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Chair of the Assembly of the Academic Senate
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August 7, 2014

SENATE DIVISION CHAIRS
SENATE COMMITTEE CHAIRS
SENATE DIVISION DIRECTORS

Re: Senate Bylaw 55

Dear Colleagues:

As you know, over the last year the Academic Senate has reviewed two versions of a San Diego division proposal to amend [Senate Bylaw 55](#) to explicitly permit the Senate members of an academic department to extend advisory voting rights on personnel cases to non-Senate faculty colleagues in that department. The proposed amendment would require approval of the concept by the division, a two-thirds vote of the department's Senate faculty holding the rank of Associate Professor or above, with the non-Senate faculty votes reported separately to the Committee on Academic Personnel, and reconsideration after a year if requested by a Senate member of the department. The amendment was intended to address the disenfranchisement felt by some of the non-Senate faculty on the campuses, especially at the medical centers.

The Academic Council voted not to endorse the amendment, in part because it became clear during the systemwide review that many departments already allow non-Senate faculty to cast advisory votes on personnel cases and report the advisory votes separately to their CAPs. Instead, Council directed me to issue a general letter to faculty indicating that the "advisory vote" mechanism is available, pending a ruling from the UC Committee on Rules and Jurisdiction (UCRJ) that it is consistent with Bylaw 55.

UCRJ has opined that the Senate Bylaws do not prohibit the solicitation and collection of non-Senate advisory votes as long as the mechanism is approved by the Senate members of the unit and the opinions are tabulated and submitted to the Committee on Academic Personnel separately from the Senate member vote.

The intent of this letter then is to inform the divisions that the option of reporting a separate non-Senate member "advisory vote" to CAP is available to any school or department and is consistent with Senate bylaws as long as its use is consistent with the provisions stated above and in UCRJ's ruling. In effect, the option the proposed Bylaw 55 change was supposed to create is already available.

Please inform all departments and schools that this option is available to them and disseminate this information to all other appropriate parties, including your division's Committee on Academic Personnel. The choice whether to extend voting privileges in this manner is vested in the Senate members of these units and should not be disallowed on the grounds it is incompatible with Senate Bylaws.

Do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Bill Jacob".

Bill Jacob

Cc: Senate Executive Directors
Senate Committee Analysts