

## **Proposal for Revision the Faculty Handbook.**

### **Revision of Voting Rights and Votes Required to Amend the Handbook.**

#### **Rationale.**

As you probably know, the Faculty Handbook Committee is undertaking a systematic review of the current handbook. We anticipate proposing multiple changes to the handbook over the course of the next year or two. In anticipation of bringing amendments forward to the faculty for consideration, we went back to examine voting patterns on proposed handbook amendments for recent years. In the period from 2011-2012 to the present, the percentage of faculty voting on handbook amendments ranges from 63% to 75%. Given that passing handbook amendments requires the approval of a majority of those eligible to vote, this has meant that between 67 and 80% of the faculty voting must approve the change for it to pass. On average, it has required 73% of the faculty voting to approve a handbook amendment. The 25% to 35% of faculty members who routinely do not vote are effectively voting “no” on every proposed handbook amendment. Our proposal is thus to change the process for amending the handbook from a majority of those eligible to vote to 60% of those voting.

As part of this change we are also proposing that Faculty on leave for up to two consecutive semesters retain full voting rights. With modern communications Faculty who are on leave can remain fully cognizant of developments on campus and should be able to vote, if they so wish. This change is closely linked to changing the handbook amendment voting requirements to a percentage of the Faculty who vote. With this change in the voting requirements for handbook amendments Faculty on leave may choose not to vote without impact on the outcome of any Faculty vote.

It is unusual for Faculty to have leave for more than two consecutive semesters. Denying voting rights for Faculty on leave for more than two consecutive semesters continues the current practice where Faculty may retain certain voting rights for a maximum of two successive semesters. (See Part Four Section VI B). Because voting rights will be automatically retained by Faculty on leave for up to two semesters the procedures for requesting voting privileges on personnel votes is eliminated.

The final part of this proposal is to change the quorum for a Faculty Meeting from 20% of the Faculty eligible to vote to 20% of the Faculty not on leave.

#### **Proposed Changes**

Language to be eliminated is ~~struck out~~

New language is highlighted.

## Part One Section II – Voting rights

### II VOTING RIGHTS

Only members of the Faculty have the right to vote on matters entailing Faculty action in the operation of the University. **Members of the Faculty on leave for up to two consecutive semesters are voting members. Members of the Faculty who extend their leave beyond two consecutive semesters are nonvoting members.** Members of the Faculty in retired status are nonvoting members. ~~Members of the Faculty on leave are nonvoting members unless they choose to retain the right to vote.~~<sup>†</sup> (See Part Four, Section VI., A and B. 4.)

## Part One Sec VI

### VI Faculty Meetings

#### D. Operating Procedures

3. A quorum for passing procedural motions, amendments to proposals, and whether to advance substantive issues to a written vote of the full faculty consists of 20% of the voting Faculty **who are not on leave.** ~~who are eligible to vote.~~

## Part Four Section VI

### VI LEAVES OF ABSENCE

#### B. Procedures on governing leaves of absence:

- ~~4~~ ~~Faculty on leave may choose to retain the right to vote for a maximum of two successive semesters. Faculty members on leave must indicate in writing to the Academic Vice President prior to going on leave those department personnel issues for which they choose to retain the right to vote and an intention to keep informed about deliberations concerning those issues. Any extension of this right beyond two semesters must be approved by the Academic Vice President.~~<sup>†</sup>
- 45** At the expiration of the leave, a written statement should make plain the extent to which the intended purposes were fulfilled.
- 56** Except as provided in the following or as allowed in individual instances, leaves are without pay from the University.
- 67** A Faculty member should be aware that fringe benefits do not automatically continue unchanged during a leave of absence.

## Part Five

### AMENDMENTS AND REVISIONS

#### I. AMENDMENT PROCEDURES

- A. Proposed amendments to this Handbook may be initiated by submission, in writing, of the proposed change to the Faculty Handbook Committee by any of the following:
1. the President of the University
  2. the Chairperson of the Board of Directors of the University
  3. the President of the John Carroll University chapter of the American Association of University Professors
  4. any department of the University through a motion passed at a department meeting
  5. the Faculty through a motion passed at a Faculty Meeting
  6. the Faculty Council
  7. the Faculty Handbook Committee on its own initiative.
- B. It shall then be the duty of the Faculty Handbook Committee to study such proposals in consultation with appropriate administrators and Faculty members, and to present them, with such recommendations as are deemed advisable, at the first Faculty Meeting scheduled thirty days or more after receipt of the proposal.
- C. Within thirty days after such Faculty Meeting, the Faculty Council shall conduct a written ballot on the proposed amendment. ~~If the amendment receives a majority of the Faculty eligible to vote~~ **If the amendment receives a positive vote by 60% of the Faculty voting on the proposed amendment**, it shall then be forwarded by the Faculty Council to the Board of Directors for consideration.
- D. Within ninety days of the receipt of the proposed amendment (counting only days during the Academic Year), the Board of Directors shall return the amendment either approved or disapproved to the Faculty Council. In case of disapproval, a written explanation of the reasons for such disapproval shall be included.
- E. In case of need, by mutual agreement of the Board of Directors and the Faculty Council, the time requirements specified in D above may be extended. If this occurs, the Faculty should be informed in writing.
- F. Amendments become effective as of the date a copy of each is distributed by the Faculty Council to each member of the Faculty. Such copy shall contain:
1. the adopted amendment

2. certification by the Chairperson of the Faculty Council of the approval of a majority of the Faculty, except in the case provided for in G below
  3. approval by the Board of Directors for the University. This distribution shall be no later than fifteen days after receipt of the approved amendment from the Chairperson of the Board of Directors.
- G. When an amendment proposed by the Board of Directors has not received the majority required for approval by the Faculty, the Board may still adopt the amendment on its own authority. In such cases the following shall obtain:
1. The Board shall notify the Faculty Handbook Committee of its intention and shall consult with them about the matter, requesting such information concerning the action taken by the Faculty as the Board shall deem advisable
  2. If the final action of the Board is adoption of the amendment, it shall then become part of the Faculty Handbook upon proper notification but
    - a. the new amendment shall not take effect until the Academic Year following the next issuance of contracts, and
    - b. an authentic copy of the new amendment shall be attached to the first contract or letter of appointment issued to each Faculty member after the amendment has been adopted.
- H. The Faculty Handbook Committee may make nonsubstantive textual rectifications of the Handbook on its own initiative. Such rectifications become effective ten days after a copy thereof is distributed to all Faculty members by the Faculty Handbook Committee. If challenged in writing during that ten-day period by any of the parties listed in A above, the change becomes subject to formal amendment procedures.

## II. REVISION PROCEDURES

- A. If the Faculty Handbook Committee proposes a revision of the Faculty Handbook, the revision becomes effective when the following three steps are completed:
1. ~~The revision receives a majority vote of the Faculty eligible to vote. The revision is approved by 60% of the Faculty voting on the revision.~~
  2. The revision receives the approval of the Board of Directors of the University
  3. A copy of the revised Faculty Handbook is distributed by the

Faculty Council to each member of the Faculty.