

FREQUENTLY ASKED QUESTIONS

regarding Academic Senate Bylaw 55
([CLICK HERE to view Bylaw 55](#))

The responses to the following questions are based on formal rulings issued by systemwide's University Committee on Rules and Jurisdiction ([UCRJ](#)) and UC Riverside's Committee on Rules and Jurisdiction ([R&J](#)), as well as UCR Academic Senate processes.

Question: How should each department determine the “faculty entitled to vote on the cases in question”?

Response: Only faculty entitled by their rank, under Article B, Paragraphs 1–6 of Bylaw 55, can vote on extending voting rights to others. Having temporary voting privileges in the past school year does not automatically grant the right to vote on future extensions for the coming year.

Question: How should departments define/determine a "two-thirds majority"?

Response: A “two-thirds majority vote... of those faculty entitled to vote” requires approval from two-thirds of the *entire* eligible faculty, not just two-thirds of those who actually cast a ballot.

Question: How do you count/calculate the “two-thirds majority”?

Response: For a two-thirds majority to be met, the total number of “Yes” votes must equal or exceed two thirds of the entire eligible faculty. Because two-thirds majority” means “at least two-thirds of those eligible”, effectively, this is “at least the smallest integer greater or equal to two-thirds of those eligible.”

Thus: always round up.

Example: There are 5 eligible faculty. $2/3 \times 5 = 3.3$. So “at least 3.3 people” is equivalent to “at least 4 people” (needed to meet the two-thirds majority).

Question: What should a department do if a faculty member is absent, on leave, or refuses to participate in a vote on personnel matters?

Response: All eligible voting faculty are to be included in the denominator when calculating the required two-thirds majority vote to extend Bylaw 55 voting privileges within the department and in determining whether a quorum of voting members are present when faculty personnel files are considered at faculty meetings. Excluding such members—even if/when they are absent and/or on leave—is a violation of Bylaw 55 which states “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.I(a), the right to vote on substantial departmental questions, excepting only certain personnel actions as detailed in Article B of this Bylaw”.

The standard process for situations in which a faculty member refuses to vote and/or participate in departmental business or attend meetings is to include them in the total number of faculty eligible to vote; and then record the individual as Unavailable.

Question: Can a department change any aspect of its voting procedures for the current school year if *less* than a year has passed since the date of meeting to determine those voting procedures?

Response: No. Bylaw 55 states that voting delegations must remain in effect for at least one calendar year (twelve months).

Question: How should a department indicate they are continuing with the same Bylaw 55 voting delegations or extensions of voting privileges from the previous academic year without changes?

Response: The following must be noted at the very top of the Bylaw 55 Voting Delegation Form:

“No eligible faculty requests a reconsideration under Bylaw 55. Therefore, the Department of [Name] will continue using the previous [Year] delegations for the [Year] academic year.”

We also ask that you record the previous year’s outcomes (Pass/Fail); and request that you update the “# of Eligible Voters” count on the form to accurately reflect any recent personnel changes (e.g., new hires, retirements, or separations).