

All changes that were forwarded to a vote of the General Faculty by Faculty Senate concern the bylaws.

**Proposal 1 (approved May 1):**

*Remove the 'nomination of candidates' petitions process, and replace it with a 'declaration of candidacy'.*

Affects: Bylaws, Article IV Sections 1 and 2, pages B-3 and B-4. Also affects the index, page B-1:

The new Article IV ('Committee on Elections') Section 1 would read:

1. Declaration of candidacy: Candidates for elective office shall declare their candidacy to the Committee as directed on the Faculty Governance website.
  - a. Declarations shall identify the office being sought, and shall provide a means for candidates to affirm their eligibility for and willingness to hold the office. Electronic or hard-copy signatures shall be acceptable.
  - b. The Committee on Elections shall verify the eligibility of each nominee.

Section 2 would also be altered to remove reference to nomination petitions.

Rationale: Current rules require candidates for elective office to circulate hard-copy petitions for candidacy, and gather a number (which varies depending on the office sought) of signatures from eligible voters in order to appear on the ballot. This process was intended to address two needs: first to ensure that candidates were eligible for the office they are seeking, and second to ensure that candidates would seek support from eligible colleagues before running for office.

In the current environment, however, we find cases in which the petitions-gathering step has become a barrier to participation of eligible and interested candidates. The goal of the current proposal is to remove that barrier, in the hopes of increasing faculty participation in the elections process. Verification of eligibility can be done without going through the petitions process. This proposal would eliminate the petition-gathering step, and allow the Committee on Elections to verify eligibility of candidates to run.

We believe that doing this may remove a barrier to participation in the process for potential nominees, while still ensuring that nominees are eligible for the office they are seeking (Article IV, Sections 1 and 2).

**Proposal 2: (approved August 28)**

*Adopt a mechanism for recognizing 'non-College' entities as colleges for purposes of Faculty Senate representation, change terminology from 'non-College' to 'common college'.*

Affects: Affects Bylaws Article VIII, Section 2B, page B-24 - B-25.

The new Article VIII Section 2b, subsection ii would read:

"A minimum of one member shall be elected prior to June 1 of the even-numbered years by each College Faculty. The Colleges shall include each academic college as well as any unit whose General Faculty membership exceeds the number of General Faculty in the smallest academic college. Those General Faculty members who are not part of any academic college and whose numbers in their individual units do not meet the above criteria shall conduct an election as if they constitute a common college. Elected members of the Faculty Senate in addition to the twenty elected by the General Faculty and the ones elected by each College Faculty, including the common college, shall be apportioned among the several colleges, essentially in proportion to the number in each College Faculty. Such apportionment is to be established in accord with the published census of the General Faculty by the Committee on Faculty Membership."

Rationale: The number of faculty who are included in the 'non-College' category (those who are housed in units other than the traditional academic colleges) has increased dramatically with the inclusion of long-term career-track faculty in the General Faculty. There is no rationale currently in our Constitution or Bylaws documents that governs when a unit whose faculty have historically been included in the 'non-College' category should be recognized as a college for purposes of Faculty Senate Representation.

Currently, the 'non-College' category includes 124 members of the General Faculty, or 4.4% of the total. If 'non-College' were a traditional academic college, it would be the 9th largest of the 17 colleges at the UA. Some units currently included in the 'non-College' category are themselves larger than the smallest academic college (which includes 22 members of the General Faculty). Because of this, smaller non-college units are at a severe disadvantage in electing their representatives to Senate.

Populations of different units also change over time, so it would be ill-advised to construct policy based only on current numbers. Units currently included in the 'non-College' category vary in their administrative structures, with some (i.e. UA South, the Libraries) organized under a Dean, and others not. Administrative structures also change over time, so constructing policy based on current structures would also be unwise.

Finally, the naming of 'non-College' as a category is infelicitous because it defines the category based on what it is not; we propose a term that would better identify the category based on what it is. The term 'common college' already existed in the Bylaws, we propose using that term consistently.

**Proposal 3 (approved August 28):**

*Add a new voting member to the Faculty Senate representing Classified Staff Council.*

Affects Bylaws Article VIII, Section 2 (adding 2e), page B-25.

The new subsection would read:

"One Representative of the Classified Staff: one member of the Classified Staff Council (CSC) of the University of Arizona shall be appointed annually by the Chair of CSC. The member will hold voting membership and be afforded the full privileges thereof."

Rationale:

The Faculty Senate has a unique status in the structure and function of shared governance at the University of Arizona, in that it not only takes on the traditional role of recommending academic curricula and academic personnel policies, but also contributes to decision-making in the strategic and financial planning process, and in developing policies and procedures relative to the general operations of the University.

The Faculty Senate therefore takes an active role in shared governance activities that affect all segments of the University of Arizona community. A number of non-Faculty constituencies are currently represented by voting members on the Faculty Senate - these include the Appointed Professionals Advisory Council (APAC, with one voting seat), as well seven voting seats for students (four representing ASUA and three representing GPSC).

The Classified Staff Council has requested a single voting seat on Faculty Senate. This seat would represent a constituency of more than 4800 Classified Staff employees. This constituency is affected by and affects many of the proposals brought to Faculty Senate for consideration. Classified Staff play a crucial role in the integrity and mission of the University, and they serve the everyday needs of students, faculty and the University community as a whole.

The CSC has recently been included in the President's Cabinet, a decision reflecting a commitment from senior leadership to practice shared governance in a way that is increasingly inclusive. The inclusion of a voting seat for CSC at Faculty Senate would be consistent with this inclusive view of shared governance.

**CONSTITUTION OF THE GENERAL FACULTY OF THE UNIVERSITY OF ARIZONA**

**Approved June 25, 2010, revised April 10, 2015,**

**Approved by President Ann Weaver Hart July 7, 2015**

**Approved by President Ann Weaver Hart February 2, 2017**

**Approved by Faculty Senate May 1, 2017**

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**PREAMBLE**

This Constitution sets forth the basic organization and processes through and by which the General Faculty of the University of Arizona shall function, within the scope of its authority and responsibility, under state law and the policies and regulations of the Board of Regents authorized by that law.

**ARTICLE I**  
**Responsibilities**

The General Faculty has fundamental responsibilities in the areas of academic personnel policy; instruction and curriculum policy; research policy; student affairs policy; ethics and commitment; advice on budget and University support; and acts on such other matters affecting the welfare of the University as are brought for consideration in accordance with University policy and Shared Governance Guidelines and Agreements as may be entered into from time to time.

The General Faculty shall exercise its authority through its elected representatives in the Faculty Senate, although the General Faculty shall retain appellate power over all official actions of the Faculty Senate as provided in Article VII, Section 1.

Nothing in this Constitution and Bylaws is intended to imply assumption of authority not vested in the General Faculty by state law or Board of Regents policy.

**ARTICLE II**  
**Members**

Section 1. For purposes of University government, the General Faculty of The University of Arizona is composed of:

- a. Individuals who hold at least half-time tenured or tenure-eligible faculty appointments,
- b. Academic professionals who hold at least half-time continuing or continuing-eligible appointments,
- c. Individuals who hold at least half-time multi-year career-track appointments,
- d. Individuals who have held at least half-time year-to-year career-track faculty appointments for three (3) of the past four (4) years and who currently hold lecturer or ranked professorial titles that do not include an adjunct or visiting modifier, and
- e. Individuals who hold Emeritus status.

- Section 2. No candidate for a degree at the University of Arizona shall be a member of the General Faculty.
- Section 3. This membership provision shall become effective upon approval by the President.
- Section 4. Members of the General Faculty are eligible to vote in matters of faculty governance, to hold offices, and to serve on committees established in accordance with this Constitution. Faculty with administrative appointments vote in their home college. Should any faculty member's home college change (i.e. due to the transfer of an individual to another unit, or due to a unit reorganization or merger), voting privileges move to the new college.
- Section 5. Faculty Shared Governance. In matters of faculty governance, the elected and at-large representatives to Faculty Senate represent not only members of the General Faculty, but also those career-track, visiting, and adjunct faculty who do not meet the criteria for membership in the General Faculty. These include:
- a. Individuals with career-track lecturer or ranked professorial titles who have not held at least half-time or more year-to-year appointments for three (3) of the last four (4) years, and
  - b. Individuals in adjunct or visiting positions, or who have instructor ~~and adjunct, visiting,~~ or other career-track appointments who do not otherwise qualify for membership in the General Faculty.

### **ARTICLE III Officers**

- Section 1. The officers of the General Faculty shall consist of the Chair, Vice Chair, and Secretary.
- Section 2. Chair of the Faculty.
- a. The Chair shall serve as:
    - i. The chief executive officer of the General Faculty, including serving as Director of the Faculty Center and as a member of the Strategic Planning and Budget Advisory Committee and the Shared Governance Review Committee.
    - ii. The chief representative of the faculty before public and University bodies including the University administration, alumni, Arizona Board of Regents, and Arizona Legislature.
  - b. The Chair shall be elected by the General Faculty in even-numbered years for a term of two years beginning June 1, and shall be eligible for re-election.
- Section 3. Vice Chair of the Faculty.
- a. The Vice Chair shall:
    - i. Preside over Faculty Senate meetings.

- ii. Serve as chair of the Faculty Senate Executive Committee, the Naming Advisory Committee and the Shared Governance Review Committee.
  - iii. Perform any other duties as delegated by the Chair.
- b. The Vice Chair shall be elected by the General Faculty in even-numbered years for a term of two years beginning June 1, and shall be eligible for re-election.

Section 4. Secretary of the Faculty.

- a. The Secretary shall:
- i. Review the minutes of Faculty Senate meetings prior to distribution.
  - ii. Serve as chair of the Committee on Faculty Membership, the Constitution and Bylaws Committee and the Committee on Honorary Degrees.
  - iii. Perform any other duties as delegated by the Chair.
- b. The Secretary shall be elected by the General Faculty in even-numbered years for a term of two years beginning June 1, and shall be eligible for re-election.

Section 5. Resignation, absence, or incapacity of faculty officers.

- a. In the event of the temporary absence or incapacity of the Chair of the Faculty, his or her duties shall be exercised by the Vice Chair of the Faculty, or in the absence of both, by the Secretary of the Faculty.
- b. In the event of the resignation or permanent absence or incapacity of the Chair, the Vice Chair shall become the Chair if the remaining term of the Chair is six months or less. If the remaining term exceeds six months, a special election conducted by the Committee on Elections shall be held to fill the remaining term of the Chair.
- c. In the event of the resignation or permanent absence or incapacity of the Vice Chair or Secretary, the Chair shall appoint, subject to approval of the Faculty Senate at a regularly scheduled meeting, a replacement for the unexpired term of the Vice Chair or Secretary.

**ARTICLE IV**  
**Meetings of the General Faculty**

Section 1. Meetings of the General Faculty, limited to the purpose(s) stated in the call, shall be held:

- a. On the call of the Chair of the Faculty.
- b. On the call of the Faculty Senate.
- c. On written petition from members of the General Faculty, as specified in the Bylaws Article III, Section 1.

Section 2. Five percent (5%) of the General Faculty shall constitute a quorum for the purposes of voting.

## **ARTICLE V General Faculty Standing Committees**

Section 1. The Committee on Elections, the Committee of Eleven, the Committee on Faculty Membership, the Nominating Committee, the Committee on Ethics and Commitment, the Grievance Clearinghouse Committee, the Committee on Conciliation, and the Committee on Academic Freedom and Tenure, and such other committees as may, from time to time, hereafter be established shall be standing committees of the General Faculty.

Section 2. The Committee on Elections shall conduct elections for offices and committee memberships of the General Faculty, and elections for Faculty Senators representing the several College Faculties in accord with procedures specified in the Bylaws.

Section 3. The Committee of Eleven shall:

- a. Initiate, promote, and stimulate study and action dealing with and looking toward solution of situations and problems of interest and concern to the faculty and the University.
- b. Make reports to the General Faculty or the Faculty Senate.
- c. Speak for the General Faculty as and when authorized by the General Faculty.

Section 4. The Committee on Faculty Membership shall interpret the provisions of Article II of this Constitution and Article I of its Bylaws, determine Senate apportionment and submit recommendations to the Faculty Senate for consideration and action. It shall be responsible for producing a roster of the General Faculty each year.

Section 5. The Nominating Committee shall recommend members of the General Faculty to the Chair of the Faculty for appointment or nomination to all committees of the General Faculty. Upon request of any administrative officer of the University, the committee shall also recommend persons for appointment to new or existing committees whose appointments lie within the discretion of such requesting officer.

Section 6. The University Committee on Ethics and Commitment shall deal with questions of misconduct in research, scholarship, or creative endeavor; conflict of commitment; and facilities misuse; and receive reports from the Research Integrity Officer. In its deliberations, it will use the current versions of the University policies on research integrity, professional commitment and proper facilities use.

Section 7. The Constitution and Bylaws Committee shall be responsible for proposing changes to the Constitution and Bylaws of the General Faculty necessitated by revisions to applicable law or policy and for proposing changes recommended by the General Faculty or its committees. The amendment process is specified in Article X of the Constitution. This committee also reviews and, if appropriate, recommends changes to the University Handbook for Appointed Personnel (UHAP).



Section 8. The Grievance Clearinghouse Committee shall be the faculty committee that accepts faculty members' written requests for grievance hearings and which determines which committee, (Conciliation, Committee on Academic Freedom and Tenure, University Committee on Ethics and Commitment), or process, (Office of Institutional Equity), should consider a grievance.

Section 9. The Committee on Conciliation and the Committee on Academic Freedom and Tenure (CAFT) shall be the faculty committees that conduct all investigations and/or hearings regarding recommendations against, or complaints and grievances by or against members of the General Faculty as hereinafter prescribed and not otherwise. The Committee on Academic Freedom and Tenure shall have jurisdiction to make inquiry and to conduct hearings in two general areas contained in ABOR 6-201, 6-301 and 6-302: 1) matters involving contractual agreements between members of the General Faculty and the University/ Board of Regents; and 2) internal matters relating to grievances against or by any member of the General Faculty. Protection of academic freedom and tenure is the principle obligation of CAFT. (Certain preliminary steps for dismissal situations are described in Chapters 3 and 4 of the *University Handbook for Appointed Personnel* and Sections 6-201, 6-301 and 6-302 of the *Arizona Board of Regents Policy Manual*.) Principles of law and policy require that members of the General Faculty have a forum in which grievances can be aired and examined and a known and effective procedure by which this can be done. That procedure, involving the examination of a grievance by the professional associates of the member affected, must reflect both the requirements of the law and the usages and traditions of the academic profession. Such investigations and hearings as are undertaken require the judicious consideration of facts, but they are not and must not be limited by the considerations of judicial hearings. Rather, they are investigations and hearings conducted by professional peers, the purpose of which is to safeguard and protect not only the individual rights of the members affected but also the collective rights of members of the University community. Committees constituted for these purposes perform an indispensable function in providing the due process of law to which every member of the faculty is entitled.

- a. The Committee on Conciliation shall have jurisdiction to make inquiry and to meet and discuss any problem involving any member of the General Faculty in his or her relationship with the University. This committee may consult and advise but shall not conduct hearings. It shall be the duty of the committee, after careful investigation, to offer advice to the person or persons involved. Following the completion of the conciliation process, the President of the University shall be informed of the results. In addition, if conciliation has been unsuccessful, both parties shall be notified accordingly in writing with the member being advised that the grievance at issue may be presented to the Grievance Clearinghouse Committee for assignment.
- b. The Committee on Academic Freedom and Tenure shall have jurisdiction to make inquiry and to conduct hearings in two general areas contained in ABOR 6-201, 6-301 and 6-302 namely: in regard to those matters contained in the Conditions of Service dealing with the contractual employment relationship between the General Faculty member and the University/Board of Regents; and in regard to any internal matters relating to grievances against or by any member of the General Faculty. The committee shall consider the protection of academic freedom and tenure as a principal obligation. (Certain preliminary steps for dismissal situations are described in Chapters 3 and 4 of the *University Handbook for Appointed*

*Personnel and Sections 6-201, 6-301 and 6-302 of the Arizona Board of Regents Policy Manual.)*

- Section 10. The University of Arizona bears a responsibility to exercise leadership in labor and human rights matters. To this end, the University Committee for Monitoring Labor and Human Rights Issues strives to ensure that fundamental labor and human rights, particularly those articulated in the April 30, 1999 Commitments Relating to Sweatshops, are implemented by University licensees.
- a. The committee makes recommendations to the President regarding fundamental labor and human rights issues including codes of conduct for licensees, monitoring of licensees, efforts to improve licensee compliance, and relations with non-compliant licensees.
  - b. The committee is also charged with educating the University community and the broader public about these issues.

## **ARTICLE VI**

### **University-wide Committees with Shared Governance Participation**

- Section 1. The Shared Governance Review Committee addresses issues regarding the implementation and functioning of the procedures contained in the Shared Governance Guidelines and Agreements as may be entered into from time to time. It will establish and maintain processes to (1) review compliance with the agreement, (2) examine ways in which apparent breaches of the agreement can be addressed, and (3) consider possible extensions of the agreement. It is the body to which members of the University community can bring particular shared governance concerns, and it will also examine whether the agreement has been violated or is in need of clarification or modification.
- Section 2. The University Committee on Corporate Relations makes recommendations to the President of the University (or his/her designee, upon request) about potential or changeable relationships between any part of the University of Arizona and one or more businesses or corporations. These recommendations will always consider how much any proposed new or altered relationship accords with -- or violates -- The University of Arizona Policy on Corporate Relations as approved by the President in a memo to the Chair of the Faculty dated January 29, 1999. This Policy mandates that the committee consider proposals in three areas:
- a. Use of the University's name or symbols by an external entity;
  - b. Implied University endorsement of a particular service, product, company, individual; or
  - c. Public display of advertisements or other corporate symbols.

The committee is also charged with recommending modifications to this Policy or proposing additional policies, so long as its policy-change proposals are approved by the Faculty Senate before they become recommendations to the President.

- Section 3. The Naming Advisory Committee: The President shall forward all proposals for honorary naming of any site on University property to the attention of the Naming Advisory Committee. After review and deliberation, the committee forwards a written recommendation on each proposal to the President for further action.
- Section 4. The Undergraduate Council reviews all undergraduate curricular action items forwarded from academic units, colleges, auxiliary units, the University-wide General Education Committee, any General Faculty Standing Committee or Senate Standing Committee or *ad hoc* committee. All action items approved by the Undergraduate Council are reviewed by the College Academic Administrators Council, Provost's Council, and the Senate Executive Committee before advancing to the Senate for approval.
- a. The Academic Programs Subcommittee deals with the creation, deletion, suspension or modification of undergraduate academic units, majors, options, minors, degrees, certificates, and programs of study. Curriculum and academic policies issues may also be reviewed by this subcommittee as needed or as time permits.
  - b. The Curriculum/Policies Subcommittee deals primarily with all aspects of undergraduate curriculum and academic policies recorded in the General Catalog, including creation, revision, and deletion of academic policies pertinent to instruction, majors, options, minors, degrees, transfer credits, general education, academic progress, and requirements for graduation. Academic program issues may also be reviewed by this subcommittee as needed or as time permits.
- Section 5. The University-wide General Education Committee (UWGEC) is charged with the review and approval of all curriculum changes in general education across the University, assessment of the program, and disseminating General Education information to the campus community and its partners. All instruction and curriculum action items approved by the UWGEC are forwarded to the Undergraduate Council for review and submission to the Faculty Senate for approval.
- Section 6. The Graduate Council provides a forum in which matters of concern to graduate education are discussed and the mission of the Graduate College fulfilled. The Council works with the Graduate College to review, establish, and update policies affecting graduate education. Among its roles, the Council is a part of the University process for creating or changing graduate degree programs in the planning and implementation stages. The Council recommends and reviews the policies and procedures of the Graduate College, including but not limited to admission requirements, degree certification, graduate teaching and research assistantships and recommends priorities for graduate education and supports efforts to achieve them. All instruction, curriculum, and policy action items approved by the Graduate Council are forwarded to the College Academic Administrators Council, Provost's Council and the Senate Executive Committee before advancing to the Faculty Senate for approval.
- Section 7. The Strategic Planning and Budget Advisory Committee (SPBAC) in consultation and dialogue with the President, the Provost, and the University community, supports and enhances the success of the University through thoughtful and informed advice relating to: strategic planning, assessment of institutional priorities, review of budgetary policies, and the evaluation of programs and services. The SPBAC chair(s) shall provide regular reports to the Faculty Senate.

In partnership with the University, SPBAC:

- a. Develops and disseminates the University's strategic plan.
- b. Identifies issues that facilitate or impede the pursuit of the University's mission.
- c. Provides advice on budget policies, significant budgetary actions, and institutional priorities consistent with the strategic plan of the University.
- d. Evaluates the effectiveness of plans, policies, and the assessments that affect the entire infrastructure of the University.
- e. Develops guidelines for setting planning and budgeting priorities.

## **ARTICLE VII Faculty Senate**

- Section 1. Functions. The Faculty Senate is the legislative body responsible to the General Faculty. Actions of the Faculty Senate may be appealed to the General Faculty by petition, under the provisions of the Bylaws Article III, 1, within eleven class days of the date under which Faculty Senate minutes reporting such actions were distributed to the General Faculty.
- Section 2. Membership. The Faculty Senate shall consist of elected and *ex officio* members as provided in the Bylaws. Senators' terms begin June 1<sup>st</sup>.
- Section 3. Officers. The Vice Chair of the Faculty shall preside over the Faculty Senate meetings and, in his or her absence, the Secretary of the Faculty shall do so.
- Section 4. Meetings. The Faculty Senate shall meet regularly the first working Monday in each month during the academic year. Changes to the calendar can be made, as voted upon and approved by the Faculty Senate. Its meetings shall be open to the public, except when the body decides to meet in executive session. Additional meetings may be called by the President of the University or the Chair of the Faculty. The agenda of each meeting shall be set by the Faculty Senate Executive Committee.
- Section 5. The Faculty Senate shall establish such standing committees and such *ad hoc* committees as may be required. The charge to the *ad hoc* committees shall include a proposed duration of the committee and a reporting date. Senate *ad hoc* committees that cease to meet or yield no findings will be disbanded within one calendar year of the initial charge, after review by the Senate Executive Committee in consultation with the *ad hoc* committee chair.

## **ARTICLE VIII The College Faculties**

The general charge of each College is entrusted to its College Faculty, subject to the Board of Regents and the authority vested by the Board in the President of the University. Voting rights and participation in shared governance in College matters shall generally be accorded to General Faculty members as defined in Article II above, and to such other individuals as the College Faculty may decide. General Faculty members should only be excluded from those shared governance activities that are not relevant to their contract status (e.g., voting on a Promotion and Tenure committee composition; emeritus faculty participation on an annual performance review committee, etc.) Any such exclusions should be detailed in College or unit Bylaws. Bylaws for each College should be established in accordance with the current Shared Governance Guidelines and Agreements and adopted by the appropriate College Faculty and made available to each member. A copy must be filed with the Office of the Provost and in the Faculty Center. In matters of faculty governance, members of the General Faculty not included in a College shall be regarded collectively as a College (Non-College).

### **ARTICLE IX Parliamentary Authority**

In all matters not provided for in the Bylaws of the General Faculty of the University of Arizona, the rules contained in the latest edition of *Robert's Rules of Order, Newly Revised*, shall govern.

### **ARTICLE X Amendments and Ratification**

- Section 1. Revisions to allow for minor corrections or administrative or clerical updates to the Constitution or Bylaws that do not materially change intent may be approved by the Faculty Senate, and not require a vote of the General Faculty, unless the Faculty Senate determines otherwise.
- Section 2. Constitution. Amendments to this Constitution may be proposed by the Faculty Senate or by petition to the Chair of the Faculty signed by five percent (5%) or one hundred (100) members of the General Faculty, whichever is smaller. The Chair of the Faculty shall send copies of such proposals to all members of the General Faculty and shall convene a special meeting of the General Faculty to consider them not fewer than ten (10) class days after distribution. The proposed amendment(s) shall then be submitted to an electronic ballot of the General Faculty. A three-fourths majority of the votes cast is necessary for adoption. Immediately upon adoption, the amendments shall be transmitted to the President of the University. Upon consideration and approval by the University President, the amendments shall become effective. The President's consideration shall be preceded by written analyses by University Counsel and by Board Counsel within 90 days following the General Faculty vote that the amendments are consistent with Arizona Board of Regents Policies.<sup>1</sup>
- Section 3. Bylaws. Amendments to the Bylaws may be proposed by the Faculty Senate or by petition to the Chair of the Faculty signed by five percent (5%) or one hundred (100) members of the General Faculty, whichever is smaller. The Chair of the Faculty shall send copies of such proposals to all members of the General Faculty. Not fewer than ten (10) class days nor more than fifteen (15) class days after distribution, an electronic ballot shall be distributed to all members of the General Faculty together with the arguments pro and con. A two-thirds majority of the votes cast is necessary for adoption. Immediately upon adoption, the amendments shall be transmitted to the President of the University. Upon consideration and approval by the University President, the amendments shall become effective. The President's consideration shall be preceded by written analyses by University

Counsel and by Board Counsel within 90 days following the General Faculty vote that the amendments are consistent with Arizona Board of Regents Policies.<sup>1</sup>

<sup>1</sup>To comply with Arizona Board of Regents Policy 1-113

**At the**  
**BYLAWS OF THE GENERAL FACULTY OF THE UNIVERSITY OF ARIZONA**  
**Approved June 25, 2010, revised April 10, 2015,**  
**Approved by President Ann Weaver Hart July 7, 2015**  
**Approved by President Ann Weaver Hart February 2, 2017**

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APPENDIX I: 2005 Shared Governance Memorandum of Understanding  
 “Guidelines for Shared Governance” updated signatures 9/15/2014

**ARTICLE I**  
**Membership**

- Section 1. Membership in the General Faculty is as defined in Article II, Section 1 of the Constitution.
- Section 2. Each year the Committee on Faculty Membership shall conduct and publish a roster of the General Faculty to maintain accurate voting rolls.

**ARTICLE II**  
**Officers**

- Section 1. The officers of the General Faculty shall consist of the Chair, Vice Chair, and Secretary as provided for under Article III of the Constitution of the General Faculty.
- Section 2. The Parliamentarian, who shall be appointed by and serve at the pleasure of the Chair of the Faculty, shall serve the needs of the General Faculty and the Faculty Senate.
- Section 3. The representatives to the Arizona Faculties Council shall be the Chair, Vice Chair, and Secretary.

**ARTICLE III**  
**Meetings**

- Section 1. Written petitions of five percent (5%) or one hundred (100) members of the General Faculty, whichever is smaller, shall be sufficient to call a Meeting of the General Faculty. Such petition, presented to the Chair of the Faculty, shall state the purpose(s) of the intended meeting.
- Section 2. Notice of Meetings. Notice shall be given at least one week in advance of any meeting, and shall contain a copy of any substantive proposal to be presented.
- Section 3. Meetings of the General Faculty shall be open to the public except when that body decides to meet in executive session.
- Section 4. Methods of Voting.



- a. At meetings of the General Faculty, voting shall be by *viva voce*, by a show of hands, by a rising vote, or by ballot, as decided by the presiding officer, provided, however, that it shall always be in order to move for a vote by ballot.
- b. By a majority vote at a meeting of the General Faculty the pending action may be subject to a mail or electronic ballot by the General Faculty.

**ARTICLE IV**  
**Committee on Elections and Election Procedures**

The General Faculty Standing Committee on Elections shall consist of three members of the General Faculty appointed by the Chair of the Faculty, after consultation with the Faculty Senate Executive Committee, from among candidates recommended by the Nominating Committee, or by other members of the General Faculty, for three-year staggered terms. The committee shall elect its chair from those of its members who have served at least one year on the committee, and shall follow these procedures: Candidates for any positions elected by the General Faculty or the Faculty Senate shall provide a candidate statement.

Section 1. ~~Nomination of candidates~~ Declaration of candidacy. Candidates for elective office shall ~~be nominated by petitions issued and accepted by~~ declare their candidacy to the committee as follows directed on the faculty governance website:

~~a. Candidates for Chair of the Faculty, Vice Chair of the Faculty, and Secretary of the Faculty shall have signatures of not fewer than forty members of the General Faculty on their petitions.~~

~~b. Candidates for the Committee of Eleven, Senator at Large, the Nominating Committee or the Senate Committee on Budget and Strategic Planning/Strategic Planning and Budget Advisory Committee shall have signatures of not fewer than twenty members of the General Faculty on their petitions.~~

~~c. Candidates for Senator representing a College Faculty shall have the signatures of not less than ten percent (10%) of the members of their College Faculty on their petitions, except that a minimum number shall be the signatures of three College Faculty members, and the maximum need be no more than twenty.~~

d. a. Declarations shall identify the elective office being sought, and shall provide a means for candidates to affirm their eligibility for and willingness to hold the office. Electronic or hard-copy signatures shall be acceptable.

d. Candidates shall affirm in writing their willingness to hold office by signing their petition

e b. The Committee on Elections shall verify the eligibility of each nominee.

Section 2. Conduct of elections:

a. The Committee on Elections shall notify the General Faculty, no later than

January 15 each year, of elective offices to be filled that year.

~~b. — The committee shall issue nominating petitions no later than January 15. The nominating petitions for appropriate offices will be available until ten (10) class days prior to the election.~~

e. b. The committee shall accept completed nominating petitions declarations of candidacy no later than the close of business ten (10) class days prior to the election.

~~e. c.~~ c. The committee shall conduct general elections for elective offices no later than March 1, allowing ten (10) class days from the opening of the online election to the close of the election.

e. d. The committee shall notify members of the General Faculty of the results of general elections no later than March 22.

f. e. The committee shall conduct run-off elections for faculty offices no later than April 1, allowing ten (10) class days from the opening of the online election to the close of the election.

g. f. The committee shall notify the General Faculty of the results of the run-off election no later than April 25. Results will include a list of any individuals elected and policies adopted, as well as an overall participation rate for the election. Requests for vote counts in individual races may be made to the Committee on Elections.

h. g. In the event of a tie vote, the decision shall be made by lot. Lots are cast by the Committee on Elections. The candidates or their designated witnesses are invited to observe the casting of lots.

Section 3. Election of candidates:

a. Chair of the Faculty, Vice Chair of the Faculty, or Secretary of the Faculty: A candidate who receives a majority of the votes cast in the general election shall be declared elected. When no one receives a majority of the votes in the general election, the two candidates receiving more votes than anyone else will be nominated for the runoff election ballot. That candidate receiving the majority of general election votes shall be declared elected.

b. Faculty Senate, at-Large: If forty or fewer, but more than twenty are nominated, the twenty nominees receiving the largest number of votes in the general election shall be declared elected. If more than forty are nominated, the forty receiving the largest number of votes in the general election shall be candidates on runoff election ballot provided only that anyone who receives a majority of votes in the general election shall be declared elected. The candidates receiving the largest number of votes in runoff election shall be declared elected to the positions to be filled.

c. Faculty Senate, College Representatives: If the number of nominees from a College is not more than twice the number to be elected, those candidates equal in number to the number of positions to be filled who receive the largest number of

votes in the general election shall be declared elected. If more than twice the number are nominated, those receiving the largest number of votes in the general election, totaling twice the number of positions to be filled, shall be candidates on runoff election ballot, provided only that any candidate who receives a majority of votes in the general election shall be declared elected. Nominees receiving the largest number of votes in the run-off election shall be declared elected to the positions to be filled.

- d. Committee of Eleven: If more than ten are nominated for the Committee of Eleven, the ten nominees receiving the largest number of votes in the general election shall be candidates on the run-off election ballot, provided only that any candidate who receives a majority of votes in the general election shall be declared elected. Nominees receiving the largest number of votes in the run-off election shall be declared elected to the positions to be filled.
- e. Strategic Planning and Budget Advisory Committee: If more than four are nominated for the Strategic Planning and Budget Advisory Committee, the four receiving the largest number of votes in the general election shall be candidates on run-off election ballot, provided only that any candidate who receives a majority of votes in the general election shall be declared elected. The nominees receiving the largest number of votes in run-off election shall be declared elected to the positions to be filled.
- f. Committee on Academic Freedom and Tenure: Names of members of the General Faculty who have been nominated in accord with the provisions set forth in Article V, Section 8, of these Bylaws for membership on the Committee on Academic Freedom and Tenure shall be included on the ballot for general election each year.

## **ARTICLE V**

### **General Faculty Standing Committees: Memberships and Terms**

- Section 1. The Committee of Eleven shall be composed as follows: ten members of the General Faculty, five of whom are elected by the General Faculty each year for a term of two years; the Chair of the Faculty shall be, *ex officio*, the eleventh voting member, and shall call the first meeting of the committee, at which meeting the committee shall elect its chair. To this number shall be added one voting student delegate selected annually by the Associated Students of the University of Arizona and one voting student delegate selected annually by the Graduate and Professional Student Council in whatever manner those bodies determine. The two student delegates shall be invited to attend all regular meetings of the committee.
- Section 2. The Committee on Faculty Membership shall be composed of the Secretary of the Faculty who shall serve as chair, and three members of the General Faculty appointed by the Chair of the Faculty after consultation with the Faculty Senate Executive Committee from among candidates nominated by the Nominating Committee or by other members of the General Faculty for two-year staggered terms.
- Section 3. The Nominating Committee shall be composed of six members who are tenured or continuing members of the General Faculty elected by the General Faculty for three-year staggered terms. No more than two members shall be elected from any one College faculty and no member shall serve consecutive terms. The committee shall elect its chair from those of its members who have served one year or more on the committee.

- Section 4. The University Committee on Ethics and Commitment shall be composed of six members who are tenured or continuing members of the General Faculty elected by the Faculty Senate to serve staggered three-year terms, from nominations by the Nominating Committee or by other members of the General Faculty. The Research Integrity Officer serves as an *ex officio* non-voting member. The committee may, in consideration of individual cases or issues, expand itself by no more than three additional General Faculty members having expertise in the subject matter of the case(s) being investigated.
- Section 5. The Constitution and Bylaws Committee is composed of the Secretary of the Faculty (committee chair) and four General Faculty members appointed by the Chair of the Faculty. The Provost or Provost's designee serves as an *ex officio* non-voting member.
- Section 6. If a member of a General Faculty Standing Committee (Sections 1-5) resigns or becomes ineligible for membership, this member will be replaced for the remainder of the term of the departing member by the following:
- a. If elected, the candidate who received the next highest number of votes in the same election will be offered the vacancy, with ties broken by the Chair of the Faculty. If there is no eligible candidate, the Chair of the Faculty will fill the vacancy by appointing a member of the General Faculty.
  - b. If appointed, the Chair of the Faculty will fill the vacancy by appointing a member of the General Faculty.
- Section 7. The Grievance Clearinghouse Committee consists of the current chairs of the Committee on Academic Freedom and Tenure, the Committee on Conciliation and the University Committee on Ethics and Commitment, a representative of the Office of Institutional Equity, and a faculty representative elected by the Faculty Senate at its May meeting. The Vice chair of CAFT shall also serve on the Grievance Clearinghouse Committee as a non-voting member. The chair of the Committee on Academic Freedom and Tenure will function as the *ex officio* voting chair of the Grievance Clearinghouse Committee.
- Section 8. The Committee on Conciliation shall be composed of six members who are tenured or continuing members of the General Faculty other than deans of any rank, elected by the Faculty Senate by secret ballot upon nomination by the Nominating Committee or other members of the General Faculty, which shall furnish twice as many names as persons to be elected. Not more than one member of any College Faculty shall be on the committee at any one time. The term of membership shall be two years. Three persons shall be elected each year. The chair of the committee shall be elected by the committee from among those in at least their second year on the committee. Members may be re-elected to this committee. At the request of the President of the University or of a College Faculty or of any member of the General Faculty who has a grievance and has failed to resolve the matter through discussing the same with the appropriate department head or dean, the committee shall act expeditiously. In the event that the committee is of the opinion that the case load is so great that undue delay will be experienced, the committee may direct that temporary members be selected by the chair from a pool of names provided by the Nominating Committee or other members of the General Faculty, which shall contain not less than twice the number of names as there are temporary members to be selected. The Committee on Conciliation shall conduct its business in meetings rather than hearings, and participation by legal counsel will generally be discouraged.

Section 9. The Committee on Academic Freedom and Tenure shall be composed of twelve tenured or continuing members of the General Faculty other than deans of any rank, four of whom shall be elected each year by the General Faculty for a term of three years. The slate of candidates presented to the General Faculty shall be selected in the following manner:

- a. The Nominating Committee will prepare a list of names containing not fewer than two times the number to be elected. After consultation with the Chair of the Faculty and the President, the committee will reduce the list to a slate of twice the number to be elected, giving due consideration to diversity. For each person listed, a brief description of relevant academic experience, qualifications and background will be provided. This information will also appear on the ballot submitted to the General Faculty along with the names and colleges of continuing members. If the outcome of an election cannot be determined because of a tie vote, a runoff election shall take place.
- b. The Committee on Academic Freedom and Tenure shall elect its chair and vice chair from among those of its regular members who have served at least one year. In the event that the committee is of the opinion that the case load is so great that undue delay will be experienced in the hearing and disposition of all cases before it, the committee may direct that temporary members be installed to hear specific cases. Temporary members shall be selected by the presiding officer of the committee by whatever means he or she deems appropriate from a pool of names provided by the Nominating Committee or by other members of the General Faculty. Such a pool shall contain not less than twice the number of names as there are temporary members to be selected. The Committee on Academic Freedom and Tenure shall select one of its regular members to serve as panel presiding officer in each case. In all cases the tenure of temporary members of the committee shall be limited to the hearing and disposition of the specific case which occasioned their selection.
- c. If an elected member of the Committee on Academic Freedom and Tenure resigns or becomes ineligible for membership, this member will be replaced for the remainder of the term of the departing member with the candidate who received the next highest number of votes in the same election, with ties broken by the Chair of the Faculty. If there is no eligible candidate, the Chair of the Faculty will fill the vacancy by appointing a member of the General Faculty who is otherwise eligible for membership on the committee.

Section 10. The University Committee for Monitoring Labor and Human Rights Issues is composed of seven faculty members nominated by the Nominating Committee or by other members of the General Faculty and approved by the Faculty Senate Executive Committee, two student representatives appointed by the Associated Students of the University of Arizona and the Graduate and Professional Student Council, respectively, and one community member selected by the committee itself. Appointees shall have demonstrated interests and/or areas of expertise in labor and human rights issues. Members shall serve for three-year renewable terms. The Committee will elect a chair and vice chair within the committee who shall serve one-year renewable terms.

**Article VI.**  
**University-wide Committees with Shared Governance Participation**

- Section 1. The Shared Governance Review Committee is composed of the Chair of the Faculty, the Chair of the Strategic Planning and Budget Advisory Committee (SPBAC), the Presiding Officer of the Senate (committee chair), two Senators (elected by the Senate), one additional member of SPBAC (chosen by the chair of SPBAC), the Provost, and two other members of the administration chosen by the President. These members serve two-year staggered terms, and in addition, there shall be one representative each from Appointed Professionals Advisory Council (APAC), Classified Staff Council (CSC), Associated Students of the University of Arizona (ASUA), and Graduate and Professional Student Council (GPSC), who will be appointed in the terms determined as these organizational bodies see fit.
- Section 2. The University Committee on Corporate Relations (UCCR) is a University-wide committee with shared governance participation. The committee will elect a chair annually who shall be a committee member and a member of the General Faculty. The regular voting membership of the committee shall consist of five members of the General Faculty appointed by the Chair of the Faculty and the remaining voting membership as indicated in the bylaws of the UCCR. If the Chair of the Faculty chooses to attend meetings and is not the committee chair, he or she may attend as an advisor as well. General Faculty members are appointed for two-year renewable terms.
- Section 3. The Naming Advisory Committee consists of the Vice Chair of the Faculty (committee chair), President of the UA Foundation, President of the Arizona Alumni Association, President of the Associated Students of the University of Arizona (ASUA), President of the Graduate and Professional Student Council (GPSC), Provost of the University, President of the Classified Staff Council (CSC), chair of the Appointed Professionals Advisory Council (APAC), a representative of the Dean's Council (elected by the Deans), and a representative from the Faculty Senate (appointed by the Chair of the Faculty). Members serve annual terms.
- Section 4. The Undergraduate Council shall be composed as follows:
- a. The Undergraduate Council (UGC) voting membership shall consist of: the UGC chair; one member of the General Faculty from each college that offers undergraduate degrees; one member from the Library; and one member from the Honors College; each chosen by election in the college OR the appointment by the Dean, after consultation with that college's version of an advisory council in accordance with the shared governance guidelines and agreements. College representatives serve for three-year terms. In addition, the chair of the University-wide General Education Committee or a designated alternate currently serving on the committee; the chair of the University General Petitions Committee or a designated alternative currently serving on the committee; and one to two student representatives from the Associated Students of the University of Arizona (ASUA) appointed to Undergraduate Council by the president of ASUA, shall serve as voting members of the UGC. ASUA members serve one-year terms that may be renewed. The chair shall be appointed by the Chair of the Faculty, on advice of the Nominating Committee and in consultation with the Senior Vice Provost for Academic Affairs, in accordance with the principles detailed in the shared governance guidelines and agreements.

- b. Non-voting members may include others as needed, by invitation of the chair.
- c. The Senior Vice Provost for Academic Affairs, the Senior Director of Academic/Curricular Affairs, the Registrar, the Director of Advising Resource Center, the Vice Provost of Digital Learning & Student Engagement for the Office of Academic Initiatives and Student Success, the Assistant Director of Academic Policies & Organizations are *ex officio* non-voting members.

Section 5. The University-wide General Education Committee shall be composed as follows:

- a. The committee is composed of faculty representatives from each of these colleges: Agriculture and Life Sciences (two voting members); Architecture and Landscape Architecture, Education, Nursing and Pharmacy (one shared voting member); Eller College of Management (two voting members); Engineering (one voting member); Fine Arts (two voting members); Honors College (one voting member); Humanities (two voting members); Science (two voting members); Social and Behavioral Sciences (two voting members); two student representatives, one undergraduate junior or senior, and one graduate, each have one voting member (two voting members); Pima Community College Office of Transfer Curriculum (*ex officio* non-voting); and the Senior Vice Provost for Academic Affairs (*ex officio* non-voting). There is additional non-voting representation from three Foundations programs: English, Mathematics, and Second Language. Each faculty member serves a three-year term; each student will serve a one-year term. Colleges are advised that at least part of the membership should be elected by their faculty, but in order to ensure that certain minority interests are heard, it is reasonable that part of the membership be appointed.
- b. In addition, there is invited, non-voting representation from areas directly involved in general education.
- c. Support for the committee is provided by the Office of the Senior Vice Provost for Academic Affairs.
- d. The chair is chosen in consultation between the Chair of the Faculty and Senior Vice Provost for Academic Affairs, and serves a three-year, renewable term. The chair of UWGEC is a voting member of the Undergraduate Council, and reports to the Senate through or in concert with the UGC chair.

Section 6. The Graduate Council and its officers shall be composed as follows:

- a. Faculty. Faculty members of the Graduate Council shall be chosen by the faculty in each academic college, according to a process approved by the faculty in each college. Faculty representation on the Graduate Council is based on the number of students enrolled in graduate programs within each academic college and the Graduate Interdisciplinary Programs. The number of representatives per college is determined by rank ordering colleges by graduate enrollment. Those colleges whose graduate enrollment is in the upper half will have two members; those in the lower half will have one representative. The term is four years.

- b. Graduate Coordinators. Graduate Coordinators shall elect two members of the Graduate Council. Terms are two years, renewable; and the terms are staggered.
- c. Graduate students. The Graduate and Professional Student Council shall select, according to its own procedures, three members for the Graduate Council. Terms are one year, renewable.
- d. The Dean and the Associate Deans of the Graduate College are *ex officio* voting members of the Graduate Council.
- e. The chair shall be appointed by the Chair of the Faculty, on advice of the Nominating Committee and in consultation with the Dean of the Graduate College, in accordance with the principles detailed in the shared governance guidelines and agreements.

Section 7. The Strategic Planning and Budget Advisory Committee's (SPBAC) membership is comprised of twenty-one voting members and eleven (11) *ex officio* non-voting members.

- a. Eleven of the voting members are faculty: the Chair of the Faculty; six faculty elected by the general faculty for staggered, three-year terms; three faculty selected by the Chair of the Faculty in consultation with the President for three-year rotating terms; and a SPBAC chair. The SPBAC chair is appointed by the President in consultation with the Chair of the Faculty for a two-year term. The President and Chair of the Faculty may also select a SPBAC co-chair from the existing SPBAC membership; under such circumstances, the co-chairs have one shared vote. SPBAC chairs must have served at least one year on the committee prior to appointment as chair. SPBAC chairs may be re-appointed for one additional term, with the consent of a majority of SPBAC voting members.
- b. If an elected faculty representative to SPBAC resigns or becomes ineligible to serve, the candidate who received the next highest number of votes in the same election will be offered the vacancy, with ties broken by the Chair of the Faculty. If there is no eligible candidate, the Chair of the Faculty will fill the vacancy by appointing a member of the General Faculty to serve for the remainder of the term.
- c. The remaining ten voting members are appointed: two deans, two representatives from the President's cabinet, and two non-faculty staff are appointed by the President for three-year rotating terms. Representatives of the Classified Staff Council, Appointed Professionals Advisory Council, Graduate and Professional Student Council and the President of the Associated Students of the University of Arizona (who automatically sits on SPBAC) serve at the will of their governing organizations.
- d. The eleven (11) *ex officio* (non-voting) members are comprised of: Associate Vice President for Institutional Analysis; Associate Vice President in the Budget Office; Senior Associate Vice President for Health Sciences; Vice President for Global Initiatives; Vice President Alumni Relations/President of the Alumni Association; Senior Vice President for Business Affairs and CFO; Senior Vice President for Finance and Administration; President of the University of Arizona Foundation; Vice Provost for Digital Learning & Student Engagement and Associate Vice President for Student Affairs & Enrollment Management; Senior



Vice President and Provost; and Vice Provost for Inclusive Excellence and Senior Diversity Officer.

**Article VII**  
**Grievance Policies and Procedures for Faculty**

Section 1. Purpose: To provide for review procedures for members of the General Faculty implementing 6-201(N) (See *Arizona Board of Regents Policy Manual* at 6-201(L) and 6-201(M) for procedures applicable to dismissal, suspension without pay or adverse actions concerning promotion, tenure or nonrenewal allegedly based on discrimination or unconstitutional action, and 6-302 for procedures applicable to dismissal or suspension of Academic Professionals.

Source: *Arizona Board of Regents Policy Manual* - 6-201  
*Arizona Board of Regents Policy Manual* - 6-302  
*University Handbook for Appointed Personnel (UHAP)*

Section 2. Grievance Principles

- a. The Board of Regents and the President, administrators and faculty of the University of Arizona (UA) recognize the importance of providing a prompt and efficient procedure for fair and equitable resolution of grievances without fear of prejudice or retaliation for initiating a grievance or participating in the grievance process. Faculty members should have a reasonable amount of time to file grievances to seek redress for perceived harm they have suffered.
- b. Each individual's attempt to rectify a perceived wrong is considered consistent with UA's role as an upholder of individual rights and the integrity of the University.
- c. The existence of a grievance process in no way diminishes the responsibility of faculty and administrators for the exercise of sound judgment.
- d. All grievants shall have clearly defined avenues of appeal and redress that may include mediation and/or an opportunity to present one's concerns to a faculty committee that reports to the President or his or her designee. The President decides the matter and his or her decision is the final agency decision. The grievant's rights to relief in the courts shall not be affected by this policy.
- e. Faculty grievance procedures apply to general faculty as defined in the Constitution of the General Faculty, Article II.
- f. The preferred option is to resolve grievances internally at the level closest to the grievant. By using internal conciliation and hearing procedures first, the grievant should ordinarily be able to obtain acceptable results without escalation to a formal charge with an outside agency.

- g. At each level of the grievance process, the Grievance Clearinghouse Committee or decision maker will advise the grievant of the options available for redress and appeal as part of his or her decision if the grievance is not resolved at that level.
- h. In cases to which they apply, the Arizona Board of Regents Policy Manual 6-201 and 6-302 takes priority. In other cases, a grievant may have his or her issues reviewed by the Grievance Clearinghouse Committee for potential review by the Committee on Conciliation and/or Committee on Academic Freedom and Tenure.
- i. When a matter reaches a formal hearing, faculty may choose to present the grievance before a panel of their peers without counsel present. Alternatively, faculty may choose to be represented by legal counsel at his or her own expense in all hearings.
- j. At any and all times, the faculty members hearing grievances shall have the opportunity, but not the duty, to consult University counsel or any outside counsel who has or will be appointed for consultation purposes. In all matters and proceedings, however, the faculty members considering a grievance shall have the right to make the final decisions on all matters substantive or procedural. The role of University or outside counsel shall be solely to answer questions put to them by the faculty considering the grievance.
- k. Each grievant has the right to a fair and reasonably speedy investigation and judgment by members of the appropriate committee or office.
- l. Two or more faculty members with the same grievance have the right to seek redress jointly or individually.
- m. Grievance committees shall keep written records, as appropriate, which shall be equally available to all parties in the case, except privileged communications or documents that are confidential pursuant to state or federal laws or regulations. Committees are not required to keep records of deliberations.
- n. All parties to a grievance are entitled to notification within three (3) business days of changes in the status of their grievance.
- o. Grievances involving faculty members who work off the main UA campus generally shall be handled by grievance procedures prescribed herein.
- p. Grievants and witnesses are assured freedom from reprisals related to their testimony or participation in the grievance process. A separate whistleblower policy describes whistleblower protections and when those protections are applicable.
- q. Allegations of sexual or other impermissible harassment will be referred to the University Office of Institutional Equity for investigation.
- r. Allegations of discrimination on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, or

genetic information will be referred to the Office of Institutional Equity for investigation.

- s. Issues of misconduct in research, scholarship, or creative endeavor; conflict of commitment, and facilities misuse are handled by the University Committee on Ethics and Commitment (UCEC) or other committees designated under a separate policy. In conducting inquiries on those matters, UCEC or other appropriate committees follow the applicable University policies on research integrity, professional commitment, and proper facilities use.
- t. Generally, if a conflict cannot be settled through informal means, a member of the faculty is best served by filing his or her grievance with the single and most appropriate committee or office. The Grievance Clearinghouse Committee will direct the faculty grievant to the appropriate office or hearing body.
- u. The standard of proof for all findings, conclusions, and recommendations relating to grievances shall be a preponderance of the evidence.
- v. No faculty member or administrator can be a decision maker in a dispute in which he or she is a party or in which he or she has a conflict of interest.
- w. No faculty member shall forfeit the right to grieve a matter unless he or she has been harmed, has a right to grieve the matter, and is specifically apprised of any time limits regarding contesting the matter.

### Section 3. Grievance Resolution Procedures

The Grievance Clearinghouse Committee shall be composed of the chairs of the Committee on Academic Freedom and Tenure (CAFT), the Committee on Conciliation, the Committee on Ethics and Commitment, a representative of the Office of Institutional Equity, and a faculty representative selected by the Faculty Senate. The vice chair of CAFT shall also serve on the Grievance Clearinghouse Committee as a non-voting member. The chair of CAFT will function as the *ex-officio* voting chair of the Grievance Clearinghouse Committee.

- a. The recommended starting point for resolving grievances is at the head or dean level, whichever is applicable. If, however, the grievant does not wish to follow this route, or this route has not provided acceptable resolution, a grievant has the option of using the Ombuds Program, informal University mediator, or review by the Grievance Clearinghouse Committee.
- b. In most cases, faculty may choose an informal route, (i.e. Ombuds Program or informal mediation). Faculty may request (if appropriate) a review by the Grievance Clearinghouse Committee. Grievances alleging discrimination may be filed with either the Grievance Clearinghouse Committee or directly with the Office of Institutional Equity. If the Grievance Clearinghouse Committee receives a grievance alleging discrimination or harassment, the Committee will forward the grievance to the Office of Institutional Equity.
- c. Informal problem resolution may be requested, or formal grievances may be filed if the grievant believes any of the following:

- i. There has been a violation, a misinterpretation, or an arbitrary or discriminatory application of University policy, regulation, or procedure which, applied personally to that faculty member, infringes upon his or her privileges, responsibilities, or terms and conditions of employment, (e.g., salary, teaching assignment, equipment access, or other inequities); or
- ii. He or she has suffered an adverse employment decision on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, or genetic information; or
- iii. There has been an infringement on his or her academic freedom.

#### Section 4. Informal Resolution Procedures

Informal resolution procedures are provided for the faculty member who desires informal assistance in the resolution of a complaint. The Ombuds Program or informal University mediator are available to conciliate and coordinate communication among the grievant, respondent and others related to the complaint. The purpose of these processes is to air differences between the parties and to resolve the complaint to the satisfaction of both parties without resorting to more formal review. In some instances, upon the agreement of the parties and contingent on the availability of resources, an outside mediator may be available to conduct dispute resolution. Informal resolution is strongly recommended.

##### a. Ombuds Program

The Ombuds Program is a confidential, informal, impartial, and independent resource for effective communication, collaboration, and conflict management. The program provides assistance with a wide variety of faculty issues, concerns, questions, conflicts, and challenges through consultation, coaching, mediation and facilitation, training, and organizational development. The program works on a many levels, from one-on-one to small and large groups, from individual to departmental, organizational, and systemic level concerns/issues. If you aren't sure where to start or what dispute resolution option to choose, the Ombuds Program can help you identify and explore your options for addressing the situation within and outside of the Ombuds Program, and connect you with other helpful resources.

- i. Ombuds Program Confidentiality: Confidentiality is a fundamental element of the Ombuds Program. As such, the Ombuds Program is not authorized to accept notice of allegations of violations of law or other formal complaints on behalf of the University of Arizona or the Arizona Board of Regents. The Ombuds Program treats all communications, and the identities of all visitors, as strictly confidential to the maximum extent permitted by law unless, in the discretion of the Ombuds, failure to disclose information would create an imminent risk of serious harm. No employee or other University constituent may compel the Ombuds Program to disclose information.

- ii. Ombuds Program Informality: The Ombuds Program is an informal and off-the-record resource and as such does not engage in formal processes and is not authorized to make or change policy.
- iii. Ombuds Program Impartiality: As the designated neutral of the organization, the Ombuds Program works with all visitors and situations in an impartial manner. Ombuds do not take sides or advocate for any individual or group.
- iv. Ombuds Program Independence: The Ombuds Program functions independently of other organizational entities.
- v. Ombuds Program Terms of Use: By electing to utilize the voluntary services offered by the UA Ombuds Program, visitors agree to never seek to compel the Ombuds to disclose any information received as part of providing Ombuds services in any other forum, including a formal grievance or lawsuit. In addition, if the Ombuds Program utilizes mediation, facilitation, or another group process the visitors agree (to the extent permitted by law) to: (i) keep any and all communications that take place in the process confidential unless all parties agree otherwise, (ii) waive any right they may have to use communications that take place in the process in any formal grievance or lawsuit, and (iii) participate in good faith towards a mutually satisfactory outcome.

b. “Point of View”-The University’s Informal Mediation Program

The Point of View Informal Mediation, sponsored by Human Resources, provides neutral trained mediators from the University community. Those who elect to use this process are provided an opportunity to share their uninterrupted point of view. The mediator does not decide who is right or wrong; instead, the mediator helps people understand the conflict and brainstorm options to solve it.

Section 5. Grievance Review Procedures

- a. Whether or not a grievant has sought Informal Resolution, he or she may request a review by the Grievance Clearinghouse Committee. The Grievance Clearinghouse Committee shall consider the complaint and assign it to the appropriate committee chair (e.g., Conciliation Committee). If the grievant alleges unlawful discrimination not covered by *Arizona Board of Regents Policy Manual* 6-201(M) or 6-302, he or she may file a complaint directly with the Office of Institutional Equity without first going through the Grievance Clearinghouse Committee.
  - i. Requests for the Grievance Clearinghouse Committee review should be filed at the Faculty Center.
  - ii. If the Grievance Clearinghouse Committee determines the grievant's case contains an allegation of unlawful discrimination, the grievant's case shall be referred to the Office of Institutional Equity.

- iii. The Grievance Clearinghouse Committee has the right and responsibility to decline to forward grievances for further consideration if the complaint does *not* involve:
    - (1) A violation, a misinterpretation, or an arbitrary or discriminatory application of University policy, regulation, or procedure which, applied personally to that faculty member, infringes upon his or her privileges, responsibilities, or terms and conditions of employment (e.g., salary, distribution of effort, equipment access, or other comparable inequities); or
    - (2) An allegation of an adverse employment decision on the basis of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, genetic information; or
    - (3) An infringement on his or her academic freedom; or
    - (4) Those grievances covered under Section 5, b, iii, (3).
  - iv. The Grievance Clearinghouse Committee has the right and responsibility to decline to forward grievances for further consideration if the complaint is substantively identical to an earlier grievance by the same individual which has been, or is being, dealt with through the Committee on Academic Freedom and Tenure or the Office of Institutional Equity process.
  - v. If the Grievance Clearinghouse Committee declines to send the grievance forward the grievant has the right to appeal that decision to a special ad-hoc committee comprised of neutral members who are not members of either the Grievance Clearinghouse Committee or the Committee on Academic Freedom and Tenure. Members are appointed by the Chair of the Faculty. The Grievance Clearinghouse Committee shall either affirm the decision to decline to send the grievance forward, or overrule the decision and send the grievance forward.
- b. The grievance review procedure will involve the following steps:
- i. Within thirty (30) days of the date of any informal resolution process or within six (6) months of the grievant's knowledge of the occurrence of the actions which formed the basis for the grievance, the grievant shall make a written request for a formal review to the chair of the Grievance Clearinghouse Committee.
  - ii. The request must be filed by the grievant by hand delivery or by certified mail, return receipt requested, at the Faculty Center and shall contain: grievant's name, address, telephone number, a statement of the complaint, resolution sought, and either the name and address of grievant's attorney, or a statement that grievant is proceeding without an attorney.

- iii. The Grievance Clearinghouse Committee shall review the facts surrounding the allegation(s) and may either decline to forward the grievance for further consideration or forward the case based on the following jurisdictional guidelines:
- (1) Alleged discrimination. If discrimination in employment, program, or activity based on race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, or genetic information is the basis of the grievance, the matter will be referred to the Office of Institutional Equity for consideration in accordance with the procedures established by that office.
  - (2) The Grievance Clearing House Committee may decide to forward the grievance for further consideration to the Committee on Conciliation.
    - a. The Committee on Conciliation has jurisdiction to make inquiry and discuss any problem involving any member of the General Faculty in his or her relationship with the University. The committee may consult and advise but shall not conduct hearings. It is the duty of the committee after careful investigation, to offer advice to the person or persons involved.
    - b. Legal counsel may not attend or participate in the Conciliation. A grievant may have an adviser from the University community who has no personal knowledge of the matter, who may attend meetings and review written documentation.
    - c. The Conciliator(s) shall have fifteen (15) days after assignment by the Grievance Clearinghouse Committee to contact the parties, followed by thirty (30) days to try to resolve the conflict. Upon agreement of the parties, the chair of the Conciliation Committee may extend the conciliation period by thirty (30) days.
    - d. The Conciliation results shall be summarized in a **letter** prepared by the Conciliator and sent to the parties.
    - e. If Conciliation provides a mutually satisfactory result the process ends. If the parties cannot resolve the differences, the grievant has thirty (30) days from the date of the Conciliator's **letter** to contact the Grievance Clearinghouse Committee to request that the grievance be reviewed by the Committee on Academic Freedom and Tenure.
  - (3) Other faculty grievances, including infringement on academic freedom and tenure not covered by *Arizona Board of Regents*

*Policy Manual 6-201(M) or 6-302, will be reviewed by the Committee on Academic Freedom and Tenure under this policy.*

- (a) Under this policy, the Committee on Academic Freedom and Tenure shall review any faculty allegation that a decision affecting his or her employment relation with the University was not determined in substantial compliance with regular University procedures, but only after any administrative appeal mechanism applicable to the decision in question has been exhausted.
- (b) The Committee on Academic Freedom and Tenure shall review other faculty grievances, such as alleged unfair treatment, where no policies or procedures exist or existing policies or procedures have been misinterpreted, misapplied or violated by a University administrator, but only after any administrative appeal mechanism applicable to the decision in question has been exhausted.
- (c) The Committee on Academic Freedom and Tenure review process shall include an interview with the grievant who will be afforded an opportunity to express his or her concerns, and may include interviews with other parties which are required if further action is considered. Within ten (10) days of this interview, the Committee on Academic Freedom and Tenure will either choose to recommend a formal hearing before the Committee on Academic Freedom and Tenure or will determine that the faculty member will not be afforded a formal hearing.

## Section 6. Grievance Hearing Procedures

- a. In cases in which a faculty member is suspended or dismissed, receives an adverse decision concerning his or her promotion, tenure, or nonrenewal as a result of allegedly discriminatory or unconstitutional action (including violations of due process or academic freedom), or is released from employment under ABOR Policy 6-201L (Conditions of Faculty Service, Hearing Procedures for Faculty), he or she may request a formal hearing before the Committee on Academic Freedom and Tenure.
  - i. The chair of the Committee on Academic Freedom and Tenure shall forward to the respondent the request for a hearing and the formal grievance within seven (7) days after the Grievance Clearinghouse Committee has referred the case to the Committee on Academic Freedom and Tenure, with instructions to respond within fifteen (15) days. If the grievant has indicated that he or she will be represented by counsel, the time for respondent to respond should be extended as needed in order for the respondent to seek the advice of counsel. The response shall contain



the name, address, telephone number of respondent, a statement of respondent's position on the issue, and the name and address of the respondent's attorney (if any) if grievant elects to be represented by an attorney.

- ii. The chair of the Committee on Academic Freedom and Tenure will appoint a hearing panel within ten (10) days of a case assignment. The chair of the Committee on Academic Freedom and Tenure panel will set a hearing date in conjunction with all parties involved in the case. The hearing should begin within sixty (60) days of the date the grievance is assigned to the hearing panel. The sixty (60)-day period includes only the time when the University is in session. Semester breaks and summer recess are not included unless otherwise agreed to by the Committee on Academic Freedom and Tenure panel chair and the parties. The parties shall receive notice of the hearing date at least twenty (20) days before the hearing date. The notice shall include:
  - (1) A statement of the time, place and nature of the hearing;
  - (2) A statement of the authority and jurisdiction under which the hearing is to be held;
  - (3) A reference to the particular statutes, rules, or policies involved; and
  - (4) A short and plain statement of the matters asserted. If the Committee on Academic Freedom and Tenure is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of issues involved. Thereafter, upon application, a more definite and detailed statement shall be furnished.
- iii. A grievance shall not proceed if the grievant, after due notice, fails to be present or fails to obtain a continuance. A grievant may withdraw his or her grievance at any stage in the grievance procedure by writing the chair of the panel designated to hear the grievance.
- iv. If a grievant commences a grievance with an outside investigative agency based on the same or similar grounds, either the conciliator or the chair of the hearing panel, depending on the stage of the complaint process of the internal grievance, will continue the internal process unless the grievant withdraws the internal grievance or desires a postponement.
- v. No later than fifteen (15) days before the hearing date, the grievant and respondent must provide written documentation, including exhibits and a list of witnesses, to the chair of the hearing panel. The chair may require additional written submissions such as a written opening statement prior to the hearing.

- vi. The chair of the hearing panel shall send a copy of the written documentation and witness lists submitted by the grievant and the respondent to the panel members within three (3) days after receipt. The grievant's witness list, exhibits, and other required documentation will be forwarded to respondent, and the respondent's witness list, exhibits, and other required documentation will be forwarded to grievant by the chair within three (3) days after receipt of lists from both parties.
- vii. Any member of the General Faculty requested by the panel to appear as a witness in its investigation of a complaint shall consider it an obligation as a General Faculty member to appear and testify. The chair of the panel may call witnesses upon request of either party or on the chair's initiative. The chair may also require the production of books, records, and other evidence. Such requests shall be made either by personal delivery or by certified mail. The chair of the hearing panel shall have the authority to issue subpoenas for the attendance of witnesses and for the production of books, documents, and other evidence.
- viii. The Committee on Academic Freedom and Tenure has an important fact-finding role. The hearing may be conducted in an informal, collegial manner and without adherence to the rules of evidence required in judicial proceedings. To the extent possible, the hearing should be carried out in a non-adversarial, collegial way. Hearings shall be conducted according to the following rules:
  - (1) No fewer than three (3) faculty members shall constitute a hearing panel. Members shall not participate on a hearing panel when there is a conflict of interest.
  - (2) The hearing, but not the deliberations of the committee, shall be recorded.
  - (3) Unless overriding reasons under law or ABOR policy are given to grievant, respondent, and other appropriate parties, all parties shall have access to all information that is presented during the hearing at no expense to them.
  - (4) The chair of the panel shall keep the parties informed about the status of the grievance.
  - (5) Faculty may choose to have a hearing on a grievance before a panel of their peers without legal counsel present. Alternatively, the faculty may choose to be represented by legal counsel present at his or her own expense in all hearings. In cases between a faculty member and an administrator, if the faculty member chooses not to be represented by counsel present at the hearing, then the administrator shall not have counsel at the hearing either. In cases between faculty members, either party may choose to be represented by counsel present at the hearing at his or her own expense. Any party may obtain legal advice

and assistance in preparation for a hearing, even if a legal advisor will not be present at the hearing itself.

- (6) Legal advice to the grievance panel:
  - (a) If neither party is advised or represented by counsel and a University attorney has not been involved in the case on behalf of either party, then a University attorney may provide legal advice to the grievance committee upon request.
  - (b) Outside counsel may be selected by the Committee on Academic Freedom and Tenure from a list of qualified attorneys provided by the University to provide legal advice to the committee if the University attorney is precluded from providing advice to the committee because of a conflict or for other reasons as determined by the Committee on Academic Freedom and Tenure. The role of counsel is to give sound legal advice and assistance to the panel on the matter it is hearing.
  - (c) At the discretion of the Committee on Academic Freedom and Tenure panel, when the parties are represented by counsel, a hearing officer may be secured under the University's agreement with Tri-University Outside Counsel. The hearing officer assists the panel in developing findings, conclusions and recommendations during deliberations and may prepare the written report in consultation with the panel but does not participate in the decision-making process of deliberation.
- (7) For good cause shown, upon request of either party or on the chair's own initiative, the chair may continue the proceedings to another time.
- (8) The hearing shall be closed to the public except that the grievant may, at his or her discretion, demand that the hearing be open to the public.
- (9) The grievant and respondent may be present during the hearing proceeding. Witnesses shall be excluded except while testifying.
- (10) Generally, the panel will allow all witnesses to testify and documents to be presented which are relevant and probative to the complaint or the response. The Committee on Academic Freedom and Tenure panel shall exclude irrelevant, immaterial or unduly repetitious evidence.
- (11) Each party may present an opening statement of his or her position. Generally, the grievant will then present all of his or her witnesses and documents. The panel members may question

the witnesses and parties and ask questions about documents presented throughout the hearing. The respondent may question the grievant and witnesses. After the grievant has presented his or her case, the respondent shall have an opportunity to present witnesses and documents, and the committee members may question the witnesses and ask questions about documents presented. The grievant may question the respondent and witnesses.

- (12) At the completion of the hearing, including any closing statement and receipt of any written memoranda requested by the panel, the panel will deliberate and prepare a written recommendation. The recommendation shall include findings of fact and conclusions, separately stated, based exclusively on the evidence. Within thirty (30) days of the conclusion of the hearing and receipt of all written documents requested of the parties, the panel will forward its recommendation to the President, who will make the final decision. Upon good cause shown, the President may extend the recommendation date by an additional thirty (30) days.
- (13) Within forty-five (45) days of the date of the panel's recommendation and record, the President shall issue a written decision that includes findings of fact and conclusions, separately stated. Copies of the President's decision, including the Committee on Academic Freedom and Tenure recommendation, shall be provided to the Committee and the parties. The President's decision shall include a statement that an appeal to Superior Court pursuant to the Administrative Review Act, A.R.S. § 12-901 et.seq., if desired, must be filed within thirty-five (35) days from the date when a copy of the decision is served upon the party affected. If the President cannot issue a decision within the forty-five (45) day period, the President will notify the parties within that period of a delay in the issuing of the decision, the reasons for the delay, and the date on which the decision can be expected.
- (14) A faculty member who is dissatisfied with the President's decision may request reconsideration of the decision by filing a written request with the President no later than fifteen (15) days following receipt of the President's written decision. If no request for reconsideration is made, the President's decision is effective at the expiration of the period in which to request reconsideration.
  - (a) The request for reconsideration shall be based on one or more of the following grounds:
    - (i) Irregularities in the proceedings, including any abuse of discretion or misconduct by the Committee on Academic Freedom and Tenure

panel that deprived the faculty member of a fair and impartial hearing;

- (ii) Newly discovered material evidence which with reasonable diligence could not have been presented at the hearing; or
  - (iii) The decision is not justified by the evidence or is contrary to law.
- (b) If the faculty member requests reconsideration, the President will either deny reconsideration or issue a final decision within twenty (20) days of receiving a request for reconsideration.
  - (c) The President's decision on reconsideration shall include a statement that an appeal to Superior Court pursuant to the Administrative Review Act, A.R.S. § 12-901 et.seq., if desired, must be filed within thirty-five (35) days from the date when a copy of the decision is served upon the party affected.

#### Cross-References

For the composition of grievance committees, see "Bylaws of the General Faculty of the University of Arizona." Article V, Sections 7, 8, 9.

For the Board of Regents' policy, see *Arizona Board of Regents Policy Manual Section 6-201*, "Conditions of Faculty Service" and *Arizona Board of Regents Policy Manual Section 6-301*, "General Provisions and Definitions for Conditions of Service for Academic and Service Professionals."

### **ARTICLE VIII** **The Faculty Senate**

#### Section 1. Functions

Among the functions to be exercised by the Faculty Senate are:

- a. To recommend curricula and degrees for approval. While matters pertaining to courses, major and minor requirements, the kinds of degrees and requirements for each will originate in the various colleges, the final formulation which is to be recommended to the Board of Regents shall be determined by the Faculty Senate.
- b. To formulate and/or recommend for approval policies governing official University catalogs.
- c. To establish committees to assist in carrying out functions assigned to the Faculty Senate by the "Constitution and Bylaws of the General Faculty."
- d. To maintain communication and liaison with the President of the University, administrators, faculty, staff, and students.

- e. To recommend policy concerning academic conduct of students.
- f. To recommend policies concerning promotion, tenure, continuing status, sabbatical leave, and other leaves of absence.
- g. To act upon nominations for recipients of honorary degrees, which may be proposed by one or more of the College Faculties.
- h. To make recommendations relative to the general University policies and procedures.
- i. To discharge responsibilities assigned by the Constitution and Bylaws of the General Faculty.
- j. To act upon matters brought for consideration in accordance with the “Constitution and Bylaws of the General Faculty” and existing University policy.
- k. To execute such other functions as are consistent with the “Constitution and Bylaws of the General Faculty.”

Section 2. Membership

The voting members of the Faculty Senate shall be comprised of the following:

- a. *Ex officio* voting members: The President of the University, the Provost, the Chair of the Faculty, the Vice Chair of the Faculty, the Secretary of the Faculty, the chair of the Strategic Planning and Budget Advisory Committee, the chair of the Undergraduate Council, the chair of the Graduate Council, and the chair of the Committee of Eleven (when the chair is not an elected member of Faculty Senate), shall be voting members of the Faculty Senate. In addition, one member shall represent the Vice Presidents, and one member shall represent the Deans.
- b. Elected members: Elected members of the Faculty Senate will hold office for two years, beginning on June 1 of the year in which they are elected, in accordance with the following:
  - i. Twenty members shall be elected, prior to June 1 of the odd-numbered years, by the General Faculty. These shall be designated Senators-at-Large.
  - ii. A minimum of one member shall be elected prior to June 1 of the even-numbered years by each College Faculty. The Colleges shall include each academic college as well as any unit whose General Faculty membership exceeds the number of General Faculty in the smallest academic college. Those General Faculty members who are not part of any academic college and whose numbers in their individual units do not meet the above criteria ~~not affiliated with any college~~ shall conduct an election as if they constitute a common college. Elected members of the Faculty Senate in addition to the twenty elected by the General Faculty and the ones elected by each College Faculty, including the ~~those acting as a~~ common college, shall be apportioned among the several, ~~but not necessarily all~~ colleges,

essentially in proportion to the number in each College Faculty. Such apportionment is to be established in accord with the published census of the General Faculty by the Committee on Faculty Membership.

- c. Seven students: four students selected annually by the Associated Students of the University of Arizona and three students, selected annually by the Graduate and Professional Student Council in whatever manner those bodies decide.
- d. One Year-to-Year Appointed Professional: one member of the Appointed Professionals Advisory Council (APAC) of the University of Arizona shall be appointed annually by the Chair of APAC. The member will hold voting membership and be afforded the full privileges thereof.
- e. One Representative of the Classified Staff: one member of the Classified Staff Council (CSC) of the University of Arizona shall be appointed annually by the Chair of CSC. The member will hold voting membership and be afforded the full privileges thereof.
- f. The Faculty Senate shall fill a vacant Senate seat using the following procedure:

If a Senate seat is vacated due to a Senator's resignation or inability to serve, two circumstances apply: either (a) there were unelected candidates for the position in the election in which the unable-to-serve Senator was elected; or (b) there were no unelected candidates available in that Senator's constituency.

For all vacancies occurring under situation (a), the Committee on Elections will ask the unelected candidate receiving the next highest number of votes to become the successor. If this individual is unavailable, then the next highest vote recipient will be asked to serve, repeating until no unelected candidates are available. All such successors will serve until the return of the regularly elected Senator or until the end of the vacated term, whichever occurs first, but no less than one full semester in any case.

For vacancies occurring under situation (b), two types occur as follows:

1) The vacated term to be filled is longer than one semester, in which case the Committee on Elections will be asked to conduct a special election in the constituency of the vacated seat. An individual elected in this way will serve to the end of the unexpired term of the vacated seat.

2) The vacated term is for one semester, in which case the Nominating Committee will be asked to provide the name of an individual from the vacated Senator's constituency who is willing to serve. An individual selected in this way will serve only until the end of the then current semester.

If vacancies occur because there were not enough candidates from a given constituency in an election, the Chair of the Faculty and the Vice Chair shall seek appropriate faculty members from that constituency who are willing to serve, and present these candidates to the Senate Executive Committee for approval, to fill those vacancies.

### Section 3. Method of Voting

At meetings of the Faculty Senate voting shall be by *viva voce*, by a show of hands, by a rising vote, or by ballot as decided by whoever is presiding over the meeting at the time of the vote. Upon request of seven or more members of the Faculty Senate, the vote shall be taken by roll call. Such recorded vote shall be included in the minutes of the Faculty Senate which are distributed to all members of the General Faculty. It shall, however, always be in order to move to vote by ballot. An absent member may send a substitute who shall not vote.

### Section 4. Faculty Senate Standing Committees

Each Faculty Senate standing committee, except the Executive Committee, shall consist of seven General Faculty members, a majority of whom must be members of the Faculty Senate. The standing committee members shall be appointed by the Vice Chair of the Faculty, after consultation with the Faculty Senate Executive Committee, from names suggested by the Nominating Committee or other members of the General Faculty. Student members of standing committees shall be nominated by the Associated Students of the University of Arizona and by the Graduate and Professional Student Council. Members of standing committees shall serve one-year terms.

All action items that are forwarded by the Faculty Senate standing committees come to the Faculty Senate as a seconded motion.

- a. Executive Committee. The committee membership shall consist of the Chair of the Faculty, the Vice Chair of the Faculty, the Secretary of the Faculty, chairs of the Faculty Senate standing committees, chair of the Committee of Eleven, chair of the Strategic Planning and Budget Advisory Committee (SPBAC), chair of the Undergraduate Council (UGC), chair of the Graduate Council (GC), one member of the Appointed Professionals Advisory Council (APAC) shall be appointed annually by the Chair of APAC, two members of the Senate elected at the regular May meeting of the Faculty Senate in alternate years from nominees whose names were submitted to the Faculty Center in time for distribution with the agenda for that meeting, the President of the University or his/her designee (non-voting), the Provost or his/her designee, (non-voting), the President of ASUA or his/her designee, the President of GPSC or his/her designee, and the Parliamentarian who shall be non-voting. The committee shall establish the agenda for each meeting of the Faculty Senate and shall receive reports from the officers, the chairs of the Senate standing committees, UGC, GC and SPBAC. The Vice Chair of the Faculty shall serve as chair of the committee.
- b. Academic Personnel Policy Committee. This committee receives reports and considers and forwards action items to the Faculty Senate relating to academic personnel policies (e.g., promotion and tenure/continuing status, policy and procedures, statistical report on decisions from the previous year, sabbatical and leave of absence policy, performance evaluation policy and procedures and their relationship to salaries, definition of faculty membership, and governance). The chair of APPC is appointed by the Chair of the Faculty.
- c. Research Policy Committee. This committee considers matters and forwards action items to the Faculty Senate relating to secrecy, research, conflict of interest, data



retention, intellectual property, research ethics, research parks, interaction with industry, patent policy, Arizona Research Laboratory, research institutes, human and animal research, and safety. One faculty member of the Research Policy Committee shall also sit on the Vice President for Research's Intellectual Property Committee. The chair of RPC is appointed by the Chair of the Faculty.

- d. Student Affairs Policy Committee. This committee considers matters and forwards action items to the Faculty Senate relating to the health, safety, and welfare of the student body, including financial aid, the Student Code of Conduct, Code of Academic Integrity, admission, registration, residency classification, high school and community college relations, recruitment and retention policies, Commencement and matters brought forth from the Division of Student Affairs and Enrollment Management. The chair of SAPC is appointed by the Chair of the Faculty.

Section 5. *Ad hoc* Committees

At times, *ad hoc* committees may be created to explore, define, and/or address issues of immediate concern to the faculty. If it is an *ad hoc* committee of the General Faculty, then the Chair of the Faculty shall appoint its members. If it is an *ad hoc* committee of the Faculty Senate, then the Vice Chair of the Faculty shall appoint its members. The appointment of *ad hoc* committee members shall be done by the Chair or Vice Chair only after consultation with the Faculty Senate Executive Committee, from names suggested by the Nominating Committee or by other members of the General Faculty. *Ad hoc* committee charges will contain a duration and reporting date, as specified in the Constitution, Article VII, Section 5.