

Item A
For Discussion Only

Election Rules (Board of Trustees, Undergraduate Council, University Senate)

PROPOSED CHANGE IN SENATE RULES RELATING TO ELECTION OF FACULTY MEMBERS OF THE BOARD OF TRUSTEES (Additions are underlined; deletions are indicated with strikeovers)

1.5.2 ELECTION: TWO VOTING UNIVERSITY SYSTEM FACULTY MEMBERS, BofT [See US Minutes: 12 October 1998]

As specified in the *Governing Regulations* (Part II.A.2) there shall be two voting University System faculty members of the Board of Trustees. Faculty members who may vote in the election of the University System Faculty members to the Board of Trustees shall be those in the University System who:

A have an actual or equivalent rank of Assistant Professor or higher;

~~B hold a tenured position or one in which tenure may be acquired, except that untenured members of the faculty whose appointment is specified as ending on a certain date without further notice or as not leading to consideration for tenure shall not be eligible; and (US: 11/12/84)~~

~~C are included in the faculty T.I.A.A.-C.R.E.F. retirement program (or eligible for such inclusion after one year of University service) or other retirement program approved by the Board of Trustees.~~

Faculty members eligible to serve as an elected member of the Board of Trustees shall be those who meet the voting qualifications and who have a primary assignment in a faculty role (50% or more involvement in teaching, research and/or service). For purposes of this section, assignment as chair of a department shall not exclude one who holds such a position from eligibility to serve as an elected member of the Board of Trustees. Faculty members of the Board of Trustees shall be eligible for re-election. ~~Eligibility under paragraphs a. and b. above shall be certified in the same manner as for elections to the University Senate.~~

(NOTE: The GOVERNING REGULATIONS state that "Relatives of faculty trustees may not be employed at the University of Kentucky. 'Relatives,' as used here, includes parents and children, husbands and wives, brothers and sisters, brothers- and sisters- in law, mothers- and fathers- in law, uncles, aunts, nieces and nephews, sons- and daughters- in law, and step-relatives in the same relationships. Employment includes regular and temporary full- and part-time employment, including student work-study and graduate assistant programs.")

Elections shall be held only during the academic year. During years when a regular term expires (June 30), the election shall be held during the Fall Semester. If at any time a faculty Board member should become ineligible to serve (i.e., assumption of an administrative title, resignation, official leave which precludes attendance, etc.), the chair of the Senate Council shall declare a

vacancy and call for a special election of a faculty member to serve for the duration of the original member's ineligibility.

~~Elections shall be by secret ballot and shall be conducted by the Secretary of the University Senate from rosters prepared and certified as specified above. The Secretary shall submit to the eligible voters a complete list of members eligible for election together with a nominating ballot on which a member may nominate one or two eligible members. Nominations may be submitted to the Secretary of the University Senate in writing or by fax, or e-mail, and need contain only the name(s) of the nominee(s) and the nominator. All candidates so nominated shall be placed on a first election ballot, on which each member shall vote for one candidate. The five candidates receiving the highest number of votes will be placed on a second election ballot. A short biographical sketch of each candidate shall accompany the second election ballot. If no person receives a majority vote on the second ballot, the Secretary of the Senate shall place on a third ballot the names of the three individuals who received the highest number of votes on the second ballot. In the event of a tie for fifth place on the first ballot or a tie for third place on the second ballot, the names of all persons receiving the same number of votes for that place shall be placed on the subsequent ballot. (US: 10/12/98)~~

Elections shall be conducted by the Secretary of the Senate as follows:

The Secretary shall solicit nominations by a method calculated to provide reasonable notice to the faculty. Nominations shall be submitted to the Secretary in writing or by fax, and must contain the names and signatures (grouped together) of 10 or more nominators, all of whom are faculty members having a primary faculty role (50% or more in teaching, service and/or research). Forms may be provided for this purpose. The nomination letter shall indicate that the nominee is willing to serve if elected and that he or she is qualified to serve;

If more than three persons are nominated, the names of all nominees shall be placed upon a ballot sent to all eligible faculty voters. The ballot shall contain the College and department or other subunit affiliation, if any, of each nominee. The election shall be by secret ballot and voters shall vote for only ONE nominee. If one nominee receives a majority of the votes, that person shall be declared to be elected. Otherwise, the three nominees receiving the highest number of votes (including ties for third place) shall be placed upon a second ballot.

If three or fewer persons are nominated there shall be only one ballot.

The second ballot (or the first if three or fewer persons are nominated) shall contain a brief biographical sketch of the candidates and may contain a brief statement by the candidates. The election shall be by secret ballot. Each voter shall be required to indicate a first and second choice. All of the first choice ballots will be counted, and any person who receives a majority of votes will be elected. If no one receives a majority, a choice will be made between the two candidates with the largest number of votes. The second choice votes of the remaining candidate (or candidates) will be added to the first choice votes received by the top two candidates, and the person with the

larger number of votes will be elected. (In the event of a tie at that stage, the candidate with the larger number of first choice votes will be elected.) (Revised:10/1/80; Senate Rules Committee; US: 1/18/88; US: 10/12/98)

PROPOSED CHANGE IN PROCESS FOR ELECTING MEMBERS OF THE UNDERGRADUATE COUNCIL

(Additions underlined; deletions are indicated by strikeovers)

1.3. UNDERGRADUATE COUNCIL

1.3.3.3 Election. Faculty members who are eligible to vote or and be elected to the University Senate shall be eligible to serve in and vote for all elected members of the Undergraduate Council. ~~other than the faculty representatives from the Community College System. If an elected member of the Council should at any time during his or her term become ineligible to serve, a vacancy shall be declared. To fill each vacancy, the Undergraduate Council shall appoint that member from the eligible faculty who at the last election received the highest number of votes without being elected to serve for the duration of the elected member's ineligibility.]~~

Election for membership on the Undergraduate Council shall take place during the spring term and the newly elected members shall assume their seats on ~~September~~ ± August 16 of the same year. (US: 10/12/87) (US: 1/18/88)

The Dean of Undergraduate Studies shall be responsible for administering the elections. The Dean's Office will prepare lists of faculty members eligible to vote and serve. For each college or group of colleges in which there is an election to be held, the Dean's Office will notify and solicit nominations from the faculty members by a process designed to give adequate notice of the election. It will particularly solicit nominations from department Chairs and Directors of Undergraduate Studies. The Dean's Office will ascertain the willingness of the nominees to serve and will conduct the election by a process designed to inform voters of the qualifications of those nominated. The person receiving the highest number of votes for a given vacancy will be elected. Ties will be decided by lot.

~~The nomination for the membership on the Undergraduate Council shall be carried out by the office of Secretary of the Senate, at the same time, and following the same procedures, as in the nomination of senators, except as indicated below. In addition to the general announcement, notices urging nominations shall be sent to each chair and director of undergraduate studies (but not each director of graduate studies). If fewer than three times the number of persons to be elected from any unit are nominated and are willing to serve, the Dean of the College or Colleges~~

~~involved shall call a meeting of an appropriate group to
nominate the necessary number of persons. (US: 1/18/88)~~

~~Once the nomination process has been completed, ballots will
be sent out containing the names of all those nominated.
Each person shall vote for as many candidates as there are
vacancies to be filled. The person or persons receiving the
largest number of votes will be elected. (US: 1/18/88)~~

PROPOSAL TO AMEND THE RULES PERTAINING TO ELECTION OF FACULTY MEMBERS TO THE SENATE (Additions are underlined; strikeovers indicate deletions)

1.2.2.1 Elected Faculty Membership The 94 elected faculty seats shall be apportioned each spring among the colleges and the University Libraries according to the following two equally weighted factors based on data for the preceding fall semester: (1) the number of the following individuals, all of whom shall be considered "faculty" for purposes of this Rule: (a) full-time faculty with the rank of assistant professor or higher, (b) full-time faculty appointed in the extension, librarian, research, and clinical title series, and (c) full-time lecturers and instructors; and (2) the number of full time students enrolled in the college, computed so that students enrolled in the Graduate School shall be assigned to the college in which they are pursuing their studies. (US: 10/12/81 and BofT: 4/6/82; BofT: 12/11/84; US: 10/11/99 BoT:) Ideally, the fraction of the total faculty Senate seats which would be apportioned to an academic unit would be obtained by using the following formula:

$$1/2 (Fu/Fe + Su/Se)$$

where Fu and Su are respectively the number of eligible faculty and the number of full-time students in the unit, and Fe and Se are the total eligible faculty and students, respectively, in all units. Usually the portion of the total faculty seats which would be ideally assigned to a unit will not be a whole number. For each unit a certain inequity will result, this being the non-negative deviation of a unit's actual percentage from its ideal percentage of the seats. The seats shall be apportioned to the units in a manner which minimizes the total inequity, subject to the condition that each unit gets at least one seat. (If two units have identical ideal percentages and the minimum would be attained by giving them different representations, then the extra seat shall be allocated to one of them by a random process.) An administrative title below that of Dean shall not automatically make the holder ineligible.

- * Faculty members with administrative assignments of an academic nature which constitute no more than half of their current duties--the rest composed of teaching and/or research--will be construed as meeting the requirements of "full time faculty." (RC: 4/2/76)

~~**A Eligibility:** At the time of the election to the Senate, the chief administrative officer of each specified academic unit shall be responsible for submitting a list of eligible faculty to the Secretary of~~

~~the Senate for certification and determination of the number to be elected. The Secretary shall rely on the lists so provided, and in case of any dispute, the Rules Committee shall be responsible for certification of eligibility. Eligibility shall be determined as of the time of conduction of the election. (US: 10/12/98)~~

~~* The chief administrative officer, in submitting a list of eligible faculty, should specify which faculty members with administrative assignments are eligible because they spend at least half time on teaching and/or research. (RC: 12/18/86)~~

~~* Although Senate Rule 1.2.2.1 (A) says that "Eligibility [for election to the Senate] shall be determined as of the time of conduction of the election," the rule further states that "If a member of the Senate should at any time during his or her term become ineligible to serve..." This latter phrasing indicates that a member can become ineligible to serve and the examples cited in the parenthetical expression that follows (e.g., by reason of assuming an administrative title of Dean or above, resignation, official leave which precludes attendance, or failure to attend Senate meetings) are not meant to be mutually exclusive but merely to serve as examples. Therefore, when a faculty member's appointment has changed from a position in which he or she was eligible to be elected to one in which he or she is ineligible for election, he or she is no longer eligible to serve and a vacancy should be declared. (RC: 12/13/95)~~

~~**B Election:** The faculty of the academic units represented in the Senate shall determine whether their representatives shall be elected at-large or apportioned among their sub units. The elections shall be conducted during the second semester by the Secretary of the Senate, with those elected assuming office at the September meeting of the Senate.~~

~~For each academic unit or sub-unit where there is an election to be held, the office of Secretary of the Senate will prepare the lists of faculty members eligible to vote and those eligible to serve. The office will send a list of those eligible to be elected to those persons eligible to vote, who will be invited to nominate as many eligible persons as there are vacancies for the Senate. Nominations may be submitted to the Secretary of the University Senate in writing or by fax, or e-mail, and need contain only the name of the nominee and the nominator. In addition, each chair (or dean) and each departmental or college director of graduate studies and director of undergraduate studies will be urged to submit nominations by letter. The Secretary of the Senate will ascertain the willingness to serve of those nominated. If fewer than twice the persons to be elected from any unit or sub-unit are nominated and are willing to serve, the Dean of the College shall call a meeting of an appropriate group to nominate the necessary number of persons. Each college shall notify the Secretary of the Senate in advance whether it will use for that purpose a College Council, a meeting of department chairs, or a full meeting of the College faculty. (US: 1/18/88; US: 10/12/98)~~

~~Each person must vote for as many persons as there are vacancies to be filled. If the number of persons nominated is no more than three times the number of vacancies to be filled, the persons receiving the largest number of votes shall~~

~~be elected. Should there be more than three times as many nominees as there are vacancies, and should the number of persons receiving a majority of votes be fewer than the number of vacancies, there shall be a second ballot containing twice as many names as there are vacancies to be filled. (US: 1/18/88; US: 10/12/98)~~

~~*In the elections to the Senate, as well as to other offices, the ballots shall not be opened until after the deadline for their receipt. (RC: 3/30/81)~~

~~If any election should result in a tie vote affecting the outcome of the election, the election will be repeated with respect to the candidates with tied votes. If a tie results a second time, the winner will be chosen by coin-toss or similar random process. (US: 10/12/98)]~~

A Election: The faculty of the academic units represented in the Senate shall conduct elections for vacancies in the second semester of the academic year, with the persons elected taking office on August 16 of the following academic year.

EB Terms; Vacancies: As specified in the *Governing Regulations*, each elected faculty member shall serve for a term of three years. Ideally, the terms of the representatives of each academic unit or sub-unit should be staggered so that one-third of them will be elected at each election. To this end the faculty of the academic unit represented, may, for any election, specify that a number of representatives be elected for two-year terms. If such action is taken, the dean of the academic unit involved shall notify the Secretary of the Senate of such intent in advance of the upcoming election. When more than one number is to be elected from a unit or sub-unit, those receiving the greater number of votes will serve three-year terms and those elected receiving the lesser number of votes will serve two-year terms.

BC Each elected representative shall be eligible for reelection for a second consecutive term, but ineligible for further reelection until one year has elapsed.

ED If a member of the Senate should at any time during his or her term become ineligible to serve (e.g., by reason of assuming an administrative title of dean or above, resignation, official leave which precludes attendance, or failure to attend Senate meetings), a vacancy shall be declared by the administrative head of the group represented, and that member of the eligible faculty who at the last election received the next highest number of votes shall serve for the duration of the elected member's ineligibility. If that person (or those persons in case of a tie) declines or is no longer eligible, the unit shall within thirty days select a replacement by an election process. A student member shall become ineligible to serve on purgation from the Student Senate. The Secretary of the Senate shall maintain attendance records and shall notify the administrative head of a unit when a representative of that unit has been absent without explanation from three meetings of the Senate during any one academic year. (US:3/12/79)

~~* In the case of a vacancy, if none of the other persons receiving votes at the most recent election is available to serve, the Rules Committee may select the person at the most~~

~~recent election with the next largest number of nominations, or the person receiving the next highest number of votes at the election preceding that. (RC: 11/17/86)~~

~~* If a senator is purged during his or her first term, he/she would not be eligible to stand for election until the end of that term. If elected then, the senator would be considered to be serving a second consecutive term. If a senator were purged during the second of two consecutive terms, he/she would not be eligible to stand for reelection until one year after the expiration of that term. (RC: 1/12/71)~~

Members of the Senate Council shall be voting members of the Senate until the end of their terms on the Senate Council. They will not be counted as part of the quota for the academic unit that they have represented nor of the maximum membership of the Senate after the expiration of their elected membership.

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Note: These proposals will be scheduled for Senate action on 8 October 2001.

US Agenda Item: Election Rules Changes 9.10.01