



THE EXECUTIVE COMMITTEE

15-16 BEC 8
March 1, 2016

TO: The Academic Senate

FROM: The Executive Committee of the Academic Senate

SUBJECT: 15-16 BEC 8: Placement of 14-15 FAC 15 on the Spring 2016 Ballot of the University Faculty

PURPOSE: For action by the Academic Senate

ACTION REQUESTED:

That the Academic Senate place the Bylaws amendment in 14-15 FAC 15 (attached) on the Spring 2016 ballot of the University Faculty with the following statement: "The Bylaws amendment in 14-15 FAC 15 appeared on the Winter 2016 ballot of the University Faculty but quorum was not reached. The amendment amends the process by which the Lecturer Electorate elects four Lecturer Representatives to the Academic Senate."



FACULTY AFFAIRS COMMITTEE

14-15 FAC 15
May 20, 2015
Senate amended 12/1/15

TO: The Faculty Affairs Committee
The Executive Committee
The Academic Senate

FROM: The Lecturer Subcommittee of FAC

SUBJECT: 14-15 FAC 15: Lecturer Subcommittee Recommended Changes to the CSUEB Bylaws

ACTION REQUESTED: That the Academic Senate place the attached Bylaws amendment on the Winter 2016 ballot of the University Faculty

BACKGROUND INFORMATION:

In Spring 2013, the Executive Committee of the Academic Senate made a referral to FAC, which called for the following: 1) discussion of changing language in the Bylaws to increase the number of at-large lecturers, and 2) include and/or clarify language in Article IX, Section 2D of the Bylaws regarding lecturers outside of colleges. In response, following a referral from FAC, on March 15, 2014, the FAC Lecturer Subcommittee voted to recommend changes to the Constitution and Bylaws. The changes involved increasing the number of Lecturer Representatives from four to six and clarifying language in Article IX, Section 2D. FAC approved these changes on May 7, 2014. On February 7, 2015, the Academic Senate voted to send the recommended changes to a vote of the University Faculty in the University-wide Winter 2015 Special Election. The Constitutional amendment to increase the number of Lecturer Representatives from four to six passed whereas the Bylaws amendment failed to pass because fewer than one third of the University Faculty voted. The Executive Committee began a discussion of how to reconcile the passage of the Constitutional amendment with the failure of the Bylaws amendment due to lack of quorum. The discussion became moot when, in a memo dated May 5, 2015 and addressed to the Chair of the Academic Senate, the President rejected the Constitutional Amendment, expressing that he does not support an increase in the number of lecturer senators.

The FAC Lecturer Subcommittee met on May 8, 2015 to discuss how to clarify Bylaws Article IX, Section 2D language, which makes reference to the election of lecturers who work in the four colleges, given that: 1) the lecturer electorate includes not only lecturers who work in the four colleges but also in General Studies, and also includes coaches, librarians, and counselors, and 2) only four Lecturer Representatives are elected to the Academic Senate. Noted as areas of concern were that in past elections the language has led to confusion regarding who "wins" the election and that an individual among the top vote-getters in the at-large election can be excluded if there is a higher vote-getter from their college.

Under the current Bylaws, the four Lecturer Representatives are elected at-large. Given the restriction of four Lecturer Representative seats on the Academic Senate, a provision which spreads representation of lecturers based upon their college or non-college affiliation is untenable. Furthermore, as discussed by the FAC Lecturer Subcommittee, most lecturer concerns and interests are shared by lecturers across campus, regardless of their college or non-college affiliation, hence an at-large representation is most appropriate.

The primary recommendation is to strike section 2D. Recommended deletions are struck through; recommended additions appear in **bold red text**.

**CALIFORNIA STATE UNIVERSITY, EAST BAY
BYLAWS OF THE UNIVERSITY FACULTY
ARTICLE IX
REPRESENTATION OF LECTURERS IN THE ACADEMIC SENATE**

SECTION 1: Lecturer Members of the Academic Senate

In Spring Quarter, the Executive Committee shall request the secretary of the Academic Senate to arrange for the election of four (4) at-large lecturer members of the Academic Senate. The lecturer electorate is defined as those individuals who have annual appointments of half-time or more, except for CSUEB graduate students, as defined by Article XII, Section 1 of the Faculty Bylaws. A lecturer representative will serve a one-year term and may serve for four consecutive terms.

SECTION 2: Election of Lecturer Members to the Academic Senate

The nomination and election of lecturer representatives shall be completed by May 15 and the results of the election shall be certified to the Faculty Marshal, who will announce them to the University. The term of each person elected shall begin on June 15. **The Office of the Academic Senate shall request the Academic Affairs Office to provide it with a list of those qualified for membership in the lecturer electorate. After being provided with the list, the Office of the Academic Senate shall publish the names of those qualified for membership in the lecturer electorate and publish a request for self-nominations.** The Executive Committee of the Academic Senate shall ~~make nominations, assuring that there are at least five nominees for the four positions to be filled, and shall~~ process additional nominations received by petition. Each person nominated shall have given his/her written consent to having his/her name appear on the ballot. In conducting the nominating process, the Executive Committee shall follow these procedures:

- A. Not less than ten academic days before the scheduled election, the Executive Committee shall publish a preliminary list of nominees.
- B. For a period of five academic days after the publishing of the preliminary list, the Executive Committee shall accept nominating petitions from the lecturers. A petition to nominate must bear the signatures of the nominee and three other lecturers. Each petition shall be forwarded to the Executive Committee through the Office of the Academic Senate.
- C. After the last day for nomination by petition, the Executive Committee shall certify the eligibility of each nominee. Each eligible lecturer shall be allowed to vote for four candidates. Voting shall be in accordance with Article VI, Sections 4 and 5 of the Faculty Bylaws.
- ~~D. If two or more candidates from the same College have been nominated, the Executive Committee shall limit to one the number of representatives that may be elected from each College, except when there is an insufficient number of candidates from other Colleges to fill the vacant offices.~~
- D. If a vacancy occurs in the representation of the lecturer electorate, the Executive Committee shall appoint a member of the lecturer electorate to fill the vacancy for the remainder of the term.