

Module 1

Excerpts of Key Senate Bylaws Regarding Appointments and RTP



Rules of Order



- Subject to its own authority to make a special rule of order, Robert's Rules of Order shall be the official authority of the Senate for those matters for which rules of order of its own have not been adopted.
(Bylaw 2, F)
- The rules of order adopted for Senate proceedings are the rules of order for all Senate committees.
(Bylaw 2, I) This extends to Appointments Committees and RTP Committees which are established as Senate Committees through Bylaws 20 and 22.

Voting

- In all cases, except where otherwise specifically stated in Senate bylaws, the Chair shall have the right to vote in situations involving a secret ballot. In the case of a secret ballot, the Chair does not have the right to break a tie [as that would give the person 2 votes].
- In all other methods of voting [i.e., not by secret ballot], the Chair shall have the right to vote only in the case of a tie. ([Bylaw 2](#), F2(a))
- In the case of elections of members to posts or committees, voting shall be by secret ballot. ([Bylaw 2](#), F2(b)) [includes voting on the appointment and RTP decisions]



Employment Equity/Procedures Assessor

(Bylaw 2, K)

- The Employment Equity/Procedures Assessor (EE/PA) shall be an active or retired faculty or librarian member
- An EE/PA shall be a non-voting member
- The EE/PA shall be from outside the AAU
- The EE/PA shall draw the committee's attention to the essential components of employment equity including that of fair procedures fairly applied. The administrative responsibility for procedural correctness shall remain with the AAU Head and/or the Dean.



Quorum

- Unless otherwise stated, one-half of the members constitutes a quorum. ([Bylaw 2](#), F&L)
- Bylaw 22 establishes quorum to be one less than the full voting membership of the AAU RTP Committee. ([Bylaw 22](#), 6.1)
- During the period May to August, the quorum shall be forty per cent, including one student, or, fifty percent of the voting membership ([Bylaw 3](#), 1.1.4), and student members may participate via teleconference or video conference. ([Bylaw 40](#), 5)



Videoconference etc.



All meetings shall be normally held in person. A Chair may permit members to participate by videoconference (or other mechanism, which allows all members to see and hear each other), technology permitting, subject to the following:

- For committees with seven or more members, no more than two members may participate by videoconference. For the months of May-August, all student members may participate by videoconference, plus two other members.
- For committees with six or fewer members, no more than one member may participate by videoconference. For the months of May-August, all student members may participate by videoconference, plus one other member.

(Bylaw 2, I)



University of Windsor

Videoconference cont'd



- Requests to participate by videoconference are to be accompanied by a strong rationale for not attending in person (e.g., at a conference or other work-related activity) and should be submitted at least 48 hours prior to the meeting. Requests will be assessed and approvals granted by the Chair on a first come, first serve basis. ([Bylaw 2](#), I)
- In the case of secret ballot votes, members participating by videoconference waive their right to anonymity and may submit their vote in confidence to the recording secretary. ([Bylaw 2](#), I)
- Members participating by videoconference will have all the rights and responsibilities as those attending in person and will count towards quorum. ([Bylaw 2](#), I)



Student Representation

- For appointments to a single AAU and for AAU Council, student representation shall equal the number of voting faculty members divided by three and rounded to the nearest whole number. The students shall be elected by and from the students in the AAU. ([Bylaw 20](#), 2.1.1, [Bylaw 40](#), 4.1.3). The Dean and Head are included in the count of faculty members for the purpose of determining the number of students.
- For joint appointments, there shall be two students on the Appointments Committee, one from each of the bodies involved in the appointment. ([Bylaw 20](#), 2.1.2 & 2.1.3)



Student Representation cont'd

- For RTP Committees, for single AAU candidates, there shall be one student elected by and from the students in the AAU ([Bylaw 22](#), 3.1.1)
- For RPT Committees, for joint appointment candidates, there two students, one from each of the bodies involved in the appointment. ([Bylaw 22](#), 3.1.2 & 3.1.3)



Student Representation cont'd

- Student alternates may be elected by and from the students in the AAU to serve as representatives in cases where the elected student representative is unable to participate for an extended period of time due to program requirements (e.g., co-op or field placements, internships, etc.). In all instances, there shall be no alternating among and between student representatives during the course of a single search, RTP consideration, or the course of a single semester. ([Bylaw 20](#), 2.1, [Bylaw 22](#), 3.1.5, [Bylaw 40](#), 4.1.4.1)



Faculty Representation

- Appointments Committees – For single AAU appointments ([Bylaw 20](#), 2.1):
 - Dean (or Associate Dean), in departmentalized Faculties
 - AAU Head, Chair (if different than Dean)
 - three or more faculty members elected by and from the regular faculty members in the AAU
- Appointments Committees – For joint appointments:
 - Dean(s) (or Associate Dean(s)), in departmentalized Faculties
 - two faculty members elected by and from all regular faculty members in each of the units; in the case of an AAU that is also a Department, the Head(s) shall serve + one faculty member, or two faculty members as above and two representatives of the other body in which the appointment is held one of whom shall be the academic leader of the other body, or designate



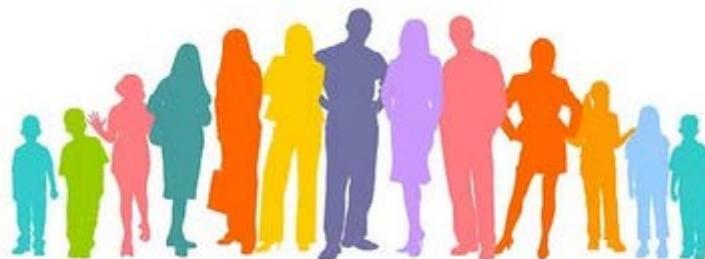
Faculty Representation cont'd

- RTP Committees – For single AAU candidate ([Bylaw 22](#), 3.1.1, 3.1.2 & 3.1.3):
 - Dean (or Associate Dean), in departmentalized Faculties [NON-VOTING]
 - AAU Head, Chair (or Dean of non-departmentalized Faculties)
 - Three to five regular faculty members elected by and from all regular faculty members in the AAU, the majority of whom must be tenured faculty members
- RTP Committees – For joint appointments ([Bylaw 22](#), 3.1.2, & 3.1.3)
 - Dean(s) (or Associate Dean(s)), in departmentalized Faculties [NON-VOTING]
 - AAU Head, Chair (or Dean of non-departmentalized Faculties)
 - Academic Leader of the other body
 - two regular faculty members elected by and from all regular faculty members in each AAU



Gender Representation

- Both genders shall be represented among the non-student voting members on all Appointments and AAU RTP committees. Where necessary a faculty member from the non-represented gender shall be elected by the AAU Council(s) from a cognate discipline [in consultation with the Office of the Provost]. ([Bylaw 20](#), 2.1.5; [Bylaw 22](#), 3.1.4)



EE/PA Representation

- On all Appointments Committees and RTP Committees. Non-Voting. ([Bylaw 20](#), 2.1; [Bylaw 22](#), 3.1)



Role of Appointments Committee

- An appointments committee shall seek applications for faculty vacancies, review credentials of applicants, and recommend a single candidate for the consideration of the AAU Council or Councils and the executive of the other body, if any. ([Bylaw 20](#), 2.2.1)
- The name of the single candidate shall be presented in writing with appropriate supporting material to the members of the AAU Council or Councils and the executive of the other academic body. ([Bylaw 20](#), 2.2.3)



Voting on Candidate to Recommend to Council

- If an Appointments Committee does not have a quorum present at the time of the vote, there shall be a ballot conducted by the office of the Dean. The office of the Dean shall conduct the vote by either mail or electronic ballot. In the case of electronic ballots, the process as approved by Senate shall be employed. A simple majority of votes cast is required to endorse the named candidate. ([Bylaw 20](#), 2.2.2)



Voting on Candidate to Recommend to Council cont'd

- Note that only one candidate's name is brought to Council. While the names of alternate candidates should be identified and ranked in the Appointments Committee, this information is not presented to Council, nor is Council advised as to the existence of alternates.



Voting on Recommended Candidate at Council

- At a meeting called on five calendar days' written notice, the AAU Council or Councils and the executive of the other academic body, if any, shall consider the recommendation of the Appointments Committee and shall forward their recommendation to the Provost and Vice-President, Academic, through the Dean of the Faculty.
- If the AAU Council or Councils and the executive of the other academic body, if any, does not have a quorum present at the time of the vote, there shall be a ballot conducted by the office of the Dean. The office of the Dean shall conduct the vote by either mail or electronic ballot. In the case of electronic ballots, the process as approved by Senate shall be employed. A simple majority of votes cast is required to endorse the named candidate. ([Bylaw 20](#), 2.2.3)



Notes on Notice of Meeting and Voting

- Note that the 5 calendar days' notice includes the day the notice is issued and the day that the meeting takes place.
- In addition, notice includes non-work days, such as weekends and holidays.
- For Council and Appointments Committees, voting shall be by secret ballot, and a simple majority of votes cast is required to endorse the named candidate. ([Bylaw 20](#), 2.2.2 & 2.2.3)



Notes on Notice of Meeting and Voting cont'd

- For RTP Committees, voting will be by secret ballot unless the voting members of the Committee unanimously agree at the outset of their deliberations to vote by a show of hands. A decision shall be reached by a majority vote of the voting members present. ([Bylaw 22](#), 6.1)
- Reminder: in the RTP Committee, the Dean of departmentalized units do not vote. This differs from the Appointments Committee, where the Dean of departmentalized units does vote.
- EE/PA does not vote



Voting and Paid Leaves

- Those on sabbatical leave (or other paid leave) shall not participate in election procedures for search, appointments and RTP committees.
(Sabbaticant Policy)
- Those on sabbatical leave (and other paid leave) shall be able to vote on the final candidate recommended by the search or appointments committees. (Sabbaticant Policy)



In the Event of A Tie

- With the exception of decisions of RTP Committee, in the event of a tie, the motion fails. This is because a majority is needed for a motion to carry (50%+1)
- In regard to the RTP Committee, in the event of a tie vote, a positive recommendation shall be forwarded to the UCAPT. ([Bylaw 22](#), 6.1)



Conflict of Interest

- In all deliberations by Committees under this Bylaw, members shall declare any potential conflicts of interest prior to such deliberations. Where a conflict of interest or reasonable apprehension of any bias of a committee member may exist, the committee member shall not participate in the deliberations or decisions affected by such conflict or potential bias. In particular, members of Committees shall not participate in deliberations or decisions concerning members of their immediate family, which includes spouses as defined in the Collective Agreement with the Windsor University Faculty Association. ([Bylaw 22](#), 1)



Conflict of Interest cont'd

- A conflict of interest or commitment arises when a member of the university community acts, or where there is a reasonable presumption that such a member has acted, in a manner that seeks to advance or has the effect of advancing her or his own interests or the interests of others in a way that is detrimental or potentially harmful to the interests, integrity, or fundamental mission of the university. ([Senate Conflict of Interest Policy](#), 2)
- The unit leader is to make a determination of whether there is a conflict of interest and to make arrangements so that the conflict is avoided. It also states that if the attempt to resolve the conflict fails, then the committee adjudicates the matter. If the disclosure occurs in the context of a meeting, the committee adjudicates the matter. ([Senate Conflict of Interest Policy](#), 8)



You have now completed Module 1

Please proceed to Module 2: Conducting an
Equitable Process

