

**CERJ Advice on Submission of Written Petitions**  
**December 1, 2011**

Davis Division Bylaw 17, last amended in 1971, defines the conditions for a ballot on issues. It reads, in part:

Any issue must be submitted to a ballot of the Division at the request of (1) the President of the Academic Senate or (2) the Chief Campus Officer, acting through the Chair of the Division with the consent of the Executive Council (3) the Executive Council, (4) the Representative Assembly by resolution adopted at a duly called meeting or (5) 50 voting members of the Division presented in a written petition. Upon receiving a petition or other request, the Secretary shall promptly verify the validity of the request, immediately notify the members of the Division of the nature of the impending ballot, and prepare the ballot.

The Bylaw does not specify the form of a “written petition,” and in particular how the request of the fifty voting members of the Division is to be embodied in it. In practice, the procedure followed by the Divisional office for requiring signatures on any “written petition” conforms to another Bylaw. Davis Division Bylaw 16(E), “Provisions Applicable When Candidates Are Standing For Election,” last amended in 2007, states in part that:

Each nomination shall be in writing, shall contain a statement that the nominee will accept the nomination and a brief biography of 120 words or less, and shall be signed by five members of the Davis Division.

The practice until the present for petitions has been to require handwritten signatures, as this is how it has been done traditionally, and the Divisional office has a protocol for processing them. (The language “shall be signed by five members of the Davis Division” dates at least to 1985, when handwritten signatures were the norm.) This method was last used in a ballot on an issue in 2006.

The Divisional office will accept signatures in facsimile form. In the past, this has been done using FAX. However, budgetary constraints in the Divisional office no longer make this possible, so scanned images of signatures are being accepted. For the uniformity required for “a” written petition, the original signatures must be affixed to documents that are otherwise identical except for the signatures themselves. The Divisional office may require additional information such as department and/or title and rank.

Suggestions have been made very recently about means of petitioning without handwritten signatures, original or reproduced, CERJ believes that such proposals must be fully evaluated before being implemented and therefore advises that the current system be kept in place at the present time.