

December 10, 2015

**Maureen Stanton**, Vice Provost  
Academic Affairs

Re: Revised Voting Procedures: Science and Technology Studies

Dear Vice Provost Stanton,

The Committee on Academic Personnel (CAP) has reviewed the revised voting procedures for Science and Technology Studies. The proposed version was approved by CAP by a vote of seven in favor, zero opposed, with two members absent.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra Long", is written over a faint, circular official stamp.

Debra Long, Chair  
Committee on Academic Personnel

Cc: Lynn Daum, Academic Affairs

November 17, 2015

**PROFESSOR DEBRA LONG, CHAIR**

Committee on Academic Personnel

RE: Additional Clarification for Revised Voting Procedures – Program for Science  
and Technology Studies

Dear Debra:

I am forwarding additional revisions to the Academic Senate Voting Procedures for the Program for Science and Technology Studies for review and approval by the Committee on Academic Personnel (CAP).

I appreciate your assistance and look forward to receiving your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maureen L. Stanton', written in a cursive style.

Maureen L. Stanton  
Vice Provost—Academic Affairs  
Distinguished Professor—Evolution and Ecology

/lmd

Attachment

c: Interim Dean Li Zhang  
Associate Dean Feenstra  
Director Choy  
Analyst Shorts

**Program for Science and Technology Studies (STS)**  
**Voting Procedures**

**REVISED October 30, 2015**

**1. Merits, appraisals and promotions:**

All Academic Senate Program members who hold a faculty appointment in STS of at least 0% are eligible to vote in all matters of merits or promotions, no matter what rank is under consideration.

**2. Appointments to new faculty positions at any level, to joint or adjunct professor positions at any level, and to lecturers, and professional research positions:**

All Academic Senate Program members who hold a faculty appointment in STS of at least 0% may vote.

**3. Deferral/five year reviews:**

All Academic Senate Program members who hold a faculty appointment in STS of at least 0% may vote.

**4. Interdepartmental transfers and phased retirements:**

All Academic Senate Program members who hold a faculty appointment in STS of at least 0% may vote.

**5. Voting privileges of emeriti faculty:**

Emeriti faculty are not eligible to vote on personnel actions.

**6. Voting privileges of phased retirement Senate faculty:**

All Academic Senate faculty members on phased retirement who hold faculty appointments in STS of at least 0% have full voting rights on personnel and all other program concerns.

October 22, 2015

**INTERIM DEAN LI ZHANG**

Division of Social Sciences

**RE: Voting Procedures – Program for Science and Technology Studies**

Dear Li:

The Committee on Academic Personnel (CAP) has reviewed the voting procedures for the Program for Science and Technology Studies and requests additional revisions, as outlined in their attached memo.

Please forward a revised copy of the voting procedures to my office for submission to CAP.

Sincerely,

A handwritten signature in black ink, appearing to read 'ML Stanton', written in a cursive style.

Maureen L. Stanton  
Vice Provost—Academic Affairs  
Distinguished Professor—Evolution and Ecology

/lmd

Attachment

c: Interim Dean Li Zhang  
Associate Dean Feenstra  
Chair Choy  
Analyst Shorts

October 12, 2015

**Maureen Stanton**, Vice Provost  
Academic Affairs

Re: Revised Voting Procedures: Science and Technology Studies

Dear Vice Provost Stanton,

The Committee on Academic Personnel (CAP) has reviewed the Voting Procedures for Science and Technology Studies and we believe that we have discovered the source of our confusion; it is the Program's use of the term "Committee." We understood the term in its typical use as a group within a department or a program with designated responsibilities. CAP was unclear about which faculty were members of the Committee. Your memo has clarified that the Program Committee consists of all faculty with at least a 0% appointment in STS. Unfortunately, this definition is not included in your Voting Procedures; thus, future readers of your procedures may also be confused about the term "Committee." We recommend removing "Committee" from your procedures throughout the document and defining the voting members as you do in your memo. For example, the procedures would state that "Academic Senate Program members who hold a faculty appointment in STS of at least 0%....."

Please revise your procedures to clarify your voting membership and submit them to CAP at your earliest convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Debra Long', is written over a light gray rectangular background.

Debra Long, Chair  
Committee on Academic Personnel

Cc: Lynn Daum, Academic Affairs

September 29, 2015

**PROFESSOR DEBRA LONG, CHAIR**

Committee on Academic Personnel

RE: Clarification for Revised Voting Procedures – Program for Science and  
Technology Studies

Dear Debra:

Former Chair Simpson requested additional clarification on the Academic Senate Voting Procedures for the Program for Science and Technology Studies (STS) that were submitted to the Committee on Academic Personnel (CAP) on May 8, 2015.

As requested, STS Director Tim Choy has provided the attached clarification for the revised voting procedures for STS, which I am forwarding for review and approval by CAP.

I appreciate your assistance and look forward to receiving your response.

Sincerely,



Maureen L. Stanton  
Vice Provost—Academic Affairs  
Distinguished Professor—Evolution and Ecology

/lmd

Attachment

c: Interim Dean Li Zhang  
Associate Dean Feenstra  
Director Choy  
Analyst Shorts

**Prof. David Simpson, Chair**

Committee on Academic Personnel-Oversight  
Academic Senate

September 8, 2015

Dear Chair Simpson,

This memo is in reply to your request for clarification, dated July 16, 2015, about the STS Program's proposed revised voting procedures,.

The term, "Academic Senate Program Committee" is meant to refer to faculty on the STS Program Committee who formally hold some % FTE in STS, including 0% FTE. The intent of our voting procedures is for all and only FTE holders in STS to be able to vote on STS personnel decisions, so that we comply with a 2006 ruling by the Senate Committee on Elections, Rules and Jurisdiction. That ruling stipulates that faculty may only vote on personnel decisions if they hold FTE in the Department or Program of the faculty member and personnel decision in question, and that

*...the voting group for a department may not include persons who are not members of that department. In particular, members of a "Program Committee" would not be entitled to vote unless they are also members of the department.*

The intent of the ruling, if I understand it correctly, is to establish reciprocal voting rights where faculty are only voted on by faculty who are themselves subject to being voted on by eligible members of a department. I've included a copy of the ruling with this note.

The "STS Program Committee" includes affiliated faculty who do not hold FTE in –and whose personnel decisions are therefore not reviewed by– STS, but are instead appointed in other Departments. To meet the conditions of the May 20, 2006 ruling, while maintaining the breadth and diversity of our Program Committee, we are making this revision of our voting procedures to clarify that voting will include all faculty appointed with FTE in STS.

Is there a wording change you would suggest, or is this clarification sufficient?

Sincerely,



Tim Choy, Director  
Science and Technology Studies Program

c: Vice Provost Maureen L. Stanton, Dean Li Zhang, Associate Dean Rob Feenstra,  
Analyst Jenny Shorts

**Committee on Elections, Rules and Jurisdiction**  
**Advice on Departmental Voting Procedures and Program Committees**  
May 10, 2006

The Code of the Senate indicates that departmental voting procedures must satisfy the following conditions:

- (1) Voting within a department (or its equivalent) is limited to Senate faculty who are members of the department and who are themselves subject to being voted on by other eligible members of that department. That is, voting is a reciprocal responsibility, subject only to the eligibility rules of ASB 55. Therefore, extension of the vote to persons who are not members of a department (e.g., to nondepartmental members of a Program Committee) is in violation of the Code of the Senate.
- (2) Department membership requires the vote of the tenured faculty of that department; Senate faculty may not be added to a voting constituency by appointment (e.g., to a Program Committee) without a department vote conducted pursuant to ASB 55 even if confirmed by some other Senate body (e.g., a College Executive Committee).

In addition, we note that:

- (3) Size *per se* is no bar to functioning as a departmental voting unit for ASB 55 purposes.

**Background and Rationale**

This advice is provided in response to a request from Undergraduate Writing Program Interim Chair Karl Zender regarding draft Personnel Review Procedures for the UWP (dated 12/28/2005).

Personnel procedures are subject to review by the Committee on Academic Personnel. However, CERJ is charged with the narrower responsibility “to advise the Division, its officers, committees, faculties, and members in all matters of organization, jurisdiction and interpretation of legislation of the Academic Senate and its agencies” (DDB 71(B)(5)).

**(1) May Senate members who are not members of a given department and are not subject to being voted on by that department be included in the voting constituency for that department?**

ASB 55(E) accommodates programs in the College of Letters and Science which function as the equivalent of departments for the purposes of ASB 55. (The use of the word “department” below therefore includes such programs.)

The University Committee on Rules and Jurisdiction has ruled that voting is limited to faculty who are both members of the department and members of the Senate:



**UCRJ Legislative Ruling 5.67.** The right to vote in department meetings as specified in 105.2(c) of the Standing Orders of the Regents is limited to those members of the department who are also members of the Academic Senate...

Thus the voting group for a department may not include persons who are not members of that department. In particular, members of a “Program Committee” would not be entitled to vote unless they are also members of the department.

The vote may be extended pursuant to ASB 55(C). However, any extension of voting privileges is subject to significant restrictions: only department members may be enfranchised; they may be enfranchised only as a class and not as individuals; and such extensions must remain in force for at least one year:

**ASB 55(C).** 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 ... upon at least a two-thirds majority vote by secret ballot of those faculty entitled to vote on the cases in question... Any extensions of the voting privilege under this Article C must remain in effect for at least one calendar year (twelve months)...

Enfranchising individuals as nondepartmental members of a Program Committee risks violating all of these safeguards.

All persons who are members of a department are subject to being voted on by that department pursuant to ASB 55; and a person who is *not* a member of a department is *never* permitted to vote within that department. The Bylaws do not allow for an intermediate category of persons who are entitled to vote within a department but who are not themselves subject to being voted on by that department.

In sum, ASB 55 is predicated upon the principle of *reciprocity*: no department may permit voting by individuals who are not themselves subject to being voted on by other eligible members of that department.

**(2) May voting membership in a department be secured without a vote of the department itself?**

Academic Senate Bylaws clearly state that appointments to a department require the vote of the tenured faculty of that department (and other members, where allowed pursuant to ASB 55(C)):

**ASB 55(B)(1).** All tenured faculty in a department have the right to vote on all new departmental appointments that confer membership in the Academic Senate.

And actions for new appointments normally originate only upon an affirmative vote of the department. Therefore, voting members of a department must be added through normal procedures (including a vote of the eligible Senate faculty in the department); they may not be added by appointment (e.g., to a Program Committee) without a department vote pursuant to ASB 55. Confirmation of the action by some other Senate body (e.g., a college Executive Committee) does not obviate the required department vote.

**(3) Does the Code of the Senate specify a minimum size for departmental voting constituencies?**

Special procedures for the election of members of the Representative Assembly are specified by DDB 34(B) for departments with fewer than 13 voting members. But size *per se* is no bar to functioning as a departmental voting unit for ASB 55 purposes.

Several departments have fewer members than do many of the programs at Davis. Even in larger departments some votes will have few eligible voters if eligibility is not extended pursuant to ASB 55(C), and the Academic Personnel Manual explicitly contemplates small voting constituencies:

**APM UCD 220 Exhibit A.** No vote need be recorded in cases where only one faculty member is eligible to vote.

August 7, 2015

**DEAN GEORGE R. MANGUN**

Division of Social Sciences


**RE: Voting Procedures – Science and Technology Studies Program**

Dear Ron:

The Committee on Academic Personnel (CAP) has reviewed the voting procedures for the Science and Technology Studies Program and requests clarification on the membership of the “Academic Senate Program Committee,” as outlined in their attached memo.

If members of the “Academic Senate Program Committee” are just a subset of faculty, CAP will need to discuss the voting procedures again.

Sincerely,

A handwritten signature in black ink, appearing to read 'ML Stanton'.

Maureen L. Stanton  
Vice Provost—Academic Affairs  
Distinguished Professor—Evolution and Ecology

/lmd

Attachment

c: Director Dumit  
Analyst Shorts

July 16, 2015

**Maureen Stanton**, Vice Provost  
Academic Affairs

Re: Proposed Voting Procedures: Science and Technology Studies Program

Dear Vice Provost Stanton,

The Committee on Academic Personnel (CAP) has reviewed the revised Voting Procedures for the Science and Technology Studies Program.

CAP was concerned about the use of the term "Academic Senate Program Committee." It is not clear which faculty are or are not part of the Academic Senate Program Committee.

However, CAP voted unanimously (9 in favor, 0 opposed) to approve the revised voting procedures (enclosed) contingent on the fact that the Academic Senate Program Committee includes everyone in the program. If the Academic Senate Program Committee is just a subset of faculty, CAP will need to discuss the voting procedures again.

Sincerely,



David Simpson, Chair  
Committee on Academic Personnel-Oversight

Enclosure

Cc: Lynn Daum, Analyst, Academic Affairs

## **Program for Science and Technology Studies (STS)**

### **Voting Procedures**

**REVISED March 24, 2015**

#### **1. Merits, appraisals and promotions:**

All Academic Senate Program Committee members who hold faculty appointments in STS are eligible to vote in all matters of merits or promotions, no matter what rank is under consideration.

#### **2. Appointments to new faculty positions at any level, to joint or adjunct professor positions at any level, and to lecturers, and professional research positions:**

All Academic Senate Program Committee members who hold faculty appointments in STS may vote.

#### **3. Deferral/five year reviews:**

All Academic Senate Program Committee members who hold faculty appointments in STS may vote.

#### **4. Interdepartmental transfers and phased retirements:**

All Academic Senate Program Committee members who hold faculty appointments in STS may vote.

#### **5. Voting privileges of emeriti faculty:**

Emeriti faculty are not eligible to vote on personnel actions.

#### **6. Voting privileges of phased retirement Senate faculty:**

All Academic Senate faculty members on phased retirement who hold faculty appointments in STS have full voting rights on personnel and all other program concerns.