

COMMITTEE ON RULES, JURISDICTION AND ELECTIONS
Report on Committee on Committees Election Spring 2002

To the Academic Senate, Santa Cruz Division:

There are three vacancies for the Committee on Committees (COC) this coming year. The question of whether we can dispense with the mail ballot was immediately raised to RJ&E by Secretary Belanger who is charged to conduct the election under the supervision of RJ&E (Bylaw 4.3). The protocol for the election is covered by Bylaw 11, inclusive.

RJ&E met on March 27, 2002 to consider the following questions before responding to Secretary Belanger.

1. Whether the strict interpretation of 11.1, (balloting by mail) is required when the outcome of the election is a foregone conclusion with three candidates for three positions, each of whom already has five nominators.
2. In this circumstance would any senator be disenfranchised by not having a mail ballot?
3. Since election, i.e. certification, is by plurality not an absolute percentage (Bylaw 11.4), could any of the candidates fail certification?
4. Would there be professional damage to the Division if certifications were given without the formality of a mail-ballot when the outcome will be identical under either protocol ?

RJ&E finds the following in each situation as described above.

1. An election is a process to determine which candidate has the most support from the division. In the current circumstance, there is not a selection to be made, since all candidates are qualified and equal the number of available positions therefore the process of a mail-ballot election is irrelevant to express the wish of the Division.
2. Since Bylaw 11.3 clearly states the conditions for nomination and the general Bylaw 11 does not provide for write-in candidates, no senator can be disenfranchised by not having a mail-ballot in this circumstance. (If senators had submitted additional nominees, then a mail-ballot would have been required as necessary to determine certification of those elected.)
3. A plurality of votes determines selection. It is highly unlikely that any of the candidates will receive no votes, therefore the results of a formal ballot are foregone.
4. Elections are significantly expensive and time. In the case where the outcome of an election can not be different, the professionalism of the Division is strengthened by being practical.

In summary, RJ&E finds that when there are an equal or fewer number of duly nominated candidates for the number of available positions, a mail-ballot is not required for certification of those nominees.

Respectfully Submitted,
Committee on Rules, Jurisdiction and Elections
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April 30, 2002