



## CONSTITUTION OF THE FACULTY

### THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE

#### **Ratified October 18, 1972**

Amended April 17, 1975  
Amended April 15, 1976  
Amended April 25, 1978  
Amended November 2, 1978  
Amended December 12, 1980  
Amended October 15, 1981  
Amended April 26, 1984  
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Amended April 3, 1986  
Amended September 17, 1987  
Amended May 4, 1989  
Amended September 19, 1991  
Amended November 19, 1992  
Amended January, 1999  
Amended April 22, 1999  
Amended April, 2001  
Amended May 5, 2005  
Amended March 30, 2006  
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Amended January 22, 2009  
Amended April 21, 2011  
Amended February 21, 2013  
Amended January 23, 2014  
[Amended XXX X, 2015](#)

## **To the Members of the Faculty Council:**

The Faculty Executive Committee, on the recommendation of its Task Force on Adjusting the Faculty Governance Structure, moves that the Faculty Council approve the following changes to the Constitution of the Faculty of UNC Charlotte. Text in this document in **red** indicates material to be stricken; text in **blue** indicates material to be added. Text in **green**, well, that's just notes like this one, not intended for inclusion in the document.

Adopting these changes to the Constitution will require a majority vote of the Faculty Council, and a 2/3 majority of votes returned in a balloting of the Faculty.

## **Summary of Proposed Changes:**

**Article VI, Sections 1 and 3**, to lengthen the Presidential term from one to two years.

**Article IV, Section 4**, to adjust the role of the Past President.

**Article V, Section 1**, to alter the membership in the FEC. Please note that this change permanently reduces the membership in the FEC, and by extension the faculty representation on Faculty Council, by one person.

**CONSTITUTION OF THE FACULTY  
THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE**

**PREAMBLE**

We, the Faculty of the University of North Carolina at Charlotte, in order to create a system of governance which will permit the exercise of such authority as may be granted to us and the sharing thereof with other elements of the University Community and also among ourselves as separately identified faculties, do establish this Constitution for the Faculty of the University of North Carolina at Charlotte.

The term “Faculty” as used in this document, refers to that group of individuals defined in Article I. When the term “faculties” is used, it refers to the several faculties of the individual colleges and/or programs which comprise the University.

**ARTICLE I**

The faculty of the University of North Carolina at Charlotte, hereinafter known as the Faculty, shall consist of all full-time persons holding academic rank of lecturer or above, regardless of modifying adjectives. The number of Faculty constituting quorums and proportions eligible to propose actions under Articles VII.3, VIII.1, IX.1 and IX.2, shall be calculated on the basis of the most recent figure reported publicly by the Office of Institutional Research.

**ARTICLE II  
RIGHT TO VOTE AND HOLD OFFICE**

Part-time Faculty and Visiting and Adjunct Faculty may not vote or hold office under this Constitution. Only Faculty with tenure may serve as a faculty president, president-elect, secretary, faculty standing committee chairperson, and member of the Faculty Executive Committee, except in the cases of faculty who give up tenure in phased retirement and members of the Library Faculty with the rank of associate professor and above. Faculty with administrative appointments, such as Chairpersons, Directors, and Deans, shall not serve on the Executive Committee of the Faculty. The Chancellor may serve, in accordance with The Code, as the Chairperson ex officio of the Faculty and the Faculty Council.

**ARTICLE III  
PURPOSE AND AUTHORITY OF THE FACULTY**

Section 1: General Purpose

The Faculty shall strive to preserve, generate, transmit, and apply knowledge and understanding and to foster and support a vital spirit of open inquiry and critical thinking.

Section 2: Justification for Faculty Authority

The Faculty accepts the major portion of accountability for the quality of instruction and scholarship at this university. Therefore, it is fitting and proper that responsibility and authority, both primary and shared, for certain functions within the University be assigned and delegated to the Faculty and that the process for the discharge of these responsibilities and the exercise of this authority be defined.

### Section 3: Policy-Making, Not Implementation

In identifying functions for which authority, primary or shared, should be delegated to the Faculty, the emphasis is on the formation of policy. It is recognized that the primary responsibility for the implementation of academic policy rests with the administration of the University, subject to The Code Provisions of The University of North Carolina and other pertinent documents.

#### A. Policy-Making Responsibilities and Authority

Subject to the delegation of authority from the Chancellor and to the regulations and/or policies of the Board of Trustees of The University of North Carolina at Charlotte, the Board of Governors of The University of North Carolina, and the President's Office, the Faculty assumes primary policy-making responsibility for:

1. setting minimal general degree requirements for the University, to which the faculties of individual colleges and programs may add additional requirements for their graduates;
2. setting minimal University admission standards, to which the faculties of individual colleges or programs may add additional standards, and/or for which the faculties of individual colleges and programs may set higher standards than those set by the Faculty generally;
3. establishing academic plans and curricula and developing and reviewing proposed new programs, including auxiliary academic programs (e.g., continuing education);
4. establishing grading systems and setting academic policies concerning withdrawal, suspension, and retention;
5. establishing policies and standards for the granting of academic credit;
6. establishing policies for the granting of degrees, academic and honorary, and acting to award such degrees;
7. establishing policy, within the limitations of The Code, and the tenure document, concerning promotion, appointment, reappointment, tenure, and post-tenure review of faculty (It is recognized that the tenure document is, and will continue to be, subject to judicial interpretation and to interpretation by the administration after hearing the

- advice of appropriate faculty bodies as designated by the Faculty Council);
8. establishing policies governing academic counseling of students;
  9. establishing policy for the allocation of those UNC Charlotte research funds which are open to the solicitations of the general faculty; and
  10. establishing policies and procedures for the faculty review of University administrators.

#### B. Consultation Responsibilities

The Faculty Council will be consulted in time to permit the forwarding of faculty recommendations when decisions are impending on policies concerning:

1. the academic calendar,
2. salary increases,
3. academic leave,
4. academic workloads,
5. allocation of academic positions,
6. appointment of administrators,
7. library user services and collection department,
8. grants and contracts,
9. academic computer use,
10. course scheduling,
11. allocation and use of existing facilities,
12. transportation and parking,
13. program and design of new facilities,
14. changes in the formal structure of colleges, departments, or other units in the division of Academic Affairs.

### **ARTICLE IV OFFICERS OF THE FACULTY**

#### Section 1: President of the Faculty

A President of the Faculty shall preside over all meetings of the Faculty and the Faculty Council not chaired by the Chancellor and shall chair the Faculty Executive Committee.

#### Section 2: President-Elect

A President-Elect shall be elected at-large to serve in the absence of the President and to ascend to the office of President the year following election. The President-Elect shall serve as the Chairperson-Elect of the Faculty Executive Committee. The President-Elect shall serve as a delegate to the Faculty Assembly of the University of North Carolina.

#### Section 3: Secretary

A Secretary of the Faculty shall be elected at-large; shall keep minutes and all other records of the meetings of the Faculty, the Faculty Council, and the Faculty Executive Committee; and shall

conduct all correspondence of the Faculty, the Faculty Council, Faculty Executive Committee and the Chair of the Faculty Academic Planning and Budget Committee.

Section 4: Past-President

During years when there is no President-Elect, the immediate Past President shall serve in the absence of the President. The Past President shall serve as a delegate to the Faculty Assembly of the University of North Carolina, and as a member of the ~~The immediate Past President shall serve as Chairperson of~~ the Faculty Academic Planning and Budget Committee.

**ARTICLE V  
EXECUTIVE COMMITTEE AND OTHER COMMITTEES**

Section 1: Composition of the Executive Committee

The Executive Committee of the Faculty and the Faculty Council shall consist of the President, ~~the President-Elect~~, the Secretary, the President-Elect or the immediate Past President, three members elected by the Faculty of the College of Liberal Arts and Sciences, one member elected by each other College of the University, and one member elected by Faculty members of the Library.

Section 2: Powers and Duties of the Executive Committee

The Executive Committee shall have the power to conduct the affairs of the Faculty as defined in Article III, subject to the approval of the Faculty Council. The Executive Committee shall represent the Faculty when the Chancellor or the Provost require Faculty consultation under The Code during the summer sessions or when emergencies arise that require a University response prior to the next meeting of the Faculty Council.

Section 3: Bylaws of the Executive Committee

The Executive Committee of the Faculty, subject to the approval of the Faculty Council, shall establish its own bylaws concerning its internal operation and its reporting function.

Section 4: Standing and Special Committees

The Executive Committee shall have the power to establish, subject to the approval of the Faculty Council, any Standing or Special Committees necessary for conducting the business of the Faculty.

Section 5: Reporting and Consulting Responsibilities of Committees

The Executive Committee and all other Committees shall report regularly to the Faculty Council and shall seek consultations with administrators to whom reports and recommendations are submitted if clarification or support of Faculty positions is needed.

## ARTICLE VI ELECTIONS

### Section 1: Nominations

~~The Executive Committee shall appoint a Nominating Committee chaired by the President-Elect, which shall nominate at least two people, if possible, to fill each vacancy in the Standing Committees and the offices of the Faculty.~~

The Nominating Committee shall report to the Faculty Executive Committee. ~~Additional n~~ Nominations for Officers of the Faculty Council, standing Committee Chairs or at-large members of standing Committees may be made by any member of the Faculty Executive Committee or the Faculty Council. In addition, the Nominating Committee shall issue open calls for nominations to the Faculty.

### Section 2: Elections

The Faculty has the right to elect the Officers of the Faculty and the at-large members of the Standing Committees of the Faculty. If there is only one nominee for a position the Faculty Council shall act for the entire Faculty and elect that individual by acclamation. If there is more than one nominee, the entire Faculty shall elect by a mail or secure electronic ballot. A plurality of the ballots cast shall be necessary for election.

### Section 3: Election of Officers

The election of the President-Elect shall be held in the Spring of even-numbered years. The elected individual will serve as President-Elect for one year, as President for the next two years, and as Past-President for the next one year. The election of the Secretary shall be held in the Spring of each year. The Secretary shall serve for one year. If for any reason an elected officer of the Faculty cannot fulfill the duties of his office, an election for that office shall be held in accordance with this Article. The officers of the Faculty and the members of the Faculty Executive Committee shall assume their new terms at the conclusion of the final Faculty Council meeting of the academic year. The members of the Faculty Executive Committee not elected at-large shall serve two-year terms, staggered so that half of them shall be elected each year.

### Section 4: Alternate

Each duly elected member of the Faculty Executive Committee (except the president, president-elect, and the secretary), the Faculty Council, or any committee subordinate thereto who is unable to attend any meeting of the group of which he is a member may have his place taken by an alternate duly elected by the unit he represents. Committee members elected by the faculty as a whole shall have alternates elected by the faculty as a whole.

### Section 5: Vacancies

When vacancies in committee membership or alternate positions would place undue hardship on individuals involved with committee business or on the fulfillment of the purposes of the committee if the regular replacement procedures were followed; the President of the Faculty with the concurrence of a 2/3 vote of the Faculty Executive Committee, shall have the authority to appoint faculty members to fill the vacancies. The appointees will serve until the next regularly scheduled annual election. In making appointments, the President shall endeavor to maintain committee composition similar to that existing prior to the occurrence of the vacancy. The appointive power is only available under the extraordinary circumstances contained in this Section.

#### Section 6: Chairs of Standing Committees

~~For Standing Committees whose Chairs are~~ For any Standing Committee whose Chair is chosen through university wide elections, individuals; may serve not more than two consecutive terms (four years) as Chair. Following a second consecutive term as Chair an individual must wait at least one term (two years) before becoming eligible to be nominated to run for Chair.

~~For advisory Standing Committees whose Chair is~~ For any advisory Standing Committee whose Chair is elected by the members of the committee, individuals may serve no more than four consecutive years as Chair. Following a fourth consecutive year as chair and individual must wait at least two years before becoming eligible to be nominated to run for Chair.

This term limit does not preclude an individual from serving as a regularly elected member of a Standing Committee following his/her consecutive terms as Chair.

## **ARTICLE VII FACULTY COUNCIL**

#### Section 1: Composition of the Faculty Council

- A. The ex-officio, voting members of the Faculty Council shall be: the members of the Faculty Executive Committee, the Chancellor, the Provost and Vice Chancellor for Academic Affairs, the Vice Chancellor for Student Affairs, the Vice Chancellor for Research and Economic Development, the Dean of University College, the Dean of the Graduate School, the Dean of the Library, and the Deans of each of the Colleges of the University.
- B. The Faculty of each unit entitled to an elected, voting member of the Faculty Council shall choose its representative, by a simple majority of the votes cast, no later than the second Thursday in April of each year to serve for a one-year term. The academic units entitled to such a representative are:

*Accounting*  
*Aerospace Studies*  
*Africana Studies*  
*Anthropology*  
*Architecture*  
*Art & Art History*

*Bioinformatics & Genomics*  
*Biological Sciences*  
*Business Information Systems & Operations*  
*Management*  
*Chemistry*  
*Civil & Environmental Engineering*



*Communication Studies*  
*Computer Science*  
*Counseling*  
*Criminal Justice & Criminology*  
*Dance*  
*Economics*  
*Educational Leadership*  
*Electrical & Computer Engineering*  
*Engineering Technology and Construction Management*  
*English*  
*Finance*  
*Geography & Earth Sciences*  
*Global, International & Area Studies*  
*History*  
*Kinesiology*  
*Languages & Culture Studies*  
*Library*  
*Management*  
*Marketing*

*Mathematics & Statistics*  
*Mechanical Engineering & Engineering Science*  
*Middle, Secondary & K-12 Education*  
*Military Science*  
*Music*  
*Nursing*  
*Philosophy*  
*Physics & Optical Science*  
*Political Science and Public Administration*  
*Psychology*  
*Public Health Sciences*  
*Reading & Elementary Education*  
*Religious Studies*  
*Sociology*  
*Social Work*  
*Software & Information Systems*  
*Special Education & Child Development*  
*Systems Engineering and Engineering Management*  
*Theatre*

C. Changes in entitlement to representation of units may be designated by a 2/3 vote of the Faculty Council as changes in the University may justify.

D. Academic unit names may be changed in the Faculty Constitution with a majority vote of a quorum of Faculty Council members. Academic unit names may be added to the Faculty Constitution when the new unit receives final approval.

## Section 2: Powers and Duties of the Faculty Council

The power to conduct the affairs of the Faculty, as described in Article III, shall reside with the Faculty Council.

## Section 3: Meetings

The Faculty Council shall have at least three regularly scheduled meetings per year. Special meetings shall be called by the President of the Faculty when requested to do so by the Faculty Executive Committee, the Chancellor, or upon a written or electronic petition endorsed by 10% of the Faculty members presented to the President.

## Section 4: Quorum

A quorum shall consist of a majority of the members of the Faculty Council.

## Section 5: Parliamentary Authority

The rules contained in Robert's Rules of Order, Newly Revised, the latest edition, shall govern the Faculty Council in all parliamentary situations not covered by this Constitution or the laws of the State of North Carolina.

Section 6: Recall Provision

Any academic unit included in Section 1.B above may recall its representative to the Faculty Council by majority vote of the voting members of that academic unit.

**ARTICLE VIII  
AMENDMENTS**

Section 1: Proposal

An amendment to this Constitution may be proposed by the Faculty Executive Committee, by any of the faculties, or by a written or electronic petition endorsed by 10% of the Faculty. Such a proposed amendment shall be placed by the President of the Faculty on the agenda of the Faculty Council. A simple majority vote of the Faculty Council in support of the amendment shall make the proposed amendment eligible for adoption.

Section 2: Adoption

The adoption of amendments to this Constitution requires a mail or secure electronic ballot by the entire Faculty. A two-thirds majority of the ballots cast shall be necessary to pass any amendment.

**ARTICLE IX  
GENERAL FACULTY MEETINGS**

Section 1: Purpose and Call

A general meeting of the Faculty may be called by the Chancellor at any time and shall be called by the President of the Faculty only upon written or electronic petition endorsed by at least 10% of the Faculty members. A general Faculty meeting shall be for the purpose of communication, discussion, and/or to determine whether or not an issue warrants a faculty referendum.

Section 2: Quorum

A quorum shall consist of 25% of the entire Faculty.

Section 3: Parliamentary Authority

The rules contained in Robert's Rules of Order, Newly Revised, the latest edition, shall govern the Faculty in all parliamentary situations not covered by this Constitution or the laws of the State of North Carolina.

Section 4: Faculty Referendums

Faculty referendums must be conducted by mail or secure electronic ballot, may be conducted only during the academic year, and shall be valid only if 50% or more of the eligible voters return ballots. A plurality of the ballots cast shall represent the decision of the Faculty. The decision shall be forwarded by the President of the Faculty to the Chancellor and other appropriate University bodies and/or officers.