



Academic Senate

COMMITTEE ON RULES AND JURISDICTION

Date: October 22, 2025

To: Christian Shelton, Member
Riverside Division, Dept. of Computer Science & Engineering

From: Randolph C. Head, Chair
Committee on Rules and Jurisdiction

A handwritten signature in black ink, appearing to read "R. Head", written over a horizontal line.

Re: (Request for Interpretation) Clarification regarding UC Bylaw 55.C - Departmental Voting Rights

The Committee on Rules and Jurisdiction has carefully considered this request for interpretation of UC Senate Bylaw 55.C. The questions raised in this query are covered by one sentence in UC Senate Bylaw 55.C, (UCR Senate Bylaw 04.55.03.01): "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. "

Question 1 - How to interpret "those faculty entitled to vote on the cases in question...":

The Committee finds that the complete clause, "those Faculty entitled to vote on the cases in question under the provisions of paragraphs 1 to 6 of Article B of this Bylaw" provides sufficient guidance on this question.

Only those faculty entitled in paragraphs 1-6 of the systemwide Bylaw 55 are entitled to vote on the extension of voting privileges to other classes. (This corresponds to answer 1A in this query). The fact that some department members may have received the privilege of voting on specific personnel cases for the past year is different from the privilege of voting on the extension of voting rights for the coming year. Only those department members entitled by their rank, according to paragraphs 1-6, and not those privileged through any previous extension of voting rights, may vote on the extension of voting rights.

Question 2 - "How to interpret "two-thirds majority": The Committee notes that it has previously ruled on this question, most recently, on February 4, 2011, stating that "The

Committee determines that the term '...two-thirds majority vote by secret ballot...' refers to two thirds of faculty entitled to vote, not to two thirds of faculty participating in a vote. Therefore, eligible faculty who do not participate (or are not present due to leave etc.) still need to be accounted for towards the two-thirds criterion.” (This corresponds to answer 2A in this query).

The Committee today affirms this ruling, which rests on the phrase in Bylaw 55.C, “of those Faculty entitled to vote on the cases in question.” Our ruling conforms to the ruling of UR&J 12.17 (<https://senate.universityofcalifornia.edu/bylaws-regulations/appendix2.html>). While UR&J's ruling explicitly covers extension of voting rights in personnel cases to Emeriti/ae faculty, it contains a general discussion of the meaning of the provision "two-thirds majority vote by secret ballot of those faculty entitled to vote on the cases in question.” UR&J rules that Bylaw 55.C specifies the population, two-thirds of which must vote affirmatively in order to make the extension, namely, “those faculty entitled to vote on the cases in question.” Therefore, “UCR&J rules that extension of voting rights may not be made without an affirmative vote of two-thirds of the entire membership class, not merely of those voting.” UR&J Ruling 12.17 explicitly expands this discussion beyond the specific question of extending voting rights on personnel cases to Emeriti/ae faculty, instead providing guidance for “all other Senate bylaws in which a specific proportion of votes is required for an action.”