

Commonwealth University of Pennsylvania Senate Elections

Subcommittee of Executive Committee Bylaws

Article I. Purpose

The purpose of the Elections Subcommittee of the Executive Committee is to understand, maintain, and facilitate the process of elections for the Commonwealth University of Pennsylvania Senate.

Article II. Membership

- (A) The Subcommittee shall consist of the following nine (9) Members:
 - (1) Six elected Faculty Members, two elected at-large by each campus.
 - (2) Three elected Staff Members: one elected at-large by each campus.
- (B) Members shall be elected in accordance with the faculty election process outlined in the Commonwealth University of Pennsylvania Senate Constitution and herein.
 - (1) Terms shall be of three years, with the possibility of reelection.
 - (2) Terms of represented Members on each campus are intentionally staggered in design whereas no campus should be electing more than one 3-year termed position during any given election.
 - i) Any seat may be elected in any normal cycle of elections for the purpose of finishing out incomplete terms due to vacancy.
- (C) Any Member of the Subcommittee failing to actively contribute (participate in meetings, contribute expertise, collaborate with others) to the work of the Subcommittee during the academic year may be considered for removal by the Senate Executive Committee.
- (D) A Subcommittee Member may resign from their position by providing written notice to the Subcommittee Chair.

Article III. Meetings

- (A) Meetings should be scheduled with the availability of all members as a consideration in terms of time and day.
- (B) Meetings should generally be conducted via a virtual modality with active audio and video availability.
 - (1) Email based collaboration occurring in lieu of virtual meetings can often be appropriate to conduct elections business during voting terms. These meetings should not be seen as a replacement for meeting where discourse is or should be expected.
- (C) The frequency of meeting shall be commensurate with business and will vary depending on the duties faced by the committee at any given time. The following represent a minimum expectation:
 - (1) Fall or non-voting semester
 - i) The subcommittee shall meet once to review business both current and future.

(2) Spring or voting semester

- i) The subcommittee shall meet as often as is necessary to properly coordinate the planning, implementation, and verification of elections work.
- ii) Due to the degree of time required of members during voting terms, intentionality with scheduling, agenda setting, and use of collaborative email communications are encouraged in conjunction with necessary meetings.

Article IV. Quorum, Officers & Roles

(A) Quorum

- (1) for the Elections Subcommittee will constitute that which includes at least one third of voting members, never to be all from one campus. Official business may not be undertaken without quorum.

(B) The Subcommittee Officers will include the Chair and Vice Chair.

(C) The Subcommittee will also include the role of Local Assembly Representative for each of the three University main campuses.

(D) Eligibility for Subcommittee Officers and roles are as follows:

(1) Chair

- i) The role of Chair can be filled by any Member of the Subcommittee.
- ii) Term of office for Chair is one year to be elected or otherwise nominated with support of a majority of Members.
- iii) Selection of Chair should take place following the spring elections and no later than the start of the next fall term.
- iv) Chair duties are outlined as follows in Article V.D.

(2) Vice Chair

- i) The role of Vice Chair can be filled by any Member of the Subcommittee excluding the following circumstances:
- ii) In any given academic year, the chair and vice-chair may not be both in the final year of their term.
- iii) Term of office for Vice Chair is one year to be elected or otherwise nominated with support of a majority of Members.
 - a) Selection of Vice Chair should take place following the spring elections and no later than the start of the next fall term.
- iv) Vice Chair duties are outlined as follows in Article V.C.

(3) Local Assembly Representatives

- i) Local Assembly Representatives may be any Member or Officer of the Subcommittee whose home campus is the same as the Local Assembly for which they are serving.
- ii) Subcommittee Members may serve as a Local Assembly Representative regardless of whether they also attend Local Assembly Meetings in another capacity.

- iii) Terms for Local Assembly Representatives are one year, to be elected or otherwise nominated with support of a majority of Members.
 - a) Selection of Local Assembly Representatives should take place following the spring elections and no later than the start of the next fall term.
 - iv) Local Assembly Representatives duties are outlined as follows in Article V.B
- (E) Additional roles and/or roles may be added by a vote of the committee and added to these bylaws as deemed necessary.

Article V. Duties & Responsibilities

(A) Subcommittee Members

- (1) Attendance and participation in Subcommittee meetings.
- (2) Timely and responsive to communication regarding tasks and scheduling.
- (3) Maintain general knowledge (commensurate with Subcommittee tenure) of elections process and related constitutional guidelines.
- (4) In service of the Senate Executive Committee, aid in the identification and/or recruitment of candidates to fill available roles throughout all levels of University Senate.
- (5) Actively participate in the election process as outlined in Article VI. of these Bylaws.
- (6) Maintain discretion around all Elections Subcommittee work which has yet to be officially disclosed to the University at-large.

(B) Local Assembly Representatives

- (1) All described Subcommittee Member responsibilities (V.A.).
- (2) Attend each meeting of designated Local Assembly.
 - i) Present or otherwise provide any Elections Subcommittee Update to designated Local Assembly.
 - ii) Serve the interest of the Elections Subcommittee and these Bylaws during any measure necessitating a vote of the Local Assembly.
 - iii) Engage meaningfully with any measure or discussion which pertains to the work of the Elections Subcommittee.
 - iv) In the event an issue arises which cannot be unilaterally answered, for any reason, ensure the delivery of the issue in question from Local Assembly to the Subcommittee Chair for consideration.

(C) Vice Chair

- (1) All described Subcommittee Member responsibilities (V.A.).
- (2) To assist with the duties and responsibilities of Subcommittee Chair.
 - i) Act as Chair in the event the Chair is unable to perform their duties.
 - ii) Serve as a legacy resource to ensure seamless transition between Chairs and/or Members while serving.

(D) Chair

- (1) All described Subcommittee Member responsibilities (V.A.).
- (2) Serve as primary point of contact for the Executive Committee for Elections Subcommittee related concerns and reports.
- (3) Coordinate all meetings and task assignments associated with Subcommittee work.
- (4) Draft, dictate, or directly communicate reports for Local Assembly meetings.
- (5) Ensure compliance with all Elections Procedures listed in Article V.

Article VI. Elections Procedure

- (A) Elections conducted by the Elections Subcommittee will be guided by the parameters outlined in Article V of the Commonwealth University of Pennsylvania Senate Constitution.
- (B) Election timelines will be roughly as follows:
 - (1) February 20th-28th: Identification of open eligible for election in current year's election.
 - i) Create a draft slate of open positions by reviewing the Senate roster for terms that are set to end and any vacancies recorded.
 - ii) Outreach to Local Assembly Presidents and Standing Committee/Subcommittees Chairs to share drafted slate of open positions and inquire about unreported/planned vacancies.
 - iii) Finalize slate of open positions and share it with Executive Committee.
 - (2) February 28th: Create, schedule, and announce the pending nominations request and the election season timeline.
 - i) Collaborate with designated ballot instrument support professional within the University.
 - ii) Timeline should include the anticipated dates for: call for nominations, initial election, and a runoff if necessary.
 - (3) March 15th: Review and validate eligibility of nominated candidates for slated positions.
 - (4) March 20th: Release the final Slate of nominees and confirm scheduled elections timeline.
 - i) Collaborate with ballot instrument support to create and verify the election slate.
 - (5) April 1st: Distribute the completed ballot to the University constituency.
 - i) Elections should remain open for at least three (3) business days.
 - ii) The Subcommittee should ensure that there is ample time between the scheduling of the initial election to review the results, conduct a runoff, and review any runoff results before April 10th.
 - a) Runoffs will follow the same process as that described above (VI.B.4 through VI.B.5)

- (6) April 10th: Inform Senate President of the election results and share results University wide.
- (7) April 15th: Except where otherwise indicated, all newly elected terms will begin.

Article VII. Nomination Eligibility Verification, Election Certification, & Runoffs

(A) Nomination Eligibility Verification

- (1) Ensuring matching employment designation for each role (staff/faculty/management)
- (2) Verify that the candidate is not already serving in a role which disqualifies them
 - i) Already serving a concurrent role on the body.
 - ii) Possessing a voting privilege role that would prevent mean they would have dual voting privileges. (One member having the right to vote two or more times)
- (3) Contact all candidates and inform them of their nomination status.
 - i) Candidates with verified eligibility should be contacted and offered the opportunity to validate/withdraw their nomination.
 - ii) Candidates who have been found ineligible to appear on the slate should be contacted and informed of their specific ineligibility.

(B) Election Certification

- (1) Review the final totals received by all candidates in the election.
- (2) Identify winners and races in need of a runoff.
 - i) Winners will be those who have received more than 50% of the vote.
 - ii) A runoff must be created for all positions that have failed to have a candidate obtain over 50% of the vote.
 - iii) Candidates who request the results of the race prior to the results being announced (pending runoff) may be provided this information with the discretion of the Elections Subcommittee Chair.

(C) Runoffs

- (1) Runoffs should include the top two candidates with the highest vote percentage after the initial election.
- (2) Candidates who will face a runoff should be contacted to ensure they would still like to participate.
 - i) Candidates who face a runoff while having won a seat in the same election, should be informed of this when being asked about their desire to remain in the running for the runoff seat.

- ii) If a candidate withdraws from the race, the next highest vote recipient will advance to the runoff.
 - iii) If a candidate withdraws from a two-person race, the remaining candidate wins.
 - (3) Runoffs can include more than two candidates under the following circumstances:
 - i) More than two nominees are tied for the most votes in a race.
 - ii) The leading nominee has less than 50% of the vote while two or more nominees are tied for the second most votes.
 - (4) A runoff election that includes more than two candidates will include ranked voting among qualified candidates.
- (D) Runoff Tie-Breaker
- (1) In the event a deadlock persists a conference of candidates will be asked to decide amongst themselves if there is a clear preference for who should assume the role
 - (2) If no winner is identified in a conference of candidates, a roll of the dice will designate a winner of the position with the sidedness of the die being dictated by the pool of participants (2-3 candidates=6-sided, 4 candidates=8 sided, 5 candidates=10 sided, etc...)
- (E) Members impacted by Non-Consensus Opinions
- (1) A member of the university community who is the subject of, or whose eligibility is otherwise impacted by, a non-consensus opinion should be treated as eligible until the ESUB-01 form is signed and filed by the Elections Subcommittee.
 - i) In the event voting must take place prior to the ESUB-01 being filed, any seat(s) involving the impacted candidate(s) will use ranked voting to protect voting integrity regardless of non-consensus opinion outcomes.
 - ii) In the event a member is disqualified through these processes, but after the voting has taken place, the election results will be tabulated excluding the disqualified candidate in order to find a winner.
 - a) If further tie breaking is still necessary, refer to the normal tie breaking procedures seen above (VII.C.4.).
 - b) When possible, winners of races impacted by non-consensus opinions will be held until the ESUB-01 form is filed.
 - iii) No reference to in progress non-consensus proceedings shall be made on the official ballot or in communications delivered to the campus at large from the Elections Subcommittee.
 - a) It is strongly recommended that no member of the university community, while outside of those formal proceedings related to its resolution, discuss any non-consensus opinion which is pending.

- b) The Elections Subcommittee can make no guarantee of discretion for information that is shared by those outside of the Subcommittee nor does it guarantee a lack of consequences being implemented by University Senate for those who have been found to have shared information in such a way.

Article VIII. Consensus & Non-Consensus Opinions

(A) Consensus Opinions

- (1) Formal voting is not necessary in the course of reviewing, creating, or validating elections conducted using the procedures outlined herein (Article V) as long as the subcommittee quorum present during the task is unanimous in their decisions/conclusions.

(B) Non-Consensus Opinions

- (1) Situations that cannot be navigated with consensus and thus necessitate a formal vote include but may not be limited to the following:
 - i) An unresolvable dissent by any member on any matter concerning official elections procedure work
 - ii) Navigation of an election procedure dilemma that has no express solution outlined in the Senate Constitution or the bylaws.
- (2) Formal votes will commence as follows:
 - i) Elections Subcommittee form ESUB-01 (Appendix A) provided to all members of the subcommittee describing the conflict and all solutions/opinions that are being formally sponsored.
 - a) In the event of an Executive Committee revote request, substitute form ESUB-01 for form ESUB-02 (Appendix B) or its equivalent narrative
 - ii) Votes may be done in real time if there are no committee members absences at the meetings where the dissent occurs.
 - iii) Email votes are permitted and are required in any instance where not all members are in attendance at the meeting requiring a vote.
 - a) Email votes may only be open for 24 hours, with any member who fails to vote in that time being counted as an abstention.
 - iv) Simple majority rule dictates the prevailing conclusion.
- (3) Executive Committee is to be provided the results and narration for any vote taken regarding election procedure.
 - i) Decisions will be assumed accepted by the Executive Committee unless otherwise indicates through a formal revote request (ESUB-02).

(C) Executive Committee Revote Request

- (1) Executive Committee may, by majority vote, request a revote of the Subcommittee decision by submitting their own counter narrative as outlined in ESUB-02 (Appendix B).

- (2) These requests should be made within 1 week of Elections Subcommittee submission of their original results to the Executive Committee.
- (3) Revotes follow the same procedure found in Article VIII.B.2, upon receipt of the Executive Committee narrative.
 - i) Decisions will be assumed accepted by the Executive Committee unless otherwise indicates referral to a Senate vote to overturn.

(D) University Senate Formal Question Review

- (1) In the event the Elections Subcommittee maintains the original opinion following an Executive Committee revote request, Executive Committee may (by simple majority) vote to refer the opinion to a undergo a University Senate formal question review.
 - i) All documents should be provided to the University Senate voting members in a closed session where a designated member of both the Executive Committee and Elections Subcommittee will serve as expert representatives for each body.
 - ii) University Senate, by obtaining a 60% majority, may overturn a twice validated Subcommittee decision.
- (2) Any decision which is ultimately overturned must be followed by a drafted interim policy on the opinion in question within 30 days.
 - i) This interim policy should be drawn up and submitted through standard practices by the Executive Committee.

(E) ESUB-01 & ESUB-02

- (1) These forms are to be utilized for the purpose of navigating Non-Consensus issues.
- (2) ESUB-01
 - i) Found as Appendix A of these Bylaws,
 - ii) Must be filled out and submitted for all Non-Consensus issues.
 - iii) The sections of the submitted form should reflect all stages needed/completed in pursuit of a formalized solution.
 - iv) When appropriate, resolutions reached (no revote or overturn attempts active) concerning to a Non-Consensus issue featured in an ESUB-01 form will represent precedent for future Elections Subcommittee actions.
- (3) ESUB-02
 - i) Found as Appendix B of these Bylaws,
 - ii) Represents the template for narrative items needed form the Executive Committee when they submit a Revote Request.
 - iii) The Executive Committee does not need to use the exact ESUB-02 form for their request to be honored in so long as the items needed are presented in a physical form (typed/written) and legible.

Article IX. Amendments

- (A) These bylaws may be amended by a majority vote of the Subcommittee Members, provided that notice of the proposed amendment is given in advance of the meeting.
 - (1) Proposed amendments to the bylaws shall be shared with all Subcommittee Members a reasonable amount of time prior to the meeting.
- (B) Amendments approved by the Subcommittee should then be forwarded to the Senate Executive Committee for final approval (see Section 5.2 below).

Article X. Adoption & Review

- (A) These bylaws are hereby adopted by the Elections Subcommittee members on **Date TBD** and shall supersede any previous bylaws or rules of the Subcommittee.
- (B) These bylaws were dually reviewed and approved by Senate Executive Committee on **Date TBD**
- (C) These bylaws must be reviewed at least every three years
 - (1) Next review: Academic Year 2029/2030

Appendix A

Commonwealth University Senate Elections Subcommittee

ESUB-01: Non-Consensus Narrative

Guidance:

- Use this form as outlined in Article VIII.E. of the Elections Subcommittee Bylaws.
 - This form should be completed by the Chair or their designee to summarize the topic of debate, including the opinion(s) present to reach a resolution.
 - Ensure you have marked each of the boxes appropriate for the stage/progression of the issue presented.
 - **Stage 1: Pre-Voting**
 - Complete items 1-4 *prior to voting*.
 - **Stage 2: Voting**
 - Complete items 5-8 *following voting*.
 - **Stage 3: Outcome Filing/Revote Request**
 - Complete item 9-11 and sign after...
 - ❖ An endorsement by Executive Committee is received or...
 - ❖ One week has elapsed since the Subcommittee submitted this ESUB-01 form to Executive Committee
- OR–**
- Complete items 9-11, mark “Continued, see Stage 4”, and leave signature blank.
 - ❖ Executive Committee submits a revote request (*ESUB-02 or equivalent*).
 - **Stage 4: Revote**
 - Complete items 12-17 after a revote requested by the Executive Committee is completed
 - **Stage 5: Revote**
 - Complete item 7 if Executive Committee submits an revote request

Stage 1: Pre-voting

1. Description of the nature of the conflict.

Click or tap here to enter text.

2. Describe the solution being proposed to this conflict.

Click or tap here to enter text.

3. Are there one or more alternate solutions being sponsored by a subcommittee member that will be presented for a formal vote? *(If no, advance to Stage 2)*

Click or tap here to enter text.

4. Describe the alternate solution(s).

Click or tap here to enter text.

Stage 2: Voting

5. When and how was this form provided to the Elections Subcommittee members?

☐ In Person *(All Members Present)*

☐ Via Email

Click or tap to enter a date.

6. Did all members participate in the vote *(Please Note: Abstentions that are provided directly from the subcommittee member counts as participation.)*

☐ Yes

☐ No

7. What was the date of the vote?

Click or tap to enter a date.

8. What was the vote outcome? *(This should include all 9 members of the committee. Any variance must be explained.)*

Click or tap to enter a date.

Stage 3: Outcome Filing/Revote Request

9. When was this form provided to the Executive Committee?

Click or tap to enter a date.

10. Did the Senate Executive Committee formally endorse the decision?

☐ Yes *(If yes, please provide a reference to the endorsement when filing)*

☐ No

11. Did the Senate Executive Committee communicate a request for a revote?

☐ Yes *(If yes, mark "Contested" below and continue...)*

☐ No *(If no, this form is completed. Mark and date "Adopted" below, then sign.)*

*** Documents that reached a Stage 4 designation of adopted should be filed with the Senate Administrative Support and a copy kept in Subcommittee records. ***

Adopted: ☐ Click or tap to enter a date.

Contested: ☐ Continued, see Stage 4

X

Elections Subcommittee Chair or Designee

Stage 4: Revote

12. When was the request provided from the Executive Committee?

Click or tap to enter a date.

13. Provide ESUB-02 details below:

a. EC1:

Click or tap here to enter text.

b. EC2:

Click or tap here to enter text.

c. EC3:

Click or tap here to enter text.

d. EC4:

Click or tap here to enter text.

14. When and how was the ESUB-02 form provided to the Elections Subcommittee members?

☐ In Person (*All Members Present*)

☐ Via Email

Click or tap to enter a date.

15. Did all members participate in the revote (*Please Note: Abstentions that are provided directly from the subcommittee member counts as participation.*)

☐ Yes

☐ No

16. What was the date of the revote?

Click or tap to enter a date.

17. What was the revote outcome? (*This should include all 9 members of the committee. Any variance must be explained.*)

Click or tap here to enter text.

Stage 5: Revote Outcomes

18. When was this form resubmitted to the Executive Committee?

Click or tap to enter a date.

19. Did the Senate Executive Committee formally endorse the revote decision?

☐ Yes *(If yes, please provide a reference to the endorsement when filing)*

☐ No

20. Did the Senate Executive Committee communicate a request for a revote?

☐ Yes *(If yes, mark "Contested" below)*

☐ No *(If no, this form is completed. Mark and date "Adopted" below, then sign.)*

*** Documents that reached a Stage 5 designation of adopted and contested should be filed with the Senate Administrative Support and a copy kept in Subcommittee records. ***

Adopted: ☐ Click or tap to enter a date.

Contested: ☐

X

Elections Subcommittee Chair of Designee

Appendix B

**Commonwealth University Senate
Elections Subcommittee**

ESUB-02: Executive Committee Revote Request

Guidance:

- Use this form as outlined in Article VIII.E. of the Elections Subcommittee Bylaws.
- This form should be completed by an empowered member of the Executive Committee of Commonwealth University of Pennsylvania Senate.

Voting Outcome Concern

1. Description of the nature of the conflict.

Click or tap here to enter text.

2. Describe the solution being proposed to this conflict.

Click or tap here to enter text.

3. Are there one or more alternate solutions being sponsored by a subcommittee member that will be presented for a formal vote? *(If no, advance to Stage 2)*

Click or tap here to enter text.

4. Describe the alternate solution(s).

Click or tap here to enter text.

5. How and to whom was this form provided to the Elections Subcommittee?

☐ In Person *(All Members Present)*

☐ Via Email

Click or tap here to enter text.