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## MEMORANDUM

**To:** Donna E. Shalala, President

**From:** Richard L. Williamson  
Chair, Faculty Senate

**Date:** April 30, 2014

**Subject:** Faculty Senate Legislation #2013-46(B) – Amend the *Faculty Manual* Section C20.8  
“Voting Procedures for Departments and Schools/Colleges”

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The Faculty Senate, at its April 23, 2014 meeting, unanimously approved the proposal to amend the Faculty Manual Section C20.8 “Voting Procedures for Departments and Schools/Colleges.” The existing provision contains important provisions for notice, opportunity to be heard, anonymity of the vote, and faculty verification of the results. This amendment is designed primarily to assist Schools/Colleges that might have trouble implementing the exact provisions of C20.8. They will be able to incorporate changes into their bylaws which meet the same objectives. Electronic procedures for prior notice, use of conforming software for faculty discussions, voting procedures that provide an absolute guarantee of anonymity, etc. may be an acceptable alternative. The changes would not authorize any diminution in the procedural protections when a matter requires a formal faculty vote.

The Section was also reformatted for clarity.

The proposal is enclosed for your reference.

This legislation is now forwarded to you for your action.

RLW/rh

Enclosure

cc: Thomas LeBlanc, Executive Vice President and Provost  
David Birnbach, Vice Provost, Faculty Affairs  
All Academic Deans

**CAPSULE:** Faculty Senate Legislation #2013-46(B) – Amend the *Faculty Manual* Section C20.8 “Voting Procedures for Departments and Schools/Colleges”

APPROVED:  DATE: July 10 2014  
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: Senate Office

EFFECTIVE DATE OF LEGISLATION: June 1 2014  
(if other than June 1 next following)

NOT APPROVED AND REFERRED TO: \_\_\_\_\_

REMARKS (IF NOT APPROVED): \_\_\_\_\_

## Proposal to Amend Section C20.8 of the *Faculty Manual*

**Purpose:** To amend Section C20.8 of the *Faculty Manual* to reflect the possibility of alternative procedures, whereby a School/College may, by written bylaw, provide for other means to obtain the required assent of the faculty, provided those means fulfill the objectives of the procedures set out in C20.8.

**Background:** Section C20.8 of the *Faculty Manual* sets out the circumstances under which a formal vote of the faculty is required. It then specifies voting procedures for departments and Schools/Colleges. Included are important provisions for notice, opportunity to be heard, anonymity of the vote, and faculty verification of the results. Schools/Colleges that might have trouble implementing the exact provisions of C20.8 will be able to incorporate changes into their bylaws which meet the same objectives.

This is partially the case for very large schools or departments, where physically meeting may be difficult. Electronic procedures for prior notice, use of conforming software for faculty discussions, voting procedures that provide an absolute guarantee of anonymity, etc. may be an acceptable alternative. The proposed changes would not authorize any diminution in the circumstance requiring a formal faculty vote.

Proposed changes reflected in underline/~~strikeout~~ format.

### BEGIN TEXT:

#### C20.8 Voting Procedures for Departments and Schools/Colleges<sup>1</sup>

1. The following formal voting procedures shall be followed when conducting a Special Review under C13.4 or an immediate award of tenure under A14.2; before appointing a new chair or dean under A13.2 or A13.3<sup>2</sup>; when establishing or disestablishing a department or school/college or a new degree under A4.1; prior to the adoption by a department or school of special additional standards for reappointment, promotion and tenure under C13.1; and before the adoption or amendment of departmental or school bylaws or the initial advisory vote of new appointments under section A14.1<sup>3</sup>.

2. The appropriate voting faculty, or the Ad hoc Review Committee when one is required, shall be assembled to consult on the matter. Notice shall be sent in writing not less than five academic days prior to the meeting and shall include a brief description of the matter under consideration, or the names of the candidates if voting on candidates to serve as a new chair or dean. The voting faculty shall then vote by secret ballot, which shall be counted by two designated members of the voting faculty. Absentee ballots shall not be counted unless they are authorized in writing by a school's

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<sup>1</sup> #2012-26(B)

<sup>2</sup> Section A13.3 requires that the Search Committee consult with the school faculty prior to making its recommendation to the appointing authority, and section 20.8 provides that this consultation shall incorporate the formal voting procedures

<sup>3</sup> Section A14.1 requires that the chair consult with the department or appointed committee to obtain recommendation on appointments, and section C20.8 provides that this consultation shall incorporate the formal voting procedures

bylaws and have been submitted prior to the balloting. Voting by proxy at the meeting is not permitted<sup>4</sup>.

3. A School or College may, by written bylaw, provide for other means of obtaining assent or advice from the faculty, as required by paragraph 1 of this subsection, provided those means accord an equivalent degree of notice, opportunity for interactive discussion, voting anonymity, and verification of results, which would be obtained if the procedures in paragraph 2 of this section had been followed. A bylaw provision authorizing these procedures becomes effective upon the approval of the Faculty Senate.

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<sup>4</sup> [#2011-60\(B\)](#)