

CSE BYLAWS

1. INTRODUCTION

1.1 Preamble

The authority for the departments to establish a form of departmental governance is established by Academic Senate Bylaws (Part I), Title VI, Bylaw 55.A:

“According to the Standing Orders of The Regents, “... the several departments of the University, with the approval of the President, shall determine their own form of administrative organization... No department shall be organized in such 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 105.1(a), the right to vote on substantial departmental questions...”

1.2 Principles

Responsibilities These bylaws describe procedures for discharging faculty department responsibilities.

Some responsibilities are assigned by the UCSD Policies and Procedures Manual (PPM) specifically to the faculty as a whole, others to the Chair, and some are assigned to both. These bylaws describe responsibilities, the rules and guidelines for performing a responsibility, and the selection of Department members who will perform a role that fulfills a responsibility. A basic principle that has been followed in the case of shared responsibilities is for the Chair to initiate decisions and actions and for the faculty to approve them or take remedial action.

Delegation of Responsibilities In order to facilitate effective governance, the Department may have vice-chairs and permanent committees to which the faculty may delegate some of their responsibilities and on which the Chair may rely for advice. The Chair shall have the authority to create committees and vice-chair positions, subject to relevant university regulations, and to choose the faculty to serve in those positions. Furthermore:

- (i) all such entities shall have a written statement of their responsibilities;
- (ii) faculty may request a vote on the creation of new entities or on significant changes that are made to the responsibilities of those entities if some or all of these responsibilities are not explicitly allocated to the Chair;
- (iii) committees, vice-chair(s) and the Chair shall keep the faculty informed of all significant decisions or actions; and
- iv) remedial procedures are defined that allow faculty members to request a vote on an issue over which they have full, shared or advisory jurisdiction.

Structure of the Bylaws Responsibilities are carried out by the Chair and vice-chair(s), by the Department acting as a whole, by committees, by selected individuals on an ad hoc basis, and by a combination of some or all of these.

These bylaws are organized according to Departmental responsibilities. Two common factors of governance are extracted and described in initial separate sections: General Voting Definitions and Procedures, and Departmental Meetings. After this, responsibilities and the associated means of governance are described. Some responsibilities are grouped in a single section associated with the Departmental member who performs those responsibilities. This includes the Chair and the permanent committees. Other responsibilities, including appointments, promotions, miscellaneous responsibilities, and changes to the bylaws have their own sections.

Equivalence of Faculty Ranks Unless indicated otherwise, all references to professorial ranks in these bylaws apply equally to ladder-rank and teaching titles, i.e., (i) “Professor” means both “Professor (Ladder-Rank)” and “Teaching Professor (Senior LSOE)”; (ii) “Associate Professor” means both “Associate Professor (Ladder-Rank)” and “Associate Teaching Professor (LSOE)”; and (iii) “Assistant Professor” means both “Assistant Professor (Ladder-Rank)” and “Assistant Teaching Professor (LPSOE)”.

2. GENERAL VOTING DEFINITIONS AND PROCEDURES

2.1 Voting

A member of the *Department voting population* is any Department member who is a member of the Academic Senate, excepting those members whose departmental appointment is solely as adjunct or affiliate. A *voting population* consists of the Department voting population or a subset of that set. A member of a voting population is considered to be *in residence* for the purposes of a vote if the member is not on leave from the Department or university, nor on sabbatical away from the campus, in the quarter during which the vote is taken.

The *means of taking a vote* include: show of hands at a faculty meeting, secret written ballot conducted at a faculty meeting, secret ballot circulated by Department mail, email or fax ballot. Votes conducted by written ballots, email and or faxes are referred to as *mail votes*. Written and non-written votes conducted at meetings are referred to as *meeting votes*.

A *secret ballot* vote must be used for a vote if it is requested by at least one member of the voting population for a vote.

For non-secret votes, a *fax or email* vote may be used at the discretion of a voting faculty member. For secret ballot votes, fax and email votes will be allowed for faculty members who are not in residence, or who are unable to be on campus for reasons such as travel or illness. They are also allowed for other members unless two faculty members request that email and fax ballots be restricted for that secret vote. Email votes are counted by the chief administrative officer of the Department.

Proxy voting is not allowed. A faculty member who is eligible to vote during a faculty meeting, but who will be absent for the meeting, may request a ballot in advance, which can be submitted to and entered into the voting process by the supervisor for that vote.

All written ballots will allow a simple *yes, no, or abstain choice* on an issue and provide a space for *remarks*. The members of a voting population who are in residence and who do not vote are reported as *abstain*. The members of a voting population who are not in residence and who do not vote are reported as *absent*. The remarks shall be reported along with any report of the vote's results, and must be included in any Departmental letter that summarizes the Department's position.

The supervisor of a vote will report the results of all votes to the relevant voting population in a timely manner. A vote shall not be considered completed until it has been reported to the voting population.

Some issues will specify a *required vote*. If a required vote is part of some process, it must be held. Others will involve a *requested vote*. A requested vote only occurs under certain circumstances, which include a certain number or percentage of members of a voting population requesting the vote. When requested, it must be held in a timely fashion. A requested vote can be either a mail or meeting vote.

2.2 Quorums and Levels of Approval

A *quorum* is defined to be a percentage of the members of a voting population who are in residence. Approval requirements for a vote are defined as follows:

Super-approval: quorum of 50%, with the number of yes votes greater than 50% of the voting population.

Preference approval (for meeting votes): quorum of 50%, with the number of yes votes greater than the lesser of (i) 50% of the voting population, and (ii) two-thirds of the ballots cast, subject to at least 50% of the voting population having cast ballots.

Simple approval: quorum of 50%, with the number of yes votes greater than 50% of the number of votes cast.

A vote cannot be held at a Department or other kind of meeting if there is no quorum present for that vote. Mail votes are invalid if the number of people voting does not meet the quorum by the *final deadline* for the vote. At the discretion of the supervisor of the vote, an *initial deadline* for a vote may be *extended*, provided the original deadline has not passed. A mail or electronic vote shall be held open for a minimum of three working days.

As a general rule, super-approval is required for all required and requested votes that result in the recruitment of faculty members, changes to the bylaws, creation of or significant changes to descriptions of vice-chair and permanent committee responsibilities, and changes to procedures for selecting the Chair.

2.3 Trial by Combat

Before the completion of voting on any issue, a member may verbally invoke their right to supercede via *le duel judiciaire* ("judgement by combat"). The Chair shall ask for a champion to volunteer in opposition. If no such champion volunteers, then the issue shall be considered concluded in the challenger's favor. Otherwise, the result shall be decided in an appropriate arena of conflict, at the Chair's discretion.

3. DEPARTMENT MEETINGS

A Department meeting is used to carry out a number of different responsibilities. It may be used by the Chair and other Department members to make announcements, to provide a forum for discussion of issues of Departmental importance, and to facilitate decisions and actions for which there is no specific provision in the bylaws.

3.1 Scheduling

- (i) Department meetings shall occur at least once a quarter, excluding the summer.
- (ii) The Chair must call a meeting within a reasonable amount of time if any three members of the Department voting population petition the Chair to do so on any issue.

3.2 Agenda

The Chair shall announce the agenda in writing for each faculty meeting at least three working days in advance.

- (i) Issues that were the reason for scheduling the meeting, as described above, will be automatically placed on the agenda.
- (ii) For all other issues, any two members of the Department voting population may request that any issue be placed on the agenda for a meeting, and the Chair may delay placing that issue on the agenda for at most one meeting.

3.3 Motions

Any issue related to an agenda item may be brought to a vote if it is proposed and seconded by two members of the relevant voting population. The Chair shall allow a reasonable amount of time in each Department meeting to consider faculty motions. If the issue is one for which the Chair has sole, specific authority, as outlined in the chair selection section, the result of the vote will be advisory, but otherwise it will be binding. The level of required approval will depend on the issue.

3.4 Operation

The Chair presides over faculty meetings, or delegates this duty to another member of the Department voting population. If necessary, a meeting shall have both an open and a closed part. All academic personnel matters shall be discussed only during closed parts of the meetings that are restricted to members of the relevant voting population, the Chair's Assistant, and the relevant academic specialists. A faculty member may request that an item be discussed in a closed session which is restricted to members of the relevant voting population.

3.5 Minutes

The Chair shall ensure that the minutes for each faculty meeting are published within five working days following the meeting. As a minimum, minutes shall include a record of each motion voted on and the outcome of the vote. Faculty members have five working days to submit corrections to the minutes. Minutes shall be stored in a safe place for at least five years. Access to the minutes for the closed part of a meeting shall be restricted to faculty members who were eligible to attend the closed part.

4. CHAIR AND VICE-CHAIR(S)

4.1 Responsibilities

The specific responsibilities for which the chair has an authority that cannot be delegated are described in university regulations (PPM 230-1.IV.B).

Department Consultation The Chair is expected to inform the Department and seek advice for major decisions made with respect to the above responsibilities. The Chair shall inform the faculty of staff organization and responsibilities, and seek advice on how these arrangements can be best used to support faculty duties and responsibilities. The Chair must be receptive to questions and facilitate appropriate remedial procedures as required.

4.2 Selection of Departmental Chair and Vice-Chairs

Vice-chair appointments are made by the Chair and are used to provide assistance in Department management, such as the undergraduate curriculum. University regulations require that the appointment of a vice-chair be recommended to the Chancellor and the Dean, and specify that the Chancellor has the authority to make such an appointment. Eligibility is limited to Full and Associate Professors.

The selection of the Chair is carried out as follows.

Nomination The Department's recommendation to the Chancellor for the Chair will be made by the Department in accordance with the following procedure.

Eligibility is limited to Full Professors.

During the winter quarter of the final year of a Chair's term in office, the Chair will appoint three faculty members to a chair selection committee from the Department's members of the Academic Senate. If requested by two members of the Departmental voting population, the proposed committee will be ratified by a vote of the Departmental voting population under the general voting procedures for a simple approval. If the committee is not approved, the Chair will conduct an election for membership in the committee from the Departmental voting population. Each faculty member may cast three votes. The three faculty members receiving the highest number of votes shall form the committee.

The chair selection committee shall conduct a secret ballot nomination vote by the Departmental voting population. It will contain a list of all members of the Department who are eligible to serve as Chair for the coming term of office. Each faculty member may nominate as many as three candidates.

The chair selection committee will secretly tabulate the votes and inform each faculty member who was nominated of the number of votes that the faculty member received, and the number which other faculty members received, without revealing the identity of other nominated faculty members.

If no nominated faculty member is willing to run for election as Chair, a second nomination vote will be held. If no nominated candidate from the second nomination vote is willing to serve, then the Chair and the Selection Committee, in consultation with the Dean, will be given the responsibility for the selection of a Chair, either from inside or outside the Department.

Vote Each nominee will inform the committee within five working days of being informed of the outcome of the nomination vote whether or not (s)he is willing to serve. All those willing to serve who have received at least two nomination votes shall be candidates for the Chair. The names of those refusing to serve shall be kept secret. An election will be organized in a timely manner, and the committee will tabulate the results. Each candidate shall be informed of the number of votes (s)he received, and the total number of votes cast.

If there are more than two names on the final ballot, and no candidate receives a majority of the votes, there will be a runoff between the top two candidates. If, after the runoff, no candidate has received a simple majority of the votes, due to abstentions or absent voters, a second vote shall be held. If this is non-conclusive, the Chair shall consult with the Dean to determine an appropriate selection procedure. If there is only one nominee after the nomination vote, and the candidate was nominated by a simple majority vote, then that candidate shall be the Chair selection. If not, a vote shall be held for that candidate. The preceding rules shall apply to this vote.

The name of the Department's proposed Chair will be forwarded to the Dean and the Chancellor.

Term of Office The appointment to Chair is for a period of three years. This may be extended, by a simple approval vote of the Departmental voting population, for an additional two-year period, and after that for an additional one-year period. After a term of five years, an election for a new chair must be held. Chairs may re-run for office.

5. STANDING COMMITTEES

5.1 Responsibilities

Certain responsibilities are managed by permanent (standing) committees, which currently consist of Space Allocation, Computing, Graduate Admissions, Undergraduate Affairs, Graduate Affairs, Master's Program, Diversity, and Recruiting.

Standing committees have specifically defined areas of significant responsibility and continue indefinitely, even though their membership may change. Some of the responsibilities may involve issues that are the sole responsibility of the Chair and cannot be delegated (see Section 4.1). In this case the committees may act in an advisory role. Other responsibilities are the prerogative of the faculty or are shared responsibilities, and the committee acts as the representative of the faculty.

5.2 Committee Creation

Current permanent committees are listed above. The Chair has the authority to create new committees. The Chair must provide a written role description of a new committee. Any two faculty may request a faculty vote of approval. Deletion of any existing committee is also open to a requested vote of approval. Substantial changes to a committee's role description must be announced and are open to a requested vote of approval. Requested votes on standing committee creation, deletion, and change of role description require super-approval.

5.3 Committee Selection

In order to facilitate effective governance, the Chair chooses committee chairs, and, in consultation with the committee chair, chooses the members of the committee. All permanent committee chairs must be members of the Departmental voting population. Committees may include members who are not in the Departmental voting population if this is specified in the committee role description. Committees are required to announce decisions and actions, and faculty may use remedial procedures if they feel the committee has acted inappropriately.

5.4 Committee Rules

Each committee chair must prepare a specification of that committee's responsibilities and policies. Committees must inform the Department of significant changes to their responsibilities and policies; such changes are open to a requested vote of approval. Committees must keep the Department informed of important actions and informed on matters under their jurisdiction, as per their responsibility descriptions. The decisions of the permanent committees are open to review by the faculty.

5.5 Advisory Board

The chair may create an Advisory Board for the Department that consists of three to five distinguished individuals not in the Departmental voting population. The Advisory Board does not have authority to make decisions. Its creation and operation must follow the procedures specified in Sections 5.2, 5.3 and 5.4 above.

6. FACULTY APPOINTMENTS

Responsibilities for faculty appointments include identifying, evaluating and voting on new Departmental faculty members. All appointments, except part-time lecturers, require a vote. This includes research series and adjunct appointments. The Chair has sole responsibility for the appointment of part-time lecturers. Appointments to visiting positions will either be voted on or the Departmental voting population will delegate this responsibility to the Chair or a duly appointed committee.

Adjunct, visiting and research appointments will be processed individually and require a supermajority vote for approval. All other appointments require the following procedures.

The operation of the Department faculty as a recruiting committee of the whole is authorized by the PPM. Some of these responsibilities are delegated by the faculty to the Recruiting committee. The Recruiting committee and its chair are chosen by the Department Chair. They use the following procedures.

6.1 Strategy

At the beginning of the recruiting season, the Chair, in consultation with the voting members of the Department, will formulate a hiring strategy. This strategy will be based on the expected number of positions that will be available, the expected levels of appointments, and targeted areas.

6.2 Screening

The Recruiting committee will be responsible for initial screening of applicants for all open positions for which it has jurisdiction. This consists of all positions except for part-time lecturers.

The Recruiting committee will evaluate candidates, solicit letters of reference, and recommend candidates to be invited for a visit to the department. The committee will make every effort to consider all candidates fairly and to use an appropriate comparison process. At the time of the present revision of these bylaws, the Recruiting committee will have seven members, and five votes are required for inviting a candidate for a Departmental visit.

The Recruiting committee will consider both the general strategy for hiring and the excellence of candidates, which may result in exceptions to the strategy.

The Recruiting committee shall announce to the faculty its recommendation concerning which candidates to invite for a visit. The faculty may request that letters of reference be requested for additional candidates, or request that additional candidates be invited for a visit. Faculty may also request a vote on the invitation for a recommended candidate, under the general rules for Department meetings. Super-approval is required for extending an invitation that is brought to a vote. A request that a recommended invitation be put to a vote must be made before the candidate has been invited.

6.3 Departmental Evaluation

After an appropriate (additional) number of candidates have visited the Department, the Chair will call a meeting to discuss the candidates. At this meeting a vote will be held to determine which of the candidates to place on a Departmental shortlist. Such a meeting vote shall require preference approval.

The Chair may formulate a strategy for scheduling the candidates on the short list for a Departmental vote and offer. This will take into account: the original strategy for hiring, the candidates that are currently on the shortlist, the maximal number of offers to have out at one time, balance between areas, and excellence of candidates. The Chair will present the strategy to the faculty for approval and possible modification. If requested, the strategy will be put to a Departmental vote where it requires super-approval.

If no strategy is presented or approved by the faculty, then any two faculty members may propose that a candidate on the short list be put to a written vote. A preliminary vote will be held, usually at a faculty meeting, to determine if a mail ballot vote will be held. This vote requires super-approval.

A proposed candidate must receive super-approval on the Departmental vote, and a simple approval by the tenured faculty. If a candidate receives this number of votes, the file must be submitted to the Campus. If not, the vote will be considered to have failed. In the case that super-approval by the Departmental voting population is not attained, but simple approval is attained both for tenured and non-tenured faculty, the Chair may call for a re-vote, decline to submit the appointment recommendation to the Campus administration, or submit the appointment recommendation with an explanation as to why this unusual action is being taken.

6.4 Voting Population

UCSD PPM 230-20-V.F.1 points to Senate Bylaw 55 in defining default voting populations for appointments. Bylaw 55.B.1 states that all tenured faculty have the right to vote on new Departmental appointments that confer membership in the Academic Senate. Bylaw 55.C indicates that voting privileges may be extended to other members of the Academic Senate by a vote of the default voting population, that this privilege must be extended for at least a year, and that a vote of the default voting population to revoke that privilege can be requested by any member of the default voting population.

Subject to provisions of Bylaw 55.C, all members of the Departmental voting population shall have the right to vote on all new appointments.

Appointments that confer membership in the Academic Senate consist of: all tenure track positions, professor in residence series, and SOE lecturers and SOE senior lecturers.

Appointments that do not confer membership in the Academic Senate include: Lecturers and Senior Lecturers (without (potential) SOE), Adjunct Professorial series, and Research Series.

6.5 Documentation

The documentation required for a proposed Departmental appointment is covered in PPM 230.20.IX. Included in this documentation is the Departmental Recommendation Letter. This letter is meant to summarize the Department position. The file, including this letter, shall be made available for inspection by the voting faculty for a period of not less than five working days before submission of the file. The Chair shall announce to the members of the voting population when the letter is available for inspection. If a faculty member objects to the Department letter, or to the process that was used, the faculty member has the option of including a letter of dissent, which may be signed by one or more faculty members. Dissenting faculty members must submit their letter within the five day inspection period. A file shall not be submitted to the administration that has not had a five day inspection period.

If desired, the Chair may also include a confidential Chair's letter in a file, which can be used to express the Chair's personal opinion.

If significant additional evidence for a file arrives after the file has been submitted, the Chair has the option of submitting the additional information or recalling the file for additional Department consideration and/or processing.

7. FACULTY PROMOTIONS

The relevant responsibilities in this category include: identification of faculty members who may be eligible for normal or accelerated advancement, assembling a promotion file, and carrying out a Department vote. These responsibilities are carried out by the Chair, a voting population subset of the Department faculty, an ad hoc committee, and the individual faculty member who is up for promotion. The Chair shall select the chair of an ad hoc committee, which will consist of the chair and one or two Departmental members. The Chair shall select the members of the ad hoc committee in consultation with the ad hoc chair. The committee must be chosen from the voting population for the candidate's promotion.

7.1 Screening

In the academic year preceding a normal or proposed accelerated promotion, the Chair shall determine which faculty members are eligible for a normal merit promotion within rank, or promotion to the next rank.

Any faculty member may request consideration for an accelerated promotion, either at the time of what would be a normal promotion or at an intermediate time in a promotion cycle. A faculty member who would be a member of the voting population for a proposed accelerated promotion may also propose such a promotion for another faculty member.

7.2 Departmental Evaluation

Faculty members who are eligible for a normal promotion, or who have been proposed for an accelerated promotion, will be informed in a timely manner of the procedures for preparing their promotion files, and the deadlines for submission of materials for which they are responsible.

The ad hoc committee will, if necessary, choose references and oversee the assembly of a candidate's file. The Department Chair has the final authority over the selection of references. Objections to the choice by a faculty member may be made in a dissenting letter to be added to the file before it is submitted.

It is required by the PPM that voting members have the opportunity to express their opinions of the promotion case. There will be a pre-vote meeting scheduled for the

voting faculty that must be held far enough in advance of the vote to allow suggestions related to the processing of the file to be implemented.

The chair of the ad hoc committee shall prepare a letter to the Department Chair that details the committee's recommendation.

The relevant voting population shall vote on all promotions to a new rank, advancements from Full Professor Step V to Step VI, and all accelerated advancements either within or to a new rank. In the case of merit advancements that are not accelerated, for which the Chair in consultation with the ad hoc committee recommends approval, no vote is required. In the case of merit advancements for which the Chair in consultation with the ad hoc committee recommends disapproval, the candidate may request that their file be put forward, along with the department's negative recommendation.

7.3 Voting Population

PPM 230.28.VIII points to Senate Bylaw 55 in defining default voting populations for promotions for members of the Academic Senate. In cases of non-reappointment or termination of a faculty member, the voting population shall consist of the faculty members that would be entitled to vote on the promotion of that Department member. Bylaw 55.C indicates that voting privileges may be extended to other members of the Academic Senate by a vote of the default voting population, that this privilege must be extended for at least a year, and that a vote of the default voting population to revoke that privilege can be requested by any member of the default voting population.

Applicable voting populations are listed in the table below, for promotions of all kinds. In the table, the first column corresponds to the target level of the promotion, and the second to the current rank of a potential voter.

In the case of promotions for non-academic senate members, these promotions will be determined by Department members of the Academic Senate using a voting population that parallels that for Academic Senate promotions. Such appointments include adjunct and research series appointments and are referred to as "at a level equal to ..." in the table below.

If a voting population as described in any of the rules consists of less than five persons, then it must be enlarged to five persons by adding those faculty members other than the candidate who have the highest seniority in rank. The number of faculty members in the voting population after such an addition may be more than five in the case of ties.

<i>Promotion to/within</i>	<i>Eligible voters</i>
Lecturer with potential SOE	Full Professors (ladder-rank), Associate Professors (ladder-rank), Senior Lecturers SOE, Lecturers SOE
Assistant Professor (ladder-rank) or at a level equal to Assistant Professor	Full Professors (ladder-rank), Associate Professors (ladder-rank),

	Senior Lecturers SOE, Lecturers SOE
Lecturer SOE	Full Professors (ladder-rank), Associate Professors (ladder-rank), Senior Lecturers SOE, Lecturers SOE
Associate Professor (ladder-rank) Associate Professor In Residence or at a level equal to an Associate Professor	Full Professors (ladder-rank), Associate Professors (ladder-rank), Senior Lecturers SOE, Lecturers SOE
Senior Lecturer SOE	Full Professors (ladder-rank), Senior Lecturers SOE
Full Professor (ladder-rank) Full Professor In Residence or at a level equal to a Full Professor	Full Professors (ladder-rank), Senior Lecturers SOE

7.4 Documentation

The documentation required for promotion is covered in PPM 230.28.VI. The clarification and additional details for appointments, as contained in the documentation section for recruiting, shall also apply to promotions. In addition, a faculty member who is a candidate for promotion may, after examination of the redacted promotion file, include a letter in the file.

8. MISCELLANEOUS AND INFREQUENT RESPONSIBILITIES

These are responsibilities that are not covered in the bylaws. They may be unanticipated, infrequent, or minor in nature. These responsibilities may be carried out by the Chair or vice-chair(s), by temporary committees, or by the faculty as a whole.

The Chair and the faculty shall have the authority to create a temporary committee and choose its members. The committee is expected to be advisory.

The Chair will have primary authority for these responsibilities. In substantial matters for which the Chair and/or faculty has authority, the Chair may request a Department vote. In matters for which the faculty shares or has authority, the faculty may request a vote. All votes will be approved by simple approval, except in matters that are covered in the other sections of the bylaws, for which a higher level of approval is indicated.

The Chair should keep the faculty informed of all important issues and decisions taken with respect to the issues.

9. BYLAW CHANGES

Changes to, additions and deletions from the bylaws are carried out by the Departmental voting population.

Suggestions for changes to the bylaws, and requests for a vote on the suggested changes, may be made by any member of the Departmental voting population in accordance with the regulations for Department meetings. A vote is required on a suggested change, and such a vote may be either a meeting vote or a mail vote. All such votes require super-approval.