Re-noticing Bylaws Amendment #1 (Proposed by Senator Heinecke)

Previously you were noticed on an amendment related to Senate bylaws related to elections proposed by Senator Heinecke. Attached is a re-noticing as that proposed amendment has been shortened to remove any discussion about ranked order voting. It is essentially the same proposed amendment without the voting procedure language. The following proposed amendment is what will appear on the ballot in May.

Note on relation between this amendment and a conflicting provision contained in the package of bylaws amendments proposed by the ad hoc bylaws reform committee: An ad hoc committee on bylaws reforms is proposing a combined package of several bylaws amendments to be discussed at the May 1 Senate meeting. That package includes a provision that would retain the nominating committee with some modifications from its current form. The amendment I propose here would eliminate the nominating committee and is thus inconsistent with the provision addressed to the nominating committee that appears in the ad hoc committee’s package of amendments. By voting for this amendment, you are necessarily voting to replace the nominating committee provision in the amendments package with this bylaw amendment.

Proposal to Amend the Constitution and By-Laws of the Faculty Senate of the University of Virginia

I, the undersigned, propose that the Constitution and By-Laws of the University of Virginia Faculty Senate be amended as indicated below. Authority for this proposal is based on the Faculty Senate’s Constitution and By-laws, https://facultysenate.virginia.edu/content/about, which reads in its final section:

Amendments to the Constitution and By-Laws of the Faculty Senate

Changes in the Constitution and By-Laws of the Faculty Senate may be proposed at a regular meeting by any member of the Senate. To be approved, such changes must be the subject of notice provided to all faculties of the University at least two weeks prior to the next meeting of the Senate. Senate members are responsible for ascertaining the wishes of their constituencies. Adoption will require the affirmative vote of two-thirds of the members of the Senate.

Proposed Change to Senate Bylaws #1: That the current section of the Bylaws regarding the process of elections for presiding officers and at-large Executive Council representatives be changed from:

“F. A Nominating Committee to select candidates to run for election to Senate office shall be appointed by the Chair of the Faculty Senate by February 15. The Committee
shall have five members: The charge of the Nominating Committee is to develop a slate of candidates including one nominee for Chair-Elect and two nominees for each outgoing “at large” officer. Members of the Nominating Committee are ineligible to serve in any of these positions.

- the immediate Past Chair of the Faculty Senate, who shall be the Nominating Committee Chair;
- the Chair-Elect of the Faculty Senate; and
- three members appointed by the Chair of the Faculty Senate from the Senate at large with a maximum of one who may be a member of the Executive Council.

i The Chair of the Nominating Committee shall present the candidate slate to the full Senate no later than the last regular meeting of the Faculty Senate in the Spring. Additional nominations for each position may be made from the floor of the Senate. Voting shall occur at this meeting.

Every elected member of the Faculty Senate is eligible for election either as Chair-Elect of the Faculty Senate or as a member of the Executive Council for a term of three years with one exception: the Faculty Senate may not be chaired by the representative of any one School for more than three consecutive years.”

To:

“F. On March 1 the Chair of the Faculty Senate shall send out to senators by email a notice informing the Senate that nominations will be solicited for Chair-Elect, any open Executive Committee at-large positions, with the reminder that the Faculty Senate may not be chaired by the representative of any one School for more than three consecutive years.

The nominations period will be open for one a month period ending April 1. Senators shall be informed that they may nominate any senator for such positions as long as they have obtained the consent of the nominee to run for said office.

On April 1, the Chair of the Faculty Senate shall send out a list of the persons nominated for each office to senators including a 250 word statement of intentions submitted by each nominee which shall also be posted on the Senate’s webpage. At the last Senate meeting of the Spring Semester, each candidate shall have an opportunity to address the Senate in order to make statements and answer questions about their candidacy posed by the senators. Additional nominations for each position may be made from the floor of the Senate prior to voting at the last Senate meeting in the Spring. Elections will commence through electronic voting for a period of 10 days commencing immediately after the last Senate meeting of the Spring Semester.”
Rationale For Change

Currently, the bylaws allow for the nominations for chair-elect in a non-competitive manner. The nominations committee is selected by the Chair and consists of the Chair-Elect and the Immediate Past Chair and three nominees of the current Chair. In essence this leads to a situation in which the current leadership is choosing its successor as the Nominations Committee puts forward one name for an up-down vote for Chair-Elect. The same is essentially true for nominations of two names candidates per open seat for At-Large Executive Council members who are selected by the Nominations Committee.

The process of nominating and electing senators for these positions can be more democratic in nature. This proposed change in the bylaws also comports with current practice and codifies such practice. In essence, for the past three years senators have been making use of the By-laws option that allows for nominations from the floor. This process has worked well for three years in providing more competitive elections, although it is done last minute and it still allows the Senate Chairs to influence the election by signaling that the Nominations Committee candidates have the support of the Chairs. The proposed bylaws change offered here formalizes the process we have been using for the past three years and removes the influence of the appointed Nominations Committee. The proposed by-laws change fosters a more democratic and transparent election process.