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MEMORANDUM

To: Donna E. Shalala, President

From: Richard L. Williamson
Chair, Faculty Senate

Date: February 25, 2010

Subject: Faculty Senate Legislation #2009-17(B) – Modification to the Faculty Manual Section C13.5(b)(iv) to bring it into conformity with Section C13.4; *anonymous written ballot*

At its February 24, 2010 meeting, the Faculty Senate unanimously approved the proposal to modify the Faculty Manual to bring Section C13.5(b)(iv) into conformity with Section C13.4 by adding the word *anonymous* to *written ballot*.

This academic year, the Faculty Senate endorsed a change in the recommended ballot for tenure and other faculty status evaluations that provided, among other things, for anonymous voting.

In Faculty Manual section C13.4 concerning “annual reviews,” including progress toward tenure of tenure track faculty and retention of research, educator and librarian faculty specify: “... the voting faculty shall determine by anonymous written ballot” In contrast, Section C13.5(b)(iv) concerning the procedures for “special reviews” including votes on tenure and promotion states that “... the voting faculty shall determine by ballot” The use of the term “ballot” and a subsequent section requiring counting of ballots by two designated members of the voting faculty makes it certain that the balloting process has to be in writing. However, by its terms, it leaves open the possible interpretation that the ballots do not need to be anonymous.

In order to eliminate any doubt the Senate approved a change to modify section C13.5(b)(iv) such that the relevant passage reads: “... the voting faculty shall determine by anonymous written ballot” The language of the two relevant provisions would then be identical.

This legislation is sent for your action.

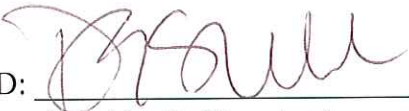
RW/rh

Enclosure

cc: Thomas LeBlanc, Executive Vice President and Provost
Steven Green, Chair, ad hoc committee to propose revised ballot

CAPSULE: Faculty Senate Legislation #2009-17(B) – Modification to the Faculty Manual Section C13.5(b)(iv) to bring it into conformity with Section C13.4; *anonymous written ballot*

PRESIDENT'S RESPONSE

APPROVED:  DATE: 3/12/2010
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: FACULTY SENATE OFFICE

EFFECTIVE DATE OF LEGISLATION: _____
(if other than June 1 next following)

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____