

Nominations and Elections Committee

UC Allocation Procedure

Amended 11/26/2018

- I. The University Council serves as an advisory body to the University administration, and is composed of administrators, faculty, staff, graduate students, and undergraduate students.
- II. Undergraduate students hold sixteen seats on the University Council (UC). One is a permanent seat held by the United Minorities Council (UMC). The other fifteen seats belong to the Undergraduate Assembly (UA). It is the UA's policy to give a certain number of these seats to the Nominations and Elections Committee (NEC) to be allocated to representatives of mis- or underrepresented constituencies on Penn's campus.
- III. The NEC defines a mis- or underrepresented constituency as students whose opinions, views, mission, or characterization is not adequately or fully represented to University administrators and/or the University community.
- IV. The NEC allocates UC seats through an application, interview, and deliberation process, all of which is closed to the general public.
 - A. Applications will be made available at least two weeks prior to the submission deadline.
 - B. The applications will be screened before interviews are given.
 - C. Interviews require a quorum of the NEC and the proposed representative applying for a UC seat. Additionally, relevant members of the constituency may also participate in the interview.
 - D. If a representative of a group associated with a constituency applied for a seat on UC and an NEC member is a member of the executive board or is currently running for the executive board of that group, the NEC member may not assist the group in preparing UC application materials, in order to be eligible to screen applications, interview, or deliberate during the UC seat allocation process.
 - E. If an NEC member is unable to be present at all or part of the interviewing process, said member may not be included in the discussion or voting process.
 - F. After the completion of all of the interviews, the NEC will deliberate and then vote by secret ballot to make its slate of appointed representatives for UC seats.
 - G. The UA Vice President shall observe the application, interview, and deliberation process without speaking or voting privileges, as long as he or she is eligible to observe according to the same criteria required of an NEC member delineated in §IV.D. Additionally, if the UA Vice President is eligible to run in the upcoming election cycle, the UA Vice President shall not observe the allocation process. If the UA Vice President is ineligible to observe the process for one of the aforementioned reasons, another eligible member of the UA shall take the place of the UA Vice President in the UC seat allocation process.
 - H. The Chair of the Student Activities Council (SAC) shall observe the application, interview, and deliberation process without speaking or voting privileges, as long as he or she is eligible to observe according to the same criteria required of the UA Vice President delineated in §IV.G. The purpose of his or her presence is to

provide confirmation that the application, interview and deliberation process has been fairly followed as outlined by this document. If the SAC Chair is ineligible to observe the application, interview, and deliberation process for one of the aforementioned reasons, another eligible member of the SAC executive board shall take the place of the SAC Chair in the UC seat allocation process.

1. If during a selection cycle, either an executive board member of SAC is not available or an executive board member of SAC applies for a UC seat, then the NEC reserves the right to substitute one of the following individuals, in place of the SAC representative:
 - a. An elected member of one of the Class Boards
 - b. A steering member of the Student Committee on Undergraduate Education (SCUE)
 - c. An additional member of the Undergraduate Assembly (UA)
 - d. An executive board member of the Student Planning & Events Committee (SPEC)
 - e. A member of the University of Pennsylvania Honor Council
 2. The NEC executive board will choose a substitute from the above groups by a simple majority vote, considering factors including but not limited to availability of the substitute representative and other factors outlined in this document in Section IV, Part H.
 3. The substitute representative shall be bound by all the same procedures as outlined in this document.
 4. If such a substitution takes place during a decision cycle, this procedure shall be considered temporarily amended, with the title of the replacement representative taking the place of the SAC Representative appearing throughout the document.
 5. Both the UA and the SAC representative shall prepare and present their reports regarding the fairness of the selection process to the UA independently, without any prior consultation or collaboration.
- V. The following are the factors the NEC will consider in its deliberation process to determine how to allocate the UC seats given to it by the UA:
- A. Whether and how the constituency is mis- or underrepresented
 - B. If applicable, the constituency's use of a UC seat in the past, including input from University administration and the NEC, itself
 - C. Issues the constituency could bring to the UC in the upcoming year
Relevance of upcoming issues on the UC's agenda to the constituency
The constituency's access to administration
 - D. Relevance of upcoming issues on the UC's agenda to the constituency
 - E. The constituency's access to administration

 - F. The size of the constituency

- G. Strengths and weaknesses of the potential representative to the UC
 - H. The constituency's willingness and proclivity to collaborate with other undergraduate constituencies
 - I. Resources available to the constituency
 - J. The overall slate of representatives
- VI. If any applicant feels that the procedure used by the NEC to allocate UC seats was unfairly biased, he or she may file a written complaint with the UA Vice President or the Vice President's designated replacement. This complaint must be filed within forty-eight hours after the conclusion of the NEC interview process.
- A. The UA Vice President or his or her designated replacement will consider the complaint and include it in his or her report to the UA.
- VII. The UA will hold a meeting to vote on whether or not the NEC's appointment process was administered in a fair and unbiased manner.
- A. At this meeting, the UA Vice President or his or her designated replacement will answer questions from the rest of the UA regarding the process used by the NEC. The UA Vice President or his or her designated replacement may not disclose the slate of appointed representatives and may not comment on the reasoning behind the NEC's decision or on the merits of the applicants.
 1. The SAC Chair or designated replacement will deliver his or her report regarding the fairness of the process used by the NEC, and will be available, upon request, to answer any questions from the UA regarding the process used. The SAC Chair or his or her designated replacement may not disclose the slate of appointed representatives and may not comment on the reasoning behind the NEC's decision or on the merits of the applicants.
 2. The Chair of the NEC will also be present to answer the questions of the UA but may not disclose the slate of appointed representatives prior to the vote.
 3. The UA will vote solely on whether or not the NEC's process was administered in a fair and unbiased manner. A vote accepting the fairness of the process concludes the appointment process.
- VIII. If the UA votes that the process was not followed fairly, the NEC must conduct a new UC seat selection process
- A. After the second UC seat selection process, the UA will again vote on whether or not the NEC's process was administered in a fair and unbiased manner.
 - B. If the UA again votes that the process was not administered in a fair and unbiased manner, the UA and NEC will form a conference committee consisting of three NEC members and three UA members to determine how to proceed.
- IX. The NEC will oversee the performance of the representatives selected to sit on UC.
- A. If the current representative can no longer meet the commitment to attend UC, the current representative can request a seat transfer.
 1. The seat transfer process shall follow all criteria delineated in §V, with the exception of criterion A.
 2. A seat transfer process shall be submitted in writing to the Vice Chairs for Nominations. It shall include the reason why the current representative of the constituency can no longer meet the commitment to attend UC and

evidence for this reason. The proposed new representative of the constituency shall submit a separate application to the Vice Chairs for Nominations.

3. The Vice Chairs for Nominations will communicate with the current University Council representative requesting the seat transfer regarding the reason for their request.
 4. The Vice Chairs for Nominations shall provide a recommendation and rationale regarding the legitimacy of the seat transfer. The body shall then vote on the recommendation by a simple majority.
 5. If the body does not approve the seat transfer legitimacy in Section IX, Point 4 of the process, the current University Council representative shall come before the body for an interview at a NEC General Body Meeting. The full body of the NEC shall ask questions of the current representative. The body shall then vote on legitimacy of the seat transfer by a simple majority.
 6. If the NEC fails to approve either of the votes delineated in Section IX, Point 4 and Section IX, Point 5, the Vice Chairs for Nominations shall inform the current representative that they may retain their seat as the constituency representative or their seat shall be forfeited to the next alternate as determined by the most recent UC nominations process. The NEC shall then deliberate and vote by a simple majority solely on Section V, Point G with regards to the proposed representative.
 7. If the NEC approves the legitimacy of the seat transfer, the process will move on to the next steps delineated in Section IX, Points 8-10.
 8. During a General Body Meeting, the proposed new representative will be introduced to the General Body. The NEC will have an allotted period of time during which they may ask questions of the proposed new representative.
 9. The NEC shall then deliberate and vote by a simple majority solely on Section V, Point G with regards to the proposed representative. If the NEC approves the new proposed representative, then the new representative will assume the University Council seat.
 10. If the NEC does not approve of the new representative the constituency has the opportunity to propose a second new representative who will be interviewed and evaluated by the body as outlined in Section IX, Point 9.
 11. If the second representative proposed by the constituency is not approved by the process outlined in Section IX, Points 8 and 9, then the constituency will forfeit the seat and the seat shall be offered to the next highest alternate as determined by the most recent UC nominations process.
- B. The NEC will create an unpublished list of ranked alternates, to be held by both the NEC Chair and the UA Vice President. If a group's representative is removed from the UC for one of the aforementioned reasons, the seat will then be filled from the alternate list in descending order. In the event that no alternate exists and/or none are willing or capable of filling the open seat(s), the UA will reacquire the rights to such seat(s) for that academic year.

