

CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA

ACADEMIC SENATE

ELECTIONS AND PROCEDURES COMMITTEE

REPORT TO

THE ACADEMIC SENATE

EP-001-201

Elections for Senators with Multiple Candidates from Same Department

Elections and Procedures Committee

Date: 05/18/2021

**Executive Committee
Received and Forwarded**

Date: 09/01/2021

Academic Senate

**Date: 09/29/2021
First Reading
10/20/2021
Second Reading**

BACKGROUND:

The Constitution of the Academic Senate (art. III, sec. 8(A)) states "No department in a college/school shall have more than one senator until each department within that college/school has at least one senator. During each nomination period candidates may be nominated from any department within the college/school that does not already have a senator." There is an unhandled case here where a department *below* its senator allocation limit at the time of the election could see multiple candidates elected and thereby come to *exceed* this constitutionally defined allocation.

The purpose of this referral is to request a documented remedy for this circumstance. Some mechanics of AS senator elections are detailed in the Bylaws Art. IV, sec. 3(C). This (rare, ideally) circumstance could potentially be handled there.

RESOURCES CONSULTED:

1) Individuals

a) XX

2) Universities

- a) The Bylaws of the Academic Senate of Cal Poly Pomona, 2020
- b) The Constitution of the Academic Senate of Cal Poly Pomona, 2020
- c) The Bylaws and Constitutions of the Academic Senate of other universities (CSU, SLO; CSU, Northridge; CSU, LA; CSU, Fullerton; CSU, Fresno; CSU, Dominguez Hills; CSU, Bakersfield; CSU, San Diego; CSU, Chico; CSU, Long Beach; CSU, Bakersfield; CSU, Sacramento; CSU, San Bernardino; CSU, Monterey Bay; CSU, SF; CSU, San Jose)

DISCUSSION:

According to the latest version (2020) of the Bylaws, the number of senators assigned to each college/school is based on their FTEFs (Full Time Equivalent Faculty). The details of apportionment of Academic Senate seats among the colleges/schools/areas has been described in Art. IV, Section 3(C) of the Bylaws. Moreover, as stated in the constitution, "**No department in a college/school shall have more than one senator until each department within that college/school has at least one senator. During each nomination period candidates may be nominated from any department within the college/school that does not already have a senator.**"

One possible scenario that can happen (and for which we don't have a documented solution) is where, as an example, there are two senate seats available for a specific college/school. Department A that does not already have a senator introduces more than one nominee for the senate seats. On the other hand, Department B, who also does not have a representative in the senate, introduces one or more than one nominee for the available senate seats. In this situation, if we let all the nominees from those departments to participate in the election procedure and if two of the nominees from Department A are elected, Department A will exceed the constitutionally defined allocation limit for the number of senators.

To address situations like the one stated above, the Elections and Procedures Committee performed some investigation on the bylaws and constitutions of several other universities in the CSU system and also talked to **XX**. As a result, two potential procedures to address the stated scenario were proposed:

Solution 1: If a college has more than one nominee from multiple eligible departments, an election is held **at the college level** for each department to pick one of the nominees from each department that has more than one nomination. Then, one candidate from each eligible department that has nominee in the pool for the available senate seat(s) is placed on a ballot and an election for the senate seat(s) is held at the college level.

Solution 2: If a college has more than one nominee from multiple eligible departments, an election is first held at the **department level** to pick one of the nominees from each department that has more than one nomination. Then, one candidate from each department that has a nominee in the pool for the available senate seat(s) is placed on a ballot and an election for the senate seat(s) is held at the college level.

The elections and procedure committee finally decided to reject the second procedure since, as stated in the Bylaws, "**Senators represent the constituency (college/school/area) that elected them and are expected to consider the opinions and interests of the entire constituency, not just those of their own departments, when engaging in business of the Academic Senate**". Thus, the initial election should be at the college level as opposed to department level.

RECOMMENDATION:

The elections and procedure committee proposed to amend Article IV, Section 3(C) of the bylaws by adding the following statement:

“Situations may arise when there are more than one available senate seats open for election in one college/school, and more than one member from eligible departments are nominated. Eligible departments are those within the college/school that do not have representation in the academic senate. If a college/school has more than one nominee from multiple eligible departments, an election is held **at the college/school level** to pick one of the nominees from each department that has more than one nomination. Then, one candidate from each eligible department that has a nominee in the pool for the available senate seat(s) is placed on a ballot and an election for the senate seat(s) is held at the college/school level.”