominations committee before the twenty-fifth day of April. The nominations committee will then supply the secretary of the university faculty with a slate listing nominees by its recommendation and all nominees by petition for transmittal to the university faculty before the regular May meeting.

f. Each nominee or an advocate appointed by the nominee shall be entitled to submit to the faculty senate office before the first day of May, a half-page, single spaced, typed statement of his/her position. Copies of these, along with the list mentioned in paragraph (C)(1)(e) of this rule, will be available for review by the university faculty before the regular May meeting.

g. Additional nominations for each position may be made from the floor at the regular May meeting of the university faculty. Each person nominated from the floor or an advocate appointed by the nominee shall be entitled to submit a half-page, single spaced, typed statement of his/her position.

h. The official ballot shall include the names of all nominees. It will be posted on the web, along with each candidate's position statement.

i. Election of the chairperson-elect, secretary, faculty representatives to the board of trustees, at-large faculty senators, and members of the Grievance Committee Faculty Panel shall be determined by plurality vote. If any office 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.

If on a previous ballot a position is not filled, the candidate receiving the lowest number of votes will be stricken from the next and all subsequent ballots. Run-off elections will be held until a candidate is declared elected.

In those units using paper ballots, ballots will be mailed to each faculty member in the unit. The ballots, which shall include the uniform resource locator where the candidate position statements are posted, shall be collected in the administrative offices of that unit at a location designated by the chairperson of the nominations committee. Dates for returning paper ballots, as well as responsibilities of faculty senators for collecting the ballot boxes and delivering them to the faculty senate office, shall be designated by the chairperson of the nominations committee.

In those units using electronic balloting, each faculty member 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. The time for concluding electronic voting shall be as designated by the chairperson of the nominations committee.

No disclosure of the vote in any unit shall occur prior to completion of voting in all units.

j. The balloting shall be under the general supervision of the nominations committee. Balloting shall be completed by the date specified by the nominations committee, but no later than four p.m. on the first day of June or fourteen days following the regular May meeting of the university faculty, whichever comes later. A group of tellers will be appointed by the chairperson of the university faculty at the regular May meeting of the university faculty and will be charged with the responsibility of tabulating the vote. One of these tellers will also be appointed as the chairperson of tellers at this meeting. In the event that paper ballots are used, the member of the nominations committee from that unit will be responsible for hand-carrying the ballots to the chairperson of the tellers by five p.m. of the last voting day. When all ballots have been received, the chairperson of tellers will convene a meeting of the tellers for the purpose of tabulating the vote and will report the results of the elections to the chairperson of the university faculty. The chairperson of the university faculty will see that the election results are conveyed to the president of the university and the university faculty.

k. Recall of elected officers, faculty representatives to the board of trustees, and senators. Any officer of the university faculty, faculty representative to the board of trustees, or faculty senator shall be subject to a recall if two-thirds of the faculty senators agree on a vote of "no confidence" in the individual's performance. In the event of such a vote, there will be a recall vote

1. Filling vacancies:

- a. In the event that there is a vacancy in the office of chairperson of the university faculty 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/she was elected. In the event that there is a vacancy in the office of chairperson of the university faculty 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 shall be elected by mail ballot following the procedures listed in paragraph (C)(1) of this rule for the unexpired term of office from those persons nominated from the floor at the first regular or special meeting of the university faculty after the vacancy occurs.
- b. In the event that there is a vacancy in the office of secretary of the university faculty, faculty representatives to the board of trustees, or at-large faculty senators, a successor shall be elected by mail ballot following the procedures listed in paragraph (C)(1) of this rule for the unexpired term of office from those persons nominated from the floor at the first regular or special meeting of the university faculty after the vacancy occurs. In the event that there is a vacancy in a faculty senate seat representing a unit, a successor shall be elected by that unit for the unexpired term of office.
- c. In the event that there is a vacancy in the office of secretary of the faculty, the chairperson shall appoint a secretary pro-tem to serve until a successor is elected.
- d. The faculty senate cabinet may by majority vote recommend a faculty member to fill a vacancy in the office of secretary of the university faculty, representative to the board of trustees, or at-large faculty senator. At its next regularly scheduled meeting the faculty senate will consider the recommended individual as well as any other candidates nominated at the meeting before electing the new officer. Any individual elected during the first year of a term will stand for election to the second year at the next regularly scheduled annual elections.

2. Section 2 Election of Faculty Senators

In Spring term each year, the faculty of each represented unit shall elect a member to the faculty senate for a term of two years. No later than one week before the last Faculty Senate meeting of spring term each year the second year senator of each represented unit shall forward the name of each newly elected faculty senator to the chair of the faculty senate. In alternate years, emeriti faculty shall elect a member of the faculty senate for a two-year term. Any vacancy in the membership of the faculty senate shall be chosen by the faculty of the constituent group concerned from among its members. After two consecutive terms on the faculty senate, a member who represents a degree-offering unit of the university, the division of professional practice, collectively all the libraries of the university, the emeriti faculty, or the part-time faculty may not succeed himself/herself as a representative of that unit until after a lapse of two years regardless of the unit represented. After two consecutive terms on the faculty senate, an at-large faculty senator may not succeed himself/herself in that capacity until after a lapse of two years.

3. Election of Faculty to Faculty 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 faculty senate, the senators shall vote for members of the standing committees. Newly elected committee members will begin their terms the first day of the month when fall term begins.

Deleted: The list of standing committees may be altered at any time by action of the faculty senate.

4. Section 4. Election of faculty to all university committees with Faculty Senate elected representatives.

- a. General Procedures for elections to all university committees:

Whenever All University Governance or other university committees include representatives elected by Faculty Senate, the Committee on Committee will proceed as follows:

(i) Faculty shall be elected to the standing all-university committees (those with fixed terms) each spring following the procedures outlined for faculty senate standing committees with staggered terms as appropriate.

(ii) For newly created all university and ad hoc governance committees the Committee on Committees will solicit nominations for election either at the next senate meeting or, if Cabinet approves, by electronic balloting when necessary to select representatives prior to a meeting.

b. As determined by the chair of the committee on committees, in collaboration with the faculty senate cabinet, the election of faculty to university committees may be by paper ballot or by electronic ballot, but not by both for any single election. If using a paper ballot, voting by faculty senators shall be conducted at faculty senate meetings in conformance with parliamentary procedures and the bylaws of the university faculty. If using electronic ballots, all members shall be eligible to vote after the call for nominations, faculty shall have three working days to submit nominations and statements of interest. Faculty Senate members will then have three days to submit additional nominations. Electronic voting by the members shall be completed within three working days of electronic distribution of the final ballot. Balloting shall be under the general supervision of the committee on committees.

NEW ARTICLE

D. Article IV. College Faculty

1. Section 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. The all-university graduate faculty has 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.

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 senior vice president for academic affairs and provost.

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.

Bylaws and amendments thereto of the colleges and faculties must be approved by the senior vice president for academic affairs and provost before they become effective. Bylaws and amendments of the colleges in the medical center shall be reviewed by the vice

president for health affairs before being submitted to the senior vice president for academic affairs and provost for approval.

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 Faculty Senate.

2. Section 2. Membership

Each college faculty shall consist of the president of the university, the senior vice president for academic affairs and 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.

3. Section 3. 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.

4. Section 4 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.

E. Article V. Amendment

Alteration, amendment, or repeal. Any bylaw of the university faculty may be altered, amended, or repealed at any regular or special meeting by a vote of the majority of the members present. Such alteration, amendment, or repeal of a bylaw shall become effective immediately on approval of the same by the board of trustees of the university of Cincinnati and the inclusion into rule 3361:50-3-02 of the Administrative Code. However, before any proposed alteration, amendment, or repeal of a bylaw may be acted on at a meeting of the university faculty, the proposal to amend, alter, or repeal shall be submitted to the chairperson of the university faculty and he/she shall give written notice thereof to the members of the university faculty at least two weeks in advance of the meeting at which its adoption is proposed.

Certification Date: _____, 2009

Ad Hoc Bylaws Cttee Executive Summary of Proposed Amendments 10/23/09

The full text of the proposed revisions and a separate 7 page overview and rationale are online at http://www.uc.edu/facultysenate/reports_resolutions/2009-2010_Committee_Reports.html

I. Integrated University Decision Making

In Article II Faculty Senate Committees, new provisions for all five FS standing committees to promote without expressly requiring liaison with related all university shared governance committees. Academic Affairs Example:

One or more of the members may serve as faculty senate representative and liaison to all university committees responsible for academic affairs.

II. College Governance

In accord with the plan for “One University” the committee recommends a new article on college governance that clarifies the distinction made in Article I between membership in the university faculty and college faculty. Articles II and III on Faculty Senate and Election Procedures detail some features of college governance, but the bylaws need a more detailed elaboration. The new article on college governance incorporates verbatim from existing Board of Trustees rules and the AAUP contract relevant text on authority, membership, meetings, bylaws and decanal review as well as provisions on meeting procedures from bylaws provisions for Faculty Senate:

III. Electronic Voting Procedures and Guidelines:

Proposal: Article II Faculty Senate, Section 11 Committees vi (New II/5/vi)
Information Technology Committee

The committee will recommend electronic voting procedural standards that assure security, anonymity, and faculty control. The committee will offer consultation and training and when asked to do so may assess the legitimacy of software employed for soliciting faculty votes.

IV. Human Relations Committee

Article II The faculty senate, Section 11 Committees, a. Standing Committees.
The revisions are printed in strike-through and bold format.

The human relations committee shall monitor existing policies and practices and recommend new policies and practices to ensure a supportive environment ~~for the growth and development of women and minority faculty and students to~~ **promote diversity and inclusion at the University.** The committee shall interpret its role broadly, addressing itself to specific issues and, in addition, serving as a source of increased consciousness ~~for all the faculty, especially about concerns of its minority and women members.~~ **for a just university community.**

V. Revised Bylaws Organization The proposed reorganization of the university faculty bylaws provides a template of basic headings suitable for college bylaws.

VI. Proposal: A. Article I. The university faculty:

2. Section 2. Purpose. There shall be a university faculty to consider matters affecting the university and to make available to the president and the board of trustees its aid, advice, and counsel on issues including but not limited to academic policies, admissions, degree programs, budget recommendations, collegiate structures, the formulation of long range plans and in decisions relating to their implementation.

VII. Proposal . Article I. The university faculty: 3. Section 3.

Membership:

a. The university faculty, as distinct from that of any individual college or school, shall be composed of: the president . . . and all persons with adjunct appointments of sixty-five per cent or more FTE of a full time Faculty position.

VIII. Proposal B. Article II. The faculty senate:

c. Part-time faculty. Two members elected from that group of part-time faculty who are teaching, on the average, a minimum of three quarter courses or the equivalent per year (up to sixty-five per cent of a full-time faculty position as defined by the collective bargaining agreement) and who have taught as part-time faculty in the university of Cincinnati for three years or more. Part-time faculty will elect their own representatives.

IX. Proposal C. Article III. Procedures: (Moved to Article II Faculty Senate)

5. Section 5. Order of business.

c. The order of business at meetings of the faculty senate shall be determined by the cabinet.

Rationale: The current list of 12 agenda items i – xii does not belong in the bylaws since cabinet proposes the agenda for each meeting that can be amended before approval.

X. Proposal 6. Section 6. Parliamentary rules. The proceedings of the university faculty and the faculty senate shall be governed by the ~~general usage of deliberative bodies~~ 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 it shall be to ensure that these bylaws are adhered to in the conduct of meetings. The Parliamentarian shall serve at the pleasure of the chairperson.

Deleted: general usage of deliberative bodies