Title VI. Rights and Authority of Senate Members

55. Departmental Voting Rights

A. General Provisions

1. According to the Standing Orders of the Regents, ". . . the several departments of the University, with the approval of the President, shall determine their own form of administrative organization . . ." No department shall be organized in a way that would deny to any of its non-emeritae/i faculty who are voting members of the Academic Senate, as specified in Standing Order 105.l(a), the right to vote on substantial departmental questions, excepting only certain personnel actions as detailed in Article B of this Bylaw. [See Legislative Ruling 5.67] (Am 4 May 95)

2. In all matters other than those specified in paragraphs 1 to 5 of Article B of this Bylaw, the right to vote may be delegated to duly elected committees.

B. Designation of Voting Rights

1. All tenured faculty in a department have the right to vote on all new departmental appointments that confer membership in the Academic Senate. Prior to such a vote, all the non-emeritae/i departmental members of the Academic Senate must be afforded an opportunity to make their opinions known to the voters. (Am 4 May 95)

2. Professors have the right to vote on all cases of promotion to the ranks of Professor, Professor-in-Residence, and Professor of Clinical (e.g. Medicine). Professors and Senior Lecturers with Security of Employment (SOE) have the right to vote on all cases of appointment or promotion to the rank of Senior Lecturer (SOE). (Am 5 May 88)

3. Professors and Associate Professors have the right to vote on all cases of promotion to the ranks of Associate Professor, Associate Professor-in-Residence, and Associate Professor of Clinical (e.g. Medicine). Professors, Associate Professors, Senior Lecturers (SOE) and Lecturers (SOE) have the right to vote on all cases of appointment to the rank of Lecturer (SOE). (Am 5 May 88)

4. For voting purposes, all cases that involve the removal of the Acting modifier from the title of a member of the Academic Senate shall be treated as promotions to the rank in question.

5. All cases of nonreappointments or terminations of Assistant Professors, Assistant Professors-in-Residence, and Assistant Professors of Clinical (e.g. Medicine), or Lecturers and Senior Lecturers, shall be voted upon by those faculty eligible to vote on promotions to the ranks of Associate Professor, Associate Professor-in-Residence, Associate Professor of Clinical (e.g. Medicine), or appointments to the titles Lecturer (SOE) and Senior Lecturer (SOE), respectively. (Am 5 May 88)

6. All cases of advancement within any rank that confers membership in the Academic Senate shall be voted upon by those persons entitled to vote on promotion or nonreappointment to the rank in question under the provisions of Paragraphs 2 to 5 of this Article B. (En 4 May 1995)

7. In none of the instances specified in Paragraphs 1 to 5 of this Article B may the right to vote be delegated to a committee. The actual method of voting shall be determined by the eligible voters; subject, however, to the provision that no voter may be denied the option to require a secret ballot. In cases of advancement within rank, the eligible voters for each rank in question shall either follow the same procedures used for promotions and non-reappointment or may, by two thirds majority vote and subject to the approval of the divisional Committee on Academic Personnel or its equivalent, delegate the authority for such actions to a duly elected committee or other agency, or adopt some other method acceptable to the divisional Committee on Academic Personnel or its equivalent. Any such method or delegation of authority shall remain in effect for at least one calendar year (twelve months). Thereafter, upon the request of any faculty member entitled to a vote on the cases in question under the provisions of Paragraph 6 of this Article B, the eligible voters shall reconsider the question of how such cases shall be handled. (Am 4 May 1995)

8. The tenured faculty members of a department shall establish the method by which personnel matters other than those listed in Paragraphs 1 to 6 of this Article B are determined. The method adopted must have the approval of the divisional Committee on Academic Personnel or its equivalent.

C. Extension of Voting Privileges to non-Emeritae/i Faculty

Voting privileges on personnel matters within any department may be extended to one or more of the classes of non-Emeritae/i Academic Senate members of that department, as a class, who are not otherwise entitled to vote under the provisions of paragraphs 1 to 6 of Article B of this Bylaw, upon at least a two-thirds majority vote by secret ballot of those faculty entitled to vote on the cases in question under the provisions of paragraphs 1 to 6 of Article B of this Bylaw. Any extensions of the voting privilege under this Article C must remain in effect for at least one calendar year (twelve months); thereafter, any faculty member entitled to a vote on the cases in question under the provisions of paragraphs 1 to 6 of Article B of this Bylaw may request reconsideration. Following a request for reconsideration, and prior to any subsequent vote on the cases in question, the Chair or other appropriate departmental officer shall put the question of renewal of privileges to a vote. An extension of voting privileges will be renewed only upon at least a two-thirds majority vote by secret ballot of those faculty entitled to vote on the cases in question under the provisions of paragraphs 1 to 6 of Article B of this Bylaw. (Am 4 May 95)[See Legislative Ruling5.67]

D. Rights and Privileges of Emeritae/i Faculty (En 4 May 95)

1. Emeritae/i members of the Academic Senate retain membership in the departments to which they belonged at the time of their retirement. They do not have the right to vote on departmental matters, except as provided in this Article D.

2. With the exception of personnel actions, Emeritae/i members of the department have the right to receive the same notice of meetings as other Academic Senate members. They have the right of access to materials relevant to those meetings, the privilege of the floor at those meetings, and the right to make their opinions known to the voting members.

3. Emeritae/i, while recalled to service in a department from which they have retired, regain voting rights on all departmental matters, except personnel matters, during the period of such service. They may be accorded voting privileges on personnel matters only as a class consisting of all recalled Emeritae/i and only as specified in paragraph 4.c of this Article D.

4. Additional privileges in a department from which they have retired may be extended, either to all Emeritae/i as a class of the whole, or to all Emeritae/i recalled to active service, during the period of such service, as follows.

   a. Voting privileges on all non-personnel matters may be extended to all Emeritae/i upon a majority vote by secret ballot of the total non-Emeritae/i Academic Senate membership of that department.

   b. The privilege of notice of meeting on personnel actions, access to materials, and/or privilege of the floor may be extended to Emeritae/i upon at least a two-thirds majority vote by secret ballot of those faculty entitled to vote on the cases in question under the provisions of paragraphs 1 to 6 of Article B of this Bylaw.

   c. Voting privileges on personnel matters may be extended to Emeritae/i upon at least a two-thirds majority vote by secret ballot of those faculty entitled to vote on the cases in question under the provisions of paragraphs 1 to 6 of Article B of this Bylaw.

      i. Any extensions of privilege to Emeritae/i under paragraph 4 of this Article D must remain in effect for at least one calendar year (twelve months); thereafter, any faculty member entitled to a vote on the question of an extension of privilege under the provisions of paragraph 4 of this Article D may request reconsideration. Following a request for reconsideration, and prior to any subsequent vote on the cases in question, the Chair or other appropriate departmental officer shall put the question of renewal of privileges to a vote. An extension of privilege will be renewed only under the procedures specified for the initial extension of voting privileges by paragraph 4 of this Article D.

         a. Other Units. In Divisions or schools or colleges where the term "department" is not used, this Bylaw refers to those units from which academic appointments and promotions are recommended to administrative officers. (Am 2 Dec 81)