

PROPOSED AMENDMENT 1: Revision of Votes Required to Amend the Handbook. FINAL PROPOSAL

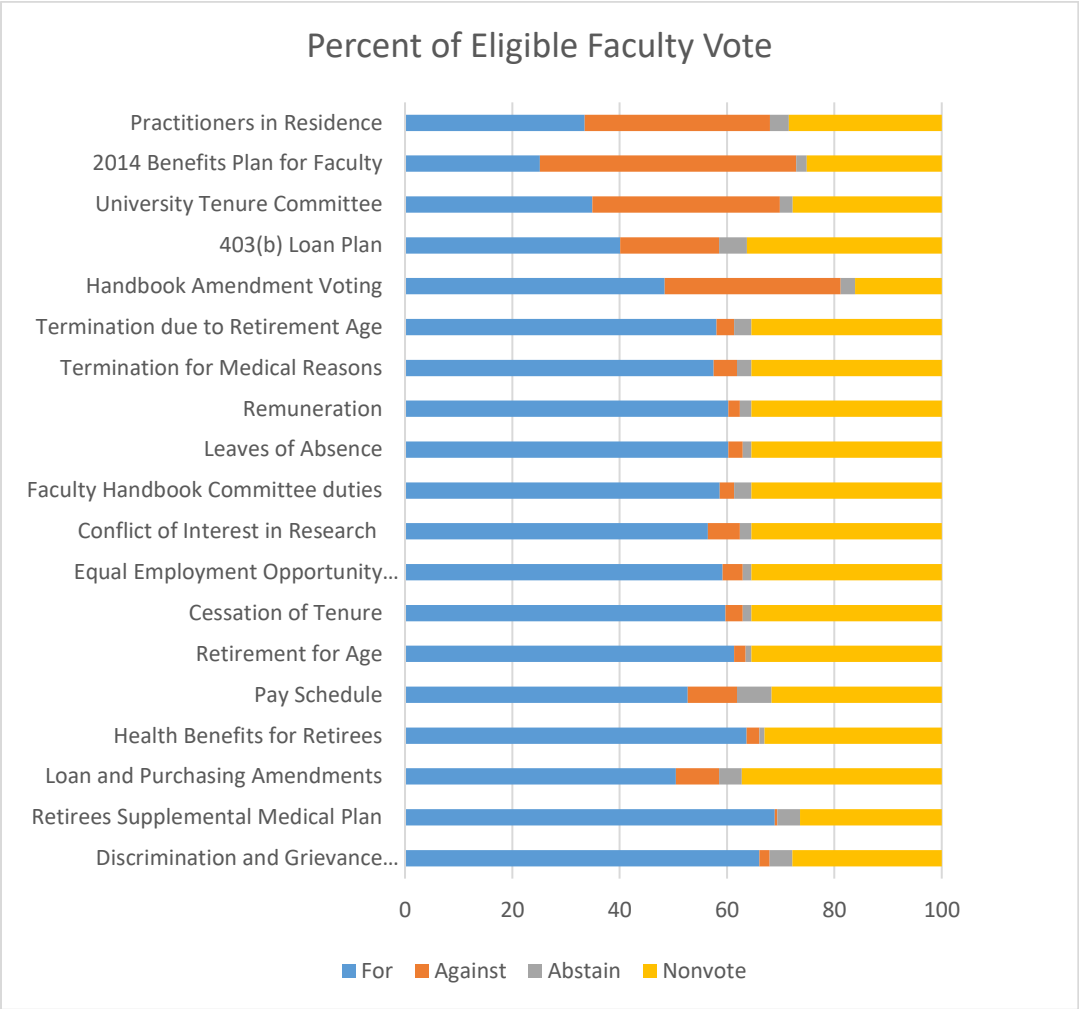
Rationale.

As you probably know, the Faculty Handbook Committee is undertaking a systematic review of the current handbook. We anticipate proposing multiple changes to the handbook over the course of the next year or two. In anticipation of bringing amendments forward to the faculty for consideration, we went back to examine voting patterns on proposed handbook amendments for recent years. In the period for which full voting records are available, the percentage of faculty voting on handbook amendments ranges from 61% to 83%. Given that passing handbook amendments requires the affirmative approval of a majority of those eligible to vote, this has meant that between 60 and 82% of the faculty voting must approve the change for it to pass. On average, it has required 73% of the faculty voting to approve a handbook amendment. The 17% to 39% of faculty members who do not vote are effectively voting “no” on every proposed handbook amendment because they are not affirmative votes of those eligible to vote

As an example of how voting on amendments has recently proceeded, we give the following graphic summary of voting outcomes for Faculty Handbook amendments since the 2010-2011 academic year. We report votes as a percentage of faculty eligible to vote, and then indicate in the separate column the percentage of “for” votes of those faculty that actually voted. We also indicate in the final column whether the amendment would have passed or failed under the changed voting practices we are recommending in this proposal.

The votes that are most relevant to this discussion are the ones for amendments that failed to pass. Three of the five clearly did not have support (they had less than 50% of the vote of those voting). Of the two that did not pass both had greater than 60% support from voting faculty, but still failed due to the fact that a significant percentage of faculty eligible to vote (17 or 37%) did not vote. It is difficult to know the reasons behind the failure of some faculty to vote, it could be apathy, it could be confusion, it could be something else more intentional. However, it is a faculty responsibility to vote, and non-voting faculty should not be given the power to kill amendments simply by not participating, for whatever reason.

The need for this change is further demonstrated by the most recent set of nine amendments to the Faculty Handbook passed on 3 April 2018. These amendments had strong support from those voting, with 88-95% of those voting supporting the proposed amendments. But only 120 faculty of the 194 faculty eligible to vote actually voted (62%). These nine rather straightforward, mostly uncontroversial amendments barely passed, with only 54-59% of the faculty eligible to vote voting for the amendments. The Faculty Handbook Committee is considering and will likely propose amendments to the handbook that are more substantive than the changes just passed. If only 62% of faculty eligible to vote actually vote, the threshold for passing an amendment is $\geq 81\%$ of those voting. The Committee for Rank Tenure and Promotion is also considering making proposals to amend the Handbook. Other groups in the future may make proposals as well. These more substantive proposals will take more time to prepare, more time in review, more discussion among the faculty, and could very well have support of the faculty, but not enough support to overcome the 20-40% of the “nonaffirmative” votes of the non-voting faculty.



Percent Voting "For"	Under proposed criteria
46.9	Fail
33.6	Fail
48.3	Fail
63.0	Pass
57.7	Pass
90.0	Pass
89.2	Pass
93.3	Pass
93.3	Pass
90.8	Pass
87.5	Pass
91.7	Pass
92.5	Pass
95.0	Pass
77.2	Pass
95.0	Pass
80.5	Pass
93.6	Pass
91.5	Pass

Our proposal is to change the process for amending the handbook from a majority of those eligible to vote to 60% of those voting. This supermajority will mean that a clear majority must support the proposal for it to pass. There was a concern expressed last year that in some unusual circumstance, a small minority of faculty could effectively pass an amendment to the handbook if those voting constituted a minority of the faculty. There was no quorum established when a similar amendment to this one was brought forward last year, and we suspect this contributed to concerns of many faculty who voted against that proposal. There has generally been high interest in amendments in the past, but we feel that to address this concern, the current proposal has been changed by adding a requirement for a voting quorum of 60% of those eligible to vote. Thus, under the changes we propose, at least 60% of the faculty must vote on any amendment to the handbook for the vote to be valid, and if the quorum is met, at least 60% of those voting must vote "for" the amendment for the amendment to pass.

We are proposing this change in amendment voting criteria because a majority of us do not feel it is fair to the voting faculty, either those who vote yes or those who vote no, or even those who abstain, to have their votes negated (or enhanced) by faculty that elect not to vote, for whatever reason. The entire committee would like to see voting on amendments to the handbook increase,

as this document encodes the rights and responsibilities of all faculty. We will seek to educate and encourage the faculty to take part in this important aspect of faculty governance. The proposed changes to the faculty handbook appear below.

Current Language

**PART FIVE
AMENDMENTS AND REVISIONS**

I. AMENDMENT PROCEDURES

....

C. Within thirty days after such Faculty Meeting, the Faculty Council shall conduct a written ballot on the proposed amendment. If the amendment receives a majority of the Faculty eligible to vote, it shall then be forwarded by the Faculty Council to the Board of Directors for consideration.

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II. REVISION PROCEDURES

A. If the Faculty Handbook Committee proposes a revision of the Faculty Handbook, the revision becomes effective when the following three steps are completed:

1. The revision receives a majority vote of the Faculty eligible to vote.

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Proposed Language

**PART FIVE
AMENDMENTS AND REVISIONS**

I. AMENDMENT PROCEDURES

....

C. Within thirty days after such Faculty Meeting, the Faculty Council shall conduct a written ballot on the proposed amendment. In order for the vote to be valid, a quorum of at least 60% of the faculty eligible to vote must vote. If a quorum votes, and the amendment receives at least 60% support from those voting, it shall then be forwarded by the Faculty Council to the Board of Directors for consideration.

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II. REVISION PROCEDURES

A. If the Faculty Handbook Committee proposes a revision of the Faculty Handbook, the revision becomes effective when the following three steps are completed:

1. The revision receives at least 60% support from those faculty voting, with the additional requirement that at least 60% of the faculty eligible to vote must vote for the vote to be counted.

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