April 20, 2015

Re: Proposed Revisions to Divisional Bylaw 155

Dear Colleagues,

The lengthy discussions at the February 5, 2015 Legislative Assembly (LgA) meeting made it clear that Divisional Bylaw 155, which governs mail or electronic ballots on issues, contains multiple ambiguities and is in need of revision. Responding to an initial proposal from the Undergraduate Council, the Executive Board considered the enclosed amendments during our April 2, 2015 meeting.

Because this bylaw affects the entire UCLA Division rather than one committee or school, I am seeking your input prior to submitting the proposed revisions to the LgA for approval. In order to deliver a final revision of Divisional Bylaw 155 to the Committee on Rules and Jurisdiction for review prior to the final LgA meeting of 2014-15 (June 4, 2015), I am asking committees to submit their comments no later than May 18, 2015.

Thank you in advance for your review of these proposed amendments. Please do not hesitate to contact me should you have any questions.

Sincerely,

Joel D. Aberbach
Chair, Academic Senate

cc: Leo Estrada, Chair, Academic Senate
Jan Reiff, Immediate Past Chair, Academic Senate
Linda Mohr, Chief Administrative Officer, Academic Senate
To All Senate Committees:

Summary of changes with rationale:

Divisional Bylaw 155

- Legislative Assembly (LgA) members should be able to call for a vote of the entire Los Angeles Division on a matter during a meeting or by petition after the meeting. The threshold for each of these circumstances will remain at one-third of the members present at the meeting and one-third of LgA members, respectively.

- Members of the division should also be able to petition for a divisional vote on a matter decided by the LgA, but the threshold for such a petition should be higher than the current required amount: equivalent to one-third of the membership of the LgA, currently 53 faculty members. This amount was set at a time when UCLA’s Senate faculty population was much smaller. Replacing it with a percentage would prevent the bylaw from becoming antiquated again. We propose a new threshold of four (4) percent of UCLA’s Senate membership. Currently, this represents 144 faculty members, close to the membership of the Legislative Assembly (159 members).

- Current Divisional Bylaw 155 Sections (B)(3) and (B)(4) should be amended to present a clearer separation between actions taken at an LgA meeting and actions taken at a meeting of the Division. New sections (C)(1) and (C)(2) mirror the language in (B)(1) and (B)(2).

- Section (G) should be added to ensure that, during the same academic year, the LgA does not continue to consider an action that the Division has already decided. The proposed language is similar to the language in Systemwide Senate Bylaw 75(B) as well as Divisional Bylaws at UC San Diego and UC Santa Barbara.

The Executive Board considered these revisions at their April 2, 2015 meeting and voted unanimously (10 approve, 0 oppose, 0 abstain) to approve these amendments. The student vote was 2 approve, 0 oppose, 0 abstain.

Rules and Jurisdiction (R&J) reviewed these changes for conformity on XXXX
Respectfully Submitted,

EXECUTIVE BOARD
April 20, 2015

Alex Bui, Chair, Graduate Council
Leobardo Estrada, Vice Chair/Chair-Elect, Academic Senate
Susan Ettner, At-Large Member
Jim Gober, Chair, Undergraduate Council
Malcolm Gordon, At-Large Member
Kathleen Komar, At-Large Member
Michael Meranze, At-Large Member
William Oppenheim, At-Large Member
Jan Reiff, Immediate Past Chair, Academic Senate
David Sears, Chair, Council on Planning and Budget
Willeke Wendrich, At-Large Member
Allyson Bach, Undergraduate Student Representative
Ivy Onyeador, Graduate Student Representative
JOEL ABERBACH, CHAIR, Academic Senate
<table>
<thead>
<tr>
<th>CURRENT BYLAW</th>
<th>PROPOSED BYLAW</th>
</tr>
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<tbody>
<tr>
<td>155. Mail or Electronic Online Ballots on Issues. The following provisions govern mail or electronic online ballots on Issues.</td>
<td>No change</td>
</tr>
<tr>
<td>(A) Only main motions and amendments thereto which have been considered at a meeting of the Division or the Legislative Assembly may be submitted to a mail or electronic online ballot.</td>
<td>No change</td>
</tr>
<tr>
<td>(B) Subject to the provisions of subsection (A) above, action taken by the Legislative Assembly shall be submitted to a mail or electronic online ballot of voting members of the Division if:</td>
<td>No change</td>
</tr>
<tr>
<td>(1) the request for the mail or electronic online ballot is made at the meeting at which the issue has been considered and one-third of the members of the Legislative Assembly present join in the request; or</td>
<td>No change</td>
</tr>
<tr>
<td>(2) written petition by voting members equal to one-third of the members of the Legislative Assembly is received, singly or collectively, by the Chair within 10 instructional days after distribution of the minutes.</td>
<td>(2) written petition by one-third of members of the Legislative Assembly is received, singly or collectively, by the Chair no later than 10 instructional days after distribution of the minutes of the Legislative Assembly Meeting at which the action in question was taken; or</td>
</tr>
<tr>
<td>(3) written petition by four (4) percent of the voting members of the division is received, singly or collectively, by the Chair no later than 10 instructional days after the distribution of the minutes of the Legislative Assembly Meeting at which the action in question was taken.</td>
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</table>
Action taken at a meeting of the Division shall be submitted to a mail or electronic online ballot at the request of:

(3) one-third of the members present and voting on the question at the meeting; or

(4) 35 voting members of the Division by written petition submitted singly or collectively to the Chair within 10 instructional days after distribution of the minutes.

(C) Arguments pro and con, which are submitted within 15 instructional days after the minutes are distributed, are summarized by the Secretary and accompany the ballot. The ballot is sent to electors within five instructional days thereafter and specifies the time and place of the election, which shall be completed within the next ten days.

(D) In certifying the results to the Division the Secretary gives the number of affirmative and negative votes cast and the number of invalid ballots.

(E) In the event of a written ballot distributed by mail, each voter receives a single envelope addressed to the Elections Commissioner of the Division. This envelope provide space for the name of the department and the signature of the voter. Envelopes lacking the signature are void. To ensure secrecy, the Elections Commissioner will be present at the time of opening and counting the ballots. All ballots will be removed from the

(C) Subject to the provisions of subsection (A) above, action taken at a meeting of the Division shall be submitted to a mail or electronic online ballot of voting members of the Division if:

(1) the request for the mail or electronic ballot is made at the meeting at which the issue has been considered and one-third of the members present join in the request; or

(2) written petition by four (4) percent of the voting members of the Division is received, singly or collectively, by the Chair no later than 10 instructional days after distribution of the minutes of the meeting of the Division at which the action in question was taken.

(F) In the event of a written ballot distributed by mail, each voter receives a single envelope addressed to the Elections Commissioner of the Division. This envelope provide space for the name of the department and the signature of the voter. Envelopes lacking the signature are void. To ensure secrecy, the Elections Commissioner will be present at the time of opening and counting the ballots. All ballots will be removed from the
envelopes prior to the counting of any ballots. On petition of 1% of all eligible voters, a two-envelope ballot procedure will be used for a specified election. Each voter receives a plain envelope in which to enclose the marked ballot, and a further envelope addressed to the Elections Commissioner of the Division. The latter envelope provides space for the name of the department and the signature of the voter. Envelopes lacking this signature are void.

Results of the vote are reported to the Secretary of the Division within six instructional days after the election.

In the event an electronic online ballot is used, each voter receives access to a secure, web-based, voting system which meets or exceeds campus security standards. The Elections Commissioner shall provide oversight to the administration of the system. The system shall be designed to separate each ballot from the voter who cast it, so that it is impossible to learn how anyone voted. The system shall be designed so that once a vote has been cast, it immediately will be recorded so that neither the voter nor anyone with access to the system will be able to change the vote. Upon request, hard copy ballots shall be provided for those Senate members who do not have access to electronic voting. In case a voter submits both an electronic and a paper ballot, the electronic ballot takes precedence and the paper ballot will be destroyed prior to the count.

Results of the vote are reported to the Secretary of the Division within six instructional days after the election.

(G) The results of the ballot are conclusive, and the matter may not be reconsidered during the same academic year.
Petition Thresholds at UC Campuses

Each of the five UC campuses with a Legislative Assembly and one of the campuses without a Legislative Assembly (Santa Cruz) have bylaws allowing a group of Senate faculty to petition for an issue to be put to a divisional vote.

<table>
<thead>
<tr>
<th>Campus</th>
<th>Senate Membership</th>
<th>Signatures Needed (%) of Membership</th>
<th>Bylaw</th>
</tr>
</thead>
<tbody>
<tr>
<td>Davis</td>
<td>2700 (~1900 active, ~800 emeriti)</td>
<td>50 (1.9%)</td>
<td>17 and 35(B)</td>
</tr>
<tr>
<td>Irvine</td>
<td>1730 (1286 active, 444 emeriti)</td>
<td>121 (7.0%)</td>
<td>28(A)(2)</td>
</tr>
<tr>
<td>Los Angeles</td>
<td>3602 (2467 active, 1135 emeriti)</td>
<td>53 (1.5%)</td>
<td>155(B)(2)</td>
</tr>
<tr>
<td>San Diego</td>
<td>2115</td>
<td>35 (1.7%)</td>
<td>82(J)(2)</td>
</tr>
<tr>
<td>Santa Barbara</td>
<td>1337</td>
<td>50 (3.7%)</td>
<td>45(H)</td>
</tr>
<tr>
<td>Santa Cruz</td>
<td>790 (~590 active, 200 emeriti)</td>
<td>25 (3.2%)</td>
<td>8.4.1</td>
</tr>
<tr>
<td>AVERAGE</td>
<td>2046</td>
<td>56 (2.7%)</td>
<td></td>
</tr>
</tbody>
</table>

The remaining four UC campuses (Berkeley, Merced, Riverside, and San Francisco) do not have Legislative Assemblies and do not have a bylaw allowing a group of Senate faculty to petition for an issue to be put to a divisional vote. Divisional votes at these campuses can only be caused by a majority vote taken at a meeting of the Division. UC San Francisco bylaws do allow for a petition signed by 15 Senate members to force reconsideration of an issue at the subsequent meeting the Division.