

**Summary
of
Proposed Substantive Changes
to
the UMKC Faculty Bylaws**

EXECUTIVE SUMMARY

1. The “Faculty” is defined to include everyone who has an “academic title,” with exceptions. This definition is broader than in the current Bylaws, which restrict Faculty to persons on “benefit-eligible academic appointments.”
2. The “Voting Faculty” consists of the following: all T/TT faculty, all ranked NTT faculty, and certain full-time unranked NTT faculty. The amendments proposed describe these sets more clearly than the current Bylaws, especially the third set.
3. All Voting Faculty members have the right to vote for their unit’s Senators, something not guaranteed by the current Bylaws.
4. All Faculty members have a right to attend the All-Faculty Meeting, whereas the current Bylaws restrict attendance to Voting Faculty.
5. All ranked NTT faculty members with at least six years on Voting Faculty are eligible to serve as an officer of the Senate, rather than just those at the Associate or Librarian II level or higher under the current By-Laws.

DETAILED SUMMARY

Introduction:

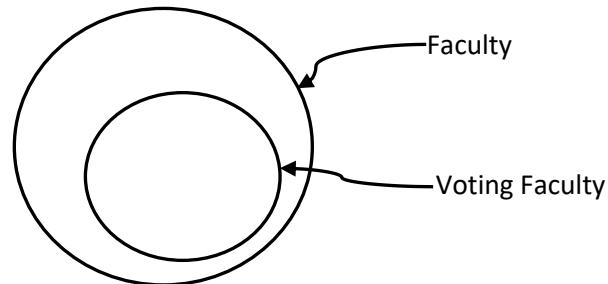
The current Bylaws are somewhat ambiguous regarding who counts as faculty and which faculty members can vote in campus-wide elections. Additionally, depending on the way those ambiguities are interpreted, the current Bylaws might provide voting rights to many people who arguably shouldn't have such rights. A Senate ad hoc working group was formed to try to understand who is included in faculty and which faculty can vote. The working group decided to propose amendments to the Bylaws in order to clarify this issue going forward.

As a result of this effort, the working group is proposing that both the definition of "Faculty" and "Voting Faculty" be modified as described below. These modifications result in the need for many conforming changes throughout the Bylaws.

The working group did not intend to comprehensively review the Bylaws or propose amendments beyond those that would address this voting issue. However, over the course of working with the Bylaws, the working group discovered a handful of problematic provisions and decided to take advantage of this opportunity and propose amendments to address them. The proposals that would make substantive changes to the Bylaws are discussed below. The proposals that would not substantively change the Bylaws and merely clean them up are not included in this Summary.

Voting Amendments:

The current Bylaws provide a definition of “Faculty” and a definition of “Voting Faculty.” Ideally, the “Voting Faculty” should be a subset of the Faculty. The proposed amendments adhere to that principle.



Definition of “Faculty” (CRR 300.020.B):

- **Current Definition:** “The University of Missouri-Kansas City Faculty shall consist of the President of the University, the Chancellor, and all persons on benefits-eligible academic appointments.”
- **Problem:** There is no definition, either in the Bylaws or within the university’s human resources department, of an “academic appointment.” This creates a problem in determining which unranked NTT faculty should be included.
- **Proposed Definition:** “The University of Missouri-Kansas City Faculty (the “UMKC Faculty” or the “Faculty”) shall consist of the President of the University, the Chancellor, and all academic appointees. An academic appointee is defined as one who has an academic title according to the University’s human resources department, unless (i) the academic title is one that is primarily held by students or (ii) the Faculty Senate (the “Faculty Senate” or “Senate”) determines that the position to which the title refers is one that is not engaged significantly in teaching, research, or clinical/professional practice or whose duties are not closely related to the University’s instructional and research functions. Any such determination shall be recorded in the Faculty Senate Standard Operating Procedures and the Faculty Senate meeting minutes.”
- **Discussion:** Pursuant to the Bylaws, members of the UMKC Faculty have certain rights, albeit limited. Specifically, they have the right to attend All-Faculty Meetings and the right to have access to Senate minutes.

In the proposed language, “academic appointee” is defined as a function of having an “academic title.” “Academic title” is a thing within the human resources office, and we know who does and who doesn’t have an “academic title.” The definition is quite broad. For a list of some UMKC “academic titles,” please see the Attachment below. The working group liked the broad inclusiveness of using academic titles for clarity and dropping the “benefit-eligible” requirement for greater inclusiveness. For example, we want part-time people like adjuncts, who are critical to the teaching mission but do not currently qualify as “Faculty” under the current Bylaws because they are not benefit-eligible, to feel they are part of the community and have a voice. At the same time, we felt it would be inappropriate to include academic titles such as Graduate Assistant that are held mainly or exclusively by students. We also recognized that some

academic titles might, for some unforeseen reason in certain circumstances, be problematic. (Note, for example, that “Research Assistant” is an academic title.) So the Senate has the right to exclude certain academic titles from the definition of “Faculty,” provided one of the listed criteria is met. The working group thought this was a better system than trying to pick and choose among all the academic titles, deciding which ones should be deemed “Faculty.” Additionally, the list of academic titles may change in the future, so this definition is both inclusive and gives the Senate the flexibility going forward to narrow it on a category-by-category basis, if necessary.

Definition of “Voting Faculty” (CRR 300.020.B.1):

- Current Definition: “For purposes of campus- and University-wide elections, those individuals eligible to vote shall consist of all tenured and tenure track and all full-time, ranked and unranked, non-tenure track faculty, including Librarians I, II, III and IV; as defined in Section 310.035A of the Collected Rules and Regulations, provided that the individual is .75 FTE or greater and holds an appointment of at least nine (9) months duration. In addition, faculty in any academic unit whose percentage of effort in routinely overseeing and participating in the instructional mission of the University is comparable to the foregoing, but who are not paid directly by UMKC, shall be eligible to vote in campus- and University-wide elections. Criteria utilized by such units in determining its faculty whose percentage of effort in routinely overseeing and participating in the instructional mission of the University is comparable to the foregoing must be approved in advance by the Faculty Senate. The foregoing voting eligibility rules are not intended to define the eligibility of faculty to vote in school or college elections and the eligibility to vote in such school or college elections shall be defined by the rules of such school or college. Campus-wide faculty votes on issues specific to tenure or tenured/tenure track (T/TT) faculty will be restricted to T/TT faculty.”
- Problem: This definition is challenging to interpret, in particular with regard to determining which unranked NTT faculty members are part of the voting Faculty .
- Proposed Definition: “For purposes of campus- and University-wide elections, except with regard to issues specific to the promotion and tenure of tenured and tenure-track Faculty members (“T/TT Faculty Members”) and except with regard to the election of the campus-wide, at-large non-tenure track Faculty member to serve on Senate (as provided in Section E.1), those individuals eligible to vote (the “UMKC Voting Faculty” or the “Voting Faculty”) shall consist of the following:
 - a. All full-time T/TT Faculty Members;
 - b. all ranked non-tenure track Faculty members (as defined in CRR 310.035) who are paid directly by UMKC;
 - c. all full-time, unranked non-tenure track Faculty members who (i) are paid directly by UMKC and (ii) have the academic title of “Instructor,” “Clinical Instructor,” “Field Instructor” or “Lecturer” or have a title that is determined by the Faculty Senate to be equivalent to Instructor, Clinical Instructor, Field Instructor or Lecturer in terms of responsibilities and qualifications. Any such determination shall be recorded in the Faculty Senate Standard Operating Procedures and the Faculty Senate meeting minutes; and

- d. all Faculty members who are not paid directly by UMKC but who routinely oversee and participate in the instructional mission of the University to an extent comparable to a full-time Faculty member (“Additional Voting Faculty Members”); provided, however, that inclusion of such persons as Additional Voting Faculty Members must be recommended by the respective academic unit and approved by the Faculty Senate Executive Committee (FSEC). To participate in a campus- or University-wide election or exercise any other right of Voting Faculty under these Bylaws, a person must be approved as an Additional Voting Faculty Member by the FSEC at least four weeks prior to the commencement of the election or the exercise of the right.

The foregoing voting eligibility rules are not intended to define the eligibility of Faculty members to vote in academic unit elections on matters other than representation in the Faculty Senate. The eligibility of Faculty members to vote on academic unit matters, other than Senate representation, shall be determined by each unit. The eligibility of Faculty members to vote for the unit’s representation in the Faculty Senate is provided for in Section E.2.b. Campus- and University-wide voting on issues specific to the promotion and tenure of T/TT Faculty Members will be limited to the T/TT Faculty Members or some appropriate subset thereof. The election of the campus-wide, at-large non-tenure track faculty member to serve on Senate is governed by Section E.1.”

- Discussion: This proposal tries to capture what seems to be intended by the current definition of the Voting Faculty, except it narrows it in that unranked NTT faculty who qualify as Voting Faculty (category “c”) are restricted to full-time people with the title “Instructor” “Clinical Instructor,” “Field Instructor” or “Lecturer” or any other academic title the Senate approves on the grounds that it is equivalent to Instructor, Clinical Instructor, Field Instructor or Lecturer.

This proposed definition was presented to the Senate on November 15 in general terms and was approved in principle by the Senate by a vote of 19 to 0, with 2 abstentions.

Procedure for including Faculty who are not paid directly by UMKC in “Voting Faculty” (CRR 300.020.B.1.d

- Current Provision: “In addition, faculty in any academic unit whose percentage of effort in routinely overseeing and participating in the instructional mission of the University is comparable to the foregoing, but who are not paid directly by UMKC, shall be eligible to vote in campus- and University-wide elections. Criteria utilized by such units in determining its faculty whose percentage of effort in routinely overseeing and participating in the instructional mission of the University is comparable to the foregoing must be approved in advance by the Faculty Senate.”
- Proposed Provision: “...those individuals eligible to vote (the “UMKC Voting Faculty” or the “Voting Faculty”) shall consist of the following: . . . d) all Faculty members who are not paid directly by UMKC but who routinely oversee and participate in the instructional mission of the University to an extent comparable to a full-time Faculty member (“Additional Voting Faculty Members”); provided, however, that inclusion of such persons as Additional Voting Faculty

Members must be recommended by the respective academic unit and approved by the Faculty Senate Executive Committee (FSEC). To participate in a campus- or University-wide election or exercise any other right of Voting Faculty under these Bylaws, a person must be approved as an Additional Voting Faculty Member by the FSEC at least four weeks prior to the commencement of the election or the exercise of the right.”

- Discussion: The proposed provision simplifies and tightens up the process for giving campus-wide voting rights to faculty who are not paid directly by UMKC by making four changes: 1) the faculty member’s unit must initiate the request; 2) the Senate must approve the list of people to be added, not just the criteria used in selecting them; 3) the Senate’s decision is delegated to the Faculty Senate Executive Committee; and 4) the decision must be made at least four weeks before a campus-wide election for the person to participate in the election. The basic condition that must be met to qualify for UMKC voting rights—that participation in the University’s instructional mission be comparable to that of other full-time faculty—remains unchanged.

Eligibility to Vote for a Unit’s Senators:

- Current provisions: The Bylaws currently say that the unit has the exclusive authority to determine which of its faculty members get to vote for its Senators. (See 300.020.B.1.) However, the Bylaws also currently state that any member of the voting Faculty can become a Senator. (See 300.020.E.1.b.)
- Problem: This means that a unit can exclude people who are eligible to be Senators from voting for their Senate representation. The Senate addresses a broad scope of faculty concerns. Therefore, the working group considered that it was not appropriate to allow units to prevent people who are eligible to be a Senator from voting for their unit’s Senators.
- Proposed New Rule (300.020.E.2.b): “All members of a represented unit who are members of the UMKC Voting Faculty (as defined in Section B.1) shall be eligible to participate in the election of the unit’s Senators.”

Other Substantive Amendments:

Rights and Privileges of Non-Voting Faculty

- Current provisions: The section of the current Bylaws that provides for All-Faculty meetings is not inclusive in that it says these meetings are for Voting Faculty only (Section B.3) and calls for the distribution of meeting agenda to Voting Faculty only (Section E.5.a). The current Bylaws are also confusing in that subsequent sections refer to these all-campus meetings as meetings of the “general Faculty,” which could be interpreted to include non-voting Faculty in addition to Voting Faculty (e.g., Sections E.3.b). Finally, the current Bylaws give all Faculty the right to demand an

appearance before the Senate to express concerns (Section E.4.b), which could be burdensome to the Senate under a broad definition of non-voting Faculty.

- Proposed Amendments: All members of the UMKC Faculty—not just Voting Faculty—may attend the All-Faculty Meeting and receive meeting agenda. All mentions of campus-wide faculty meetings refer to them as “All-Faculty Meetings,” which makes clear they are the same meetings provided for in Section B.3. Finally, only Voting Faculty are given the right to demand an appearance before the Senate to express concerns.
- Justification for Changes: We would be more inclusive by giving non-voting Faculty a greater opportunity to express their concerns to the Senate at the All-Faculty Meeting and to receive information about Senate activities, while ensuring that the Senate does not get overwhelmed by requests for appearances from non-voting Faculty.

Eligibility to Become an Officer of the Senate (CRR 300.020.E.5)

- Current Provision: “Individuals eligible to run for Senate officer positions shall consist of all Voting Faculty who are ranked with a tenured/tenure-track appointment; ranked faculty with a non-tenure track appointment of the Associate rank or higher; and Librarians II, III, or IV. All candidates must have six years-experience as Voting Faculty at UMKC.”
- Proposed Provision: “Individuals eligible to run for Senate officer positions shall consist of all members of the Voting Faculty who both (i) fall within the categories described in Section B.1.a or B.1.b and (ii) have at least six years as members of the Voting Faculty at UMKC.”
- Discussion: The officers of the Senate are the Chair, Past Chair, Chair-Elect, two IFC Representatives, and an at-large NTT Senator. Currently, unranked NTT faculty members with the “assistant” rank and Librarians I are not eligible to serve as an officer of the Senate. The proposed provision expands the eligibility to include unranked NTT faculty of the “assistant” rank and Librarians I. The proposed provision retains the requirement that, to be eligible, a faculty member must have been a member of the UMKC Voting Faculty for at least six years. The working group saw no reason to deny eligibility to unranked NTT of the “assistant” rank or Librarians I, especially given that they would need to have been members of the Voting Faculty for at least six years in order to be eligible.

ATTACHMENT

List of Some Academic Titles at UMKC

Regular Faculty/TTT:

- Professor*

Ranked NTT:

- Clinical Professor*
- Librarian (I-IV)
- Professional Practice Professor*
- Research Professor*
- Teaching Professor*

Other:

- Adjunct Instructor
- Adjunct Professor*
- Clinical Instructor*
- Clinical Resident
- Docent
- Emeritus Professor
- Fellow (including Senior Resident Fellow)
- Field Instructor
- Grader
- Graduate Assistant/Fellow/Instructor/RA/TA
- Instructor
- Intern
- Lecturer
- Library Associate**
- Olson Professor
- Post-Doctorial Associate/Fellow/Fellow-Teaching
- Preceptor
- Program Director*
- Research Aide
- Research Assistant/Associate/Aide/Instructor/Scientist/Academic**
- Resident Physician (Chief, First Year, Second Year, etc.)
- Specialist
- Teaching Assistant/Associate/Fellow
- Theater Assistant
- Tutor
- Visiting Instructor
- Visiting Professor*
- Visiting Research Associate
- Visiting Scholar

* Includes "Assistant" and "Associate" statuses.

** Includes "Senior" status.