



MEMORANDUM

To: Donna E. Shalala, President

From: Tomas A. Salerno
Chair, Faculty Senate

Date: April 30, 2015

Subject: Faculty Senate Legislation #2014-43(B) – Amend *Faculty Manual* Sections C13.4(b)(iv) and C20.8.2, to Include a Statement Regarding an Announcement of Voting Results

A handwritten signature in blue ink, appearing to read 'TAS'.

.....

The Faculty Senate, at its April 22, 2015 meeting, voted unanimously to approve the proposal to include a statement regarding an announcement of voting results in the *Faculty Manual* Sections C13.4(b)(iv), Special Reviews and C20.8.2, Voting Procedures for Departments and Schools/Colleges.

The update is to clarify that the result of a vote on a candidate for promotion or tenure is to be announced to the electorate once the votes have been counted, and to stipulate that the announcement must be made before the reporter's written summary of the recommendation of the voting faculty is prepared and circulated by the elected reporter. The update allows the announcement to be stated as a binary, "yes" or "no," or to contain a specific, numerical breakdown of the final results at the discretion of the presiding officer if the Departments and Schools/Colleges Bylaws permit. Lastly, the phrase "...and the results of the ballot announced to the electorate" was inadvertently deleted in legislation #2012-26. In order for the next sentence, "Following this announcement..." to properly correspond to the preceding sentence, there must be a sentence referencing an announcement.

Section C13.4 of the *Faculty Manual* sets out the process for Special Reviews, but Section C13.4(b)(iv) fails to explain that an announcement must come before comments on the first draft of the recommendation are due. Section C20.8 details the voting procedures that Departments and Schools/Colleges must use for several important decisions (i.e. not just Special Reviews), but fails to state that an announcement must be made to the electorate. The *Faculty Manual* should establish and openly illuminate the process for Special Reviews in the spirit of providing widespread clarity to the process.

Proposed changes to the *Faculty Manual* reflected in underlined / ~~strikethrough~~ format.

BEGIN TEXT THIS SECTION:

C13.4(b), Special Reviews – Review Process

C13.4(b)(iv) FACULTY VOTE. The appropriate voting faculty,¹ or the Ad Hoc Review Committee when one is required, shall be assembled to consult on the candidate. Notice of the meeting shall be in writing and shall include the names of candidates under consideration. The meeting shall be noticed at least five academic days ~~suffieiently~~ in advance to provide faculty members adequate time to review the candidates' files. After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall vote on whether to recommend reappointment, promotion or tenure. A reporter, who shall be elected² from the appropriate voting faculty but who shall be someone other than the chair or dean, shall prepare a written summary of the recommendation of the voting faculty which shall be circulated to the voting faculty for concurrence on its accuracy prior to its transmission to the dean.³ The vote shall be conducted in accordance with the provisions of C20.8. ~~After the vote has been counted, the result of the vote shall be announced to the electorate as soon as possible, but in any event before the reporter's summary is submitted.~~ Following this announcement, a reporter, who shall be elected⁵ from the appropriate voting faculty but who shall be someone other than the chair or dean, shall prepare a written summary of the recommendation of the voting faculty which shall be circulated to the voting faculty for concurrence on its accuracy prior to its transmission to the dean. While all voting members of the faculty are encouraged to express their views at the time of the vote, should a voting member of the faculty choose to write a letter of explanation of that vote for the benefit of the process, such letter must go directly to the Chair of the department or directly to the Dean in the case of non-departmental schools. The Chair or Dean is obligated to address any properly submitted explanatory letter in her or his own letter regarding the candidate. The Chair or Dean must inform the voting faculty of the deadline for submission of explanatory letters so that she or he may comment on the substance of any such letters. The Chair or Dean must then include explanatory letters for reference in the file. Letters of explanation, appropriately submitted by the deadline, are the only extraneous material permitted in the file, after the faculty vote.⁶

END TEXT THIS SECTION

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C20.8 Voting Procedures for Departments and Schools/Colleges

¹ See section C10.2(d) for voting criteria

² ~~#2011-60(B)~~

³ ~~#2012-26(B)~~

⁴ ~~#2012-26(B)~~

⁵ ~~#2011-60(B)~~

⁶ ~~#2014-01(B)~~ * Extraneous material does not include direct information or further evidence substantiating the candidate's relevant accomplishments. Nothing should preclude inclusion of such additional information, after the faculty vote, of such things like acceptance of scholarly work in a prestigious journal, a book published, or other relevant examples.⁶ [effective 6/1/2015]

C20.8.2- 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, and the results announced to the electorate. In an effort to encourage transparency and emphasize anonymity in the case of a Special Review, there shall be an announcement of the numerical breakdown of the votes. A Department or School, in a written Bylaw, may provide for announcement of the result without a numerical breakdown if a Department has six or fewer eligible voting faculty members, or there are other circumstances where a voter's anonymity will be jeopardized. Absentee ballots shall not be counted unless they are authorized in writing by a school's bBylaws and have been submitted prior to the balloting. Voting by proxy at the meeting is not permitted⁷.

END TEXT THIS SECTION


This legislation is now forwarded to you for your action.

TAS/rh

cc: Thomas LeBlanc, Executive Vice President and Provost
All Academic Deans

⁷ [#2011-60\(B\)](#)

CAPSULE: Faculty Senate Legislation #2014-43(B) – Amend *Faculty Manual* Sections C13.4(b)(iv) and C20.8.2, to Include a Statement Regarding an Announcement of Voting Results

APPROVED:  DATE: 5/5/2015
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: FACULTY SENATE

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

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____