

THE UNIVERSITY OF NORTH CAROLINA AT ASHEVILLE
FACULTY SENATE

Senate Document Number 9213S

Date of Senate Approval 05/02/13

Statement of Faculty Senate Action

FWDC 8: **Elections and Eligibility in [Section 10 of the Handbook](#)**

Effective date: Fall 2013 if the Constitutional Amendment is passed.

Summary: This document updates certain aspects of voting eligibility and reflects the both the current practice and clarifies who is eligible to vote and stand for election. It clearly states that if a circumstance comes up that isn't covered in this document, the Executive Committee of the Faculty Senate will make the final judgment. In addition it allows faculty members who have served on Senate the ability to withdraw from consideration an additional second and third year with notification to FWDC within 5 days of election

Rationale: This document would update the process by which we determine eligibility to both vote in elections and be elected to committees and the Faculty Senate. The current process is contained in the Constitution and does not, nor has for many years, reflected the actual process that we have practiced. Should the constitutional amendment pass this document will be submitted for second reading at the April Senate meeting. If the amendment fails, it would be withdrawn.

10.2 Elections by the Faculty

As directed by The Code, UNCA Tenure Policies and Regulations, various policy statements, and terms of specific gifts to UNC Asheville the faculty annually elects members to the Faculty Senate and the committees described in this section.

10.2.1 Eligibility and Election Procedures

In order to determine faculty eligibility to vote and stand for election, the Provost and VCAA shall inform FWDC of

- Faculty retirements, phased retirements, resignations, end of contracts, leaves, exchanges, or off-campus scholarly assignments formally accepted or approved as of February 1 of the year elections are to be held.
- All faculty members returning from temporary non-teaching assignments, leave, exchanges, or off-campus scholarly assignments for the beginning of the next academic year.
- All faculty members on one-year lecturer or visiting contracts

10.2.1.1 Eligibility to Vote

Faculty members serving on the Chancellor's staff or the staff of the Provost and Vice Chancellor for Academic Affairs will not be eligible to vote or stand for election on Faculty Senate or faculty elected committees regardless of rank or teaching load. All other full-time ranked members who are teaching at least one-half time in the current academic year (excluding summer), all ranked librarians, and all members in phased retirement will be eligible to vote. For election purposes, one-half time is defined as 12 contact hours in the academic year of the election. The following exceptions will be applied:

- Faculty who fall below 12 contact hours due to an approved Family and Medical leave (section 4.2.1.2) shall be eligible to vote.
- Faculty who fall below 12 contact hours in the current academic year, but who are returning from temporary non-teaching assignments, leave, exchanges, or off-campus scholarly assignments for the beginning of the next academic year shall be eligible to vote.
- Visiting Faculty shall not be eligible to vote.

10.2.1.2 Eligibility to Stand for Election

Eligibility to stand for election for Faculty Senate and faculty elected committees is governed by both general requirements and requirements specific to the particular elected body. Requirements related to all faculty elections are listed below. Specific requirements for the Faculty Senate are found in Section 10.2.2; the Committee of the Tenured Faculty in Section 10.2.3, the Faculty Committee on Hearings in Section 10.2.4; the Faculty Grievance Committee in Section 10.2.5; the Post-Tenure Review Committee in Section 10.2.6; the Academic Appeals Board in Section 10.2.7; UNC Faculty Assembly in Section 10.2.8. Any questions of eligibility shall be resolved by the Executive Committee of the Senate.

General requirements to be eligible to stand for election in any faculty election:

- Must be eligible to vote in faculty elections
- Must not be absent for any part of the next academic year due to end of contract, full retirement, phased retirement, resignation, leave, exchange, or other off-campus scholarly assignment.
- Must not be on a one-year lecture contract

10.2.1.3 Election Procedures

In order to prepare ballots, all eligible faculty members must be assigned to one of the three program areas – Humanities, Social Sciences, or Natural Sciences. Eligible faculty members that are considered part of University Programs and all ranked librarians shall be assigned to one of the three program areas by the Faculty Senate Executive Committee. The Executive Committee shall consult with the faculty members involved and assign them to an appropriate program area based on the most natural affinity of their discipline to the particular program area.

The names of faculty who have accepted the nomination by another faculty member for Faculty Senate or an elected faculty committee or who have self-nominated will have their interests noted on the ballot. Nominations and self-nominations must be submitted to a designated FWDC member no less than 5 days prior to the election date. ([SD6305S](#))

If a vacancy should occur on any elected committee, the vacancy shall be filled by the faculty member who was runner-up in the appropriate category in the last faculty election. Vacancies to Faculty Senate are governed by procedures defined in Section 3 of the Constitution of the Faculty Senate.

Addition from [SD0889F](#)

- a. Members of standing committees elected by the Senate shall be elected at the organization meeting of the new Faculty Senate at the end of the academic year. Committees included in this policy are the University Research Council, University Teaching Council, and other standing committees for which Senate elects members. To facilitate this policy, a committee preference form should be completed by each faculty member in the spring to assist in determining faculty preferences for election or appointment to standing committees.

Additions from [SD2682](#)

- b. If an error is discovered on a circulated ballot, such error must be called to the attention of the Executive Committee prior to the official announcement of the election results. The Executive Committee shall judge whether or not the error is of sufficient magnitude to require the distribution of a new ballot. Once announced, the result of the election is final.
- c. The members of the FWDC shall serve as Tellers in all elections. At least two members shall be present to count and sign the tally sheet.
- d. The signed tally sheets shall be a permanent part of the Senate's records.
- e. Tally sheets may be inspected upon request by any member of the Faculty.
- f. Write-in candidates are not allowed.
- g. A ballot marked for fewer than the maximum number of allowable votes shall be valid.

Added by SD2682, Revised by [SD1000F](#)

- h. In order to conform to the Tenure Policies and Practices of the University, the Committee of the Tenured Faculty, the Post-Tenure Review Committee, the Faculty Committee on Hearings, and the Faculty Grievance Committee shall be elected in said order. These elections shall be completed not later than April 15 of each year.

Additions from [SD1401S](#)

- i. The ballot for each election will be a web page accessible to faculty for a one week voting time period. Access to this web page will require authentication.
- j. No records will be kept linking individuals to their specific vote.
- k. Access to the computer files used to tally and administrate the elections will be restricted to members of FWDC and Administrative Computing. These files will not be viewed during the voting period unless there are extenuating circumstances. In such a case, the Senate Executive Committee will be notified.
- l. Election software and web pages will be maintained by Administrative Computing in cooperation with the FWDC.
- m. FWDC will announce the elections using the official UNC Asheville faculty email address, once prior to the voting period and twice during each voting period.
- n. After the closing of the voting period, a copy of the tally file will be printed, signed by two FWDC members, and kept by the Secretary of the Faculty Senate.

- o. After the closing of the voting period, a record will be kept containing information on anyone who has viewed the tally file during the voting period. All entries on this file will be investigated by FWDC and reported to the Senate Executive Committee.
- p. A member of FWDC will be designated to trouble shoot problems during each election period. This FWDC member's name, phone number, and email address will be listed on the election web page.

10.2.2 Faculty Senate (SD0204F)

The Senate consists of eighteen faculty members, each serving a three year term, with six new members elected each year to replace those whose terms are expiring. The Provost and VCAA shall serve as an ex officio, non-voting member of the Senate. The Senators shall hold three year terms of office from May 5 through May 5 of each succeeding year. At its organization meeting in the late spring of each year, the Senate shall elect from its members, a Senate Chair and a Chair for each of its standing committees. Remaining Senate members will be appointed to these standing committees by the Senate Executive Committee. See [Section 14.1](#) for the Faculty Senate Constitution. See also current [Standing Rules and Rules of Order](#).

In addition to the general eligibility requirements for all ballots, eligibility for the Faculty Senate ballot shall be governed by the following:

- After serving a complete three year term on the Senate, a faculty member is ineligible for reelection for one year. At the end of that period, and no later than 5 days prior to new elections, a faculty member may contact FWDC to request a leave of absence from Senate for an additional year to pursue valid academic concerns. Leaves of absence may be renewed by the same procedure for a third year, after which time the faculty member shall again become eligible to stand for election.
- No later than 5 days prior to the start of elections, an untenured faculty member or faculty member on phased retirement may request FWDC to omit their name from the ballot.

10.2.2.1 Executive Committee (EC)

The Executive Committee shall be composed of the officers of the Senate and shall be chaired by the Chair of the Senate. The Executive Committee shall be concerned with the Senate agenda, the assignment of tasks to the appropriate standing committees, and the yearly review of Senate Standing Rules and Rules of Order.

As the elected leadership of the Senate, the Executive Committee will consult as appropriate with members of the faculty, with Senate boards and committees, with ad hoc committees appointed by the Chancellor, or the office of Provost, and with officers and officials of the University, including the Chancellor, Provost and the various Vice Chancellors. The Executive Committee, the Chancellor and the Provost and VCAA will consult with one another in the appointment of members of ad hoc committees and task forces. In addition, the the Chancellor consults with the EC on the selection of honorary degree recipients ([SD0600F](#)).

10.2.2.2 Academic Policies Committee (APC)

The Academic Policies Committee shall be composed of six voting members: the First Vice Chair of the Senate, who shall chair the Committee, and five members appointed by the Executive Committee. The Provost and VCAA or designee and the Registrar or designee are included as non-voting ex officio members. The Committee shall have the responsibility for developing institutional policy and procedure in academic matters as specified in Article II, Section 1.2, and shall be available for discussion and consultation with appropriate student groups, as well as with members of the faculty, about academic policy and curricular changes.

10.2.2.3 Institutional Development Committee (IDC)

The Institutional Development Committee shall be composed of six members: the Second Vice Chair of the Senate, who shall chair the committee, and five Senate members appointed by the Executive Committee. The committee shall have concern for all policy, planning, resource use and allocation and initiatives in the area of institutional development as specified in Article II, Section 1.2. This committee shall advise and consult with the Chancellor, the Provost and the various Vice-Chancellors on university planning and use of university resources. The committee shall be responsible for reporting planning activities to the Faculty Senate, with the Senate responding through Senate action where appropriate.

10.2.2.4 Faculty Welfare and Development Committee (FWDC)

The Faculty Welfare and Development Committee shall be composed of five members: the Third Vice Chair of the Senate, who shall chair the committee, and four Senate members appointed by the Executive Committee. The Committee shall study, on an on-going basis, the campus policies affecting faculty welfare as specified in Article II, Section 1.2. It shall initiate changes and/or entertain suggestions and concerns regarding these matters from individuals and groups of faculty members. It shall also draft policy changes and resolutions on issues of faculty welfare for Senate consideration.

10.2.3 Committee of the Tenured Faculty (CTF) (revised by [SD4191S](#))

Purpose

The CTF's mission is to consult with the Provost and VCAA, on call, in cases requiring decision on reappointment, promotion, and the conferral of permanent tenure.

Membership

CTF elects its own Chair. CTF shall be composed of two tenured full or associate professors from each of the areas of Humanities, Natural Sciences, and Social Sciences; no more than one member may come from any subject-matter department. Members of the Faculty Committee on Hearings, Faculty Grievance Committee, and Post-Tenure Review Committee may not stand for election to the CTF. Election to the committee shall be for a term of two years. Members who have served a full term may not succeed themselves. New members formally replace outgoing members on the date of the first faculty meeting of the school year.

Election to this committee is specified by Section VII-A of [UNCA Tenure Policies and Regulations](#) (see [Section 14.2](#)).

Recommendations to: the Provost and VCAA

10.2.4 Faculty Committee on Hearings (FCH) (revised by [SD4191S](#))

Purpose

The committee's mission is to conduct hearings as specified in Chapter Six of The Code. (see [Section 13.1.1](#))

Membership

Two tenured faculty members from each of the areas of Humanities, Sciences, and Social Sciences; only one member may come from any subject-matter department. Members of the Committee of the Tenured Faculty, Faculty Grievance Committee, and Post-Tenure Review Committee may not stand for election to this committee. Election to the committee shall be for a term of two years. Members who have served a full term may not succeed themselves. New members formally replace outgoing members as of the date of the first faculty meeting of the school year.

This committee is to be elected as specified by Section VII-B of [UNCA Tenure Policies and Regulations](#) (see [Section 14.2](#)).

10.2.5 Faculty Grievance Committee (FGC)

Purpose

FGC's mission, as specified in Section 607 of [The Code](#), is to hear, mediate, and advise with respect to the adjustment of grievances of members of the faculty. "Grievances" within the province of the committee's power shall include matters directly related to a faculty member's employment status and institutional relationships within this institution. However, no grievance that grows out of or involves matters related to a formal proceeding for the suspension, discharge, termination of a faculty member, or that is within the jurisdiction of another standing faculty committee, may be considered by this committee. The committee may hear a grievance relative to appropriate procedures in reappointment and tenure decisions. See [Section 3.6](#) for Grievance Committee Procedure.

The committee's power shall be solely to hear representations by the persons directly involved in a grievance, to mediate voluntary adjustment by the parties, and to advise adjustment by the administration when appropriate. Advice for adjustment in favor of an aggrieved faculty member may be sent to the Chancellor only after the department Chair or other administrative official most directly empowered to adjust the matter has been given similar advice and has not acted upon it within a reasonable time.

If any faculty member feels that he or she has a grievance, he or she may petition the Faculty Grievance Committee for redress. The petition shall be written and shall set forth in detail the nature of the grievance and against whom the grievance is directed. The petition shall contain any information that the petitioner considers pertinent to his or her case. The committee shall decide whether the facts merit a detailed investigation so that submission of a petition shall not result automatically in an investigation or detailed consideration of the petition.

Procedure

See [Section 3.6](#)

Membership

Two faculty members at the professor rank, two members at the associate professor rank, and two members at the assistant professor rank at the time of election to the committee. Only one member may come from any subject-matter department. No officer of administration shall serve on the committee. For purposes of this section, officers of administration shall be deemed to include department chairs and program directors. Members of the Committee of the Tenured Faculty, Faculty Committee on Hearings, and Post-Tenure Review Committee may not stand for election to this committee. Members who have served a full term may not succeed themselves.

This committee is to be elected as specified by Section VII-C of [UNCA Tenure Policies and Regulations](#) (see [Section 14.2](#)).

10.2.6 Post-Tenure Review Committee (revised by [SD1000F](#))

Purpose

The Post-Tenure Review Committee (PTRC) is an elected faculty committee charged with the responsibility of carrying out the intent and purpose of Post-Tenure Review as articulated in [Section 3.7](#). The functions of the PTRC are to ensure continuing quality of performance and professional growth of senior faculty (defined as tenured faculty at any rank who teach at least one-half time); to provide constructive feedback to senior faculty regarding professional growth; to serve in an advisory capacity to the Provost and VCAA in matters pertaining to actions taken as specified in the policy on Post Tenure Review.

Membership

The PTRC will consist of four eligible faculty members (see next section for eligibility criteria), one selected from each of the university's three program areas, and a fourth member who holds the highest number of votes after the first three members are selected. Members will serve two-year terms. Members who have served a full term may not succeed themselves. No more than one member may come from any one academic department. New members formally replace outgoing members on the date of the first faculty meeting of the academic year.

Each year the Faculty Senate will conduct an election by which the voting faculty shall elect two new members to replace outgoing committee members. Members will first be elected from any program area lacking a representative. If an opening remains after all program areas are represented, the remaining highest vote-getter will be elected.

The Post-Tenure Review Committee elects its own Chair. The Chair is responsible for maintaining committee records and passing those records to the next duly elected Chair of the PTRC. The permanent file for PTRC records is maintained in the Office of Academic Affairs.

A member of his or her own department may not review a person coming up for Post Tenure Review. A member of the PTRC who is from the same department as a person under review will be excused from discussions and will not participate in the review of a departmental colleague.

Eligibility

In addition to the general eligibility requirements for all ballots, eligibility for the PTRC ballot shall be governed by the following:

- be a current, tenured full-time member of the UNC Asheville faculty,
- have served as a full-time member of the UNC Asheville faculty for at least five years
- not be a member of either the Committee of the Tenured Faculty, the Faculty Committee on Hearings, or the Faculty Grievance Committee.
- Not be scheduled for Post-Tenure review within the next two years. ([SD1098F](#))

Challenge

If a person scheduled for Post Tenure review feels there is a conflict of interest between themselves and a member of the PTRC, he or she may submit a written petition to the Provost and VCAA for a ruling on the challenge. The Provost and VCAA is to respond to the petition within three weeks from the date of receipt of the petition. The Provost and VCAA's decision is binding.

Recommendations to: the Provost and VCAA

10.2.7 Academic Appeals Board (AAB) (amended by [SD1990S](#))

Purpose

The Academic Appeals Board hears unresolved grievances filed by students who feel he/she has been treated unfairly or improperly in an academic matter by a faculty member of this University.

Procedure

The Faculty Conciliator is the person a student must contact in order to file a grievance (see [Section 10.3.3](#)). A quorum of AAB shall consist of five members, including no fewer than two students and three faculty members. AAB members are necessarily excluded from deliberations in which:

1. the Board member is related to one of the two principals,
2. the Board member is a departmental colleague of one of the principals,
3. the Board member is currently enrolled in a course taught by one of the principals,
4. the Board member is one of the two principals involved.

All questions of scheduling and satisfying deadlines shall be adjudicated by the Chair of the AAB. All records of the AAB's deliberations shall be kept in a file maintained and preserved by the Chair of the AAB.

Membership

- Four faculty members, elected at large by the faculty from a list of no fewer than seven nominees provided by the Faculty Senate,
- Three students plus one alternate elected by the Student Government Association (SGA)
- Faculty Conciliator.

The four faculty elected to AAB by the faculty shall serve a two year staggered term; they may be elected to serve a second term; they may not be elected to a third term until they have been off the Board for at least two years. An effort should be made to provide for representation from the three program areas. Alternates shall serve a one year term and a new alternate elected each year. Student members of the AAB and the Faculty Conciliator shall each serve a term of one year. The Faculty Conciliator may not serve more than three consecutive terms.

A Chair and a secretary of the AAB shall be elected from and by the faculty members on AAB. The AAB shall be chosen in the spring and will serve from the beginning of the fall semester through the following summer.

10.2.8 UNC Faculty Assembly ([SD3991S](#))

Purpose

The Assembly holds four regular meetings each academic year plus special meetings which may be called by the Chair or the President of the University. The Assembly advises the President on matters such as Academic Programs, Planning, Budgets, Faculty Welfare and Development and other matters which may come before the Assembly from the various campuses or the President and his or her staff.

Membership and Terms

- UNC Asheville faculty elect two representatives and alternates to the UNC Faculty Assembly; each serve terms of three years. The two alternates serve terms concurrent with the elected representatives.

A faculty assembly representative may be recalled by a simple majority vote of the Faculty Senate if he or she fails to attend more than two meetings in one academic year or if he or she fails to suitably attempt to arrange for a replacement for more than one meeting that he or she cannot attend during the term of service.

If a Representative fails to complete a term, the replacement is that representative's designated alternate; the designated alternate shall finish the representative's term. The new designated alternate will be the person who received the third most votes in the original election. If there was a tie for the third most votes, then the new alternate shall be determined by a coin flip at the next Faculty Senate meeting.