COMMENTS ON PROPOSED RESOLUTION 2003-11 AMENDING THE FACULTY CODE OF UNIVERSITY GOVERNMENT

Committee on University Government
December 12, 2003

CHANGES TO ARTICLE I

1. Page 1, line 11. The definition of the General Faculty is streamlined by eliminating most officers of administration who do not also hold faculty or librarian positions (§ 1-1).

2. Page 1, line 23. For meetings of the General Faculty (as distinguished from meetings of the Faculty Council), a quorum is conclusively presumed if at least ten days’ notice of the meeting has been given (§ 1-2(c)).

3. Page 3, line 5. The procedure for amending the Faculty Code is changed to eliminate the option of submitting a proposed amendment to a general referendum. That option has never been used. Amendments to the Faculty Code would continue to require an affirmative vote at two separate meetings of the General Faculty. Passage would require a majority vote at each meeting, rather than the current requirement of a two-thirds vote at the second meeting (§ 1-7).

CHANGES TO ARTICLE 2

1. Page 3, line 24. The title of Article 2 is changed to reflect its coverage of the Faculty Executive Committee as well as the Faculty Council.

2. Page 3, line 28. The number of ex officio members of the Faculty Council is reduced by eliminating from that category all administrators other than the chancellor, as well as the chairs of standing committees of the faculty (§ 2-2(b)).

3. Page 4, line 3. The electoral divisions of the Faculty Council are not changed, but a cap is imposed that would prevent one school or college from electing more than one-third of the elected members of the Council. This change is intended to ensure that the Council continues to reflect the views of the entire University and that large growth in one division does not squeeze out the representation of smaller units. Currently members from the School of Medicine represent 33.77% of the overall membership of the Faculty Council, members from the College of Arts and Sciences represent 31.17% of the membership, and members from all other schools and colleges together represent 35.06 % (§ 2-2(d)).

4. Page 5, line 15. The procedure for nominating persons to the Faculty Council (in addition to those placed on the ballot by the Nominating Committee) is changed to allow three faculty members in an electoral division to do so (rather than requiring nomination by ten percent of the division). Because it has generally been the case that persons desiring to be nominated have been recommended by divisional nominating committees, it is not anticipated that this change will significantly increase the number of candidates (§ 2-4(a)).

5. Page 5, line 17. Because it has sometimes been difficult to get faculty members to agree to serve on divisional nominating committees, the requirement that those committees have five members is deleted (§ 2-4(b)).
6. Page 5, line 20. The detailed instructions in § 2-4(b) as to the composition of divisional nominating committees for Faculty Council have been deleted to enable the Nominating Committee to encourage divisions that wish to do so to establish their own nominating procedures, subject to the overall supervision of the Nominating Committee. The admonition that divisional nominating committees should be widely representative of the division’s faculty is adequately covered by § 1-8.

7. Page 6, line 13. The provision specifying who is entitled to vote at Faculty Council is amended to reflect the change in § 2-2(b) concerning ex officio members (§ 2-7).

8. Page 7, line 4. In recognition of current technology allowing distribution of Faculty Council minutes on the Internet, the requirement that the secretary of the faculty “send” summaries of the Faculty Council’s actions to members of the General Faculty is changed to a requirement that they be “published” (§ 2-9).

9. Page 7, line 6. The Executive Committee of the Faculty Council is renamed the “Faculty Executive Committee” (§ 2-10). The new name reflects the further change that this committee will now be directly elected by the voting faculty, rather than by the Faculty Council, in recognition of the important role that this committee has come to occupy. The nominating process for members of the committee is also changed to bring it in line with other elected committees, although the Advisory Committee continues to act as the nominator (§ 2-10(b)). Existing § 2-10(d) is eliminated, because the committee is no longer a committee of the Faculty Council.

CHANGES TO ARTICLE 3

1. Page 8, line 12. The listing of the committees on which the chair and secretary of the faculty serve as ex officio members is deleted as being redundant with the descriptions of committee membership in Article 4 (§§ 3-1(a), 3-2(a)).

2. Page 8, line 16. The prohibition on the re-election of the chair of the faculty to a second term is eliminated on the ground that, should the Advisory Committee want to nominate the chair for a second term and should the chair be willing to serve again, the voting faculty should not be prevented from re-electing him or her (§ 3-1(b)).

3. Page 8, line 18. The procedure for nominating candidates for chair of the faculty is amended to require the Advisory Committee to invite recommendations from members of the voting faculty (§ 3-1(c)). The minimum number of candidates for chair of the faculty is reduced from three to two to allow for the possibility of avoiding run-off elections.

4. Page 8, line 30. The duties of the secretary of the faculty are amended to include the maintenance of records about University-wide committees with faculty representation that are brought to his or her attention pursuant to § 4-1(b) (§ 3-2(a)).
CHANGES TO ARTICLE 4

1. Page 9, line 8. The title of Article 4 is changed to reflect its coverage of special as well as standing committees of the faculty.

2. Page 9, line 14. Section 4-1 continues to set forth organizational principles that govern faculty committees unless provided otherwise in the Faculty Code. The prohibition on re-election to elective committees is replaced by a limit of two consecutive terms (§ 4-1(a)(3)). The secretary of the faculty is given responsibility for keeping records of all University-wide committees with faculty representation that are appointed outside of the Faculty Code (§ 3-2(a)), and in this section appointing officers are directed to provide the secretary with information about the committees. Page 10, line 1 (§ 4-1(b)).

3. Page 10, line 8. The composition of the Nominating Committee is changed to include the chairs (or their designees) of all standing committees (rather than retiring members of the elective committees) and four additional faculty members appointed by the chair of the faculty. The Nominating Committee’s charge is set forth (§ 4-2).

4. Page 10, line 19. The procedure for electing standing committees is described in greater detail. The secretary of the faculty is directed to solicit recommendations for nominations from the faculty at large, and any names suggested are to be given to the Nominating Committee. In an effort to ease the Nominating Committee’s task of filling slates of nominees for elective committees, the number of nominees per vacancy is changed from “three” to “at least two.” The role of the secretary of the faculty in conducting the election for faculty committees and determining who is elected is made explicit (§ 4-3).

5. Stylistic changes are made to all of the committee descriptions in an effort to provide greater uniformity throughout Article 4.

6. Page 12, line 19. The representational requirements for faculty membership on the Educational Policy Committee are eliminated. Instead, as is the case with all other elected committees, the Nominating Committee would continue to ensure an appropriate balance in representation on the Educational Policy Committee (§ 4-6). The University Registrar is made an ex officio, non-voting member of the committee.

7. Page 13, line 28; page 15, line 11; page 15, line 19. The term of members of the Faculty Athletics Committee (§ 4-7), the Faculty Hearings Committee (§ 4-9), and the Financial Exigency Committee (§ 4-10) is changed from five years to three years to bring those committees in line with other standing committees. This change would operate prospectively; all current members of the affected committees would serve out their full terms. The number of elected committee members of the Faculty Athletics Committee is changed to nine (now, ten) and the Faculty Hearings Committee to six (now, five) to allow the same number of members to be elected each year. (The membership on the Financial Exigency Committee remains at twelve in order to comply with section 6.a. (4) of the Trustee Policies and Regulations Governing Academic Tenure.)

8. Page 16, line 27. The charge of the Honorary Degrees and Special Awards Committee is expanded to allow the chancellor or chair of the faculty to refer to the committee special awards other than the four currently listed in § 4-11 (§ 4-11).

9. Page 16, line 23. Membership of the Faculty Assembly Delegation is amended to allow the chair of the faculty to designate someone else to serve in his or her place. The charge of the Delegation is set forth (§ 4-12).

10. Page 17, line 25. The appointing officer for the Faculty Welfare Committee is changed from the
chancellor to the chair of the faculty in recognition of the committee’s exclusive focus on matters of concern to the faculty (§ 4-15).

11. Page 18, line 6. The appointing officer for the Committee on Community and Diversity is changed from the chancellor to the chair of the faculty to make it consistent with other appointive committees dealing with issues of equity. The charge of the committee is expanded to include attention to race and gender as well as other types of discrimination. This change allows the committee to assume some of the responsibilities of the current Committee on Black Faculty and Students, which is eliminated (§ 4-18).

12. Page 19, line 6. The Committee on Black Faculty and Students is eliminated because of its inactivity in recent years and the difficulty of finding faculty members willing to serve on it (§ 4-21). Its duties would in large part be transferred to the Committee on Community and Diversity.

13. Page 19, line 29. The appointing officer for the Advisory Committee on Undergraduate Admissions is changed from the provost to the chancellor to make it consistent with other appointed committees not appointed by the chair of the faculty (§ 4-24).

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