Faculty Senate procedure for secret ballots (proposed, for discussion only).

Technology

Secret ballots will be conducted through the automated process offered by the external vendor OpaVote [used by the Law School]. [OpaVote encrypts votes and represents that it is impossible to decipher who cast which votes.] The fee [currently $10 per vote] will be paid by [?].

Faculty center staff will maintain a current "voting list" of the email addresses of all persons eligible to vote. Anyone on the list is entitled to see the list, upon request. Persons who elect to recuse themselves from all secret ballots, as described below, will, be removed from the voting list.

The Presiding Officer should arrange occasional tests of the system, to ensure that everyone on the voting list receives and can cast a test ballot.

Process for conducting secret ballots

The Senate can hold a secret ballot only by majority vote of the members present, and secret ballots must be conducted during meetings. [RR citations]

If available, two staff members, one from the Faculty Center and one from the Provost's Office, will jointly administer the ballot, as "counters," through the OpaVote website. The Presiding Officer shall announce the counters, or the Senate can specify the counters as part of the resolution specifying a secret ballot. At least one of the counters must be a person not on the voting list.

Faculty Center staff shall send the voting link to everyone on the voting list. The emailed "ballot" must provide a complete statement of the motion being voted on, as stated by the Presiding Officer, either in the email, at the voting link itself, or at a different direct link provided in the email.

By default, each voter will choose among: Yes; No; Abstain [or Present]. The Senate has the option, in the motion directing the secret ballot, to specify different choices as appropriate, but Abstain must be one of the choices. [This is important for establishing whether a quorum participated.]

The Senate should, in the motion directing the secret ballot, specify the number of minutes that the ballot will be open. This must be at least ten minutes and must be short enough to cause the vote to close at least ten minutes before the scheduled end of the Senate meeting. If the motion does not include such a specification, then by default the ballot is open for ten minutes.

The counters will close the ballot after the number of minutes specified [this cannot be automated] and have the option to close the ballot earlier if everyone on the voting list has voted.

The counters will advise the Presiding Officer of any technical difficulties during the vote. In that case, the Presiding Officer has the option to cancel the vote and (if the technical difficulties appear to be resolved) to restart the vote, subject to the time constraint implied by the scheduled end of the meeting.

If the counters report to the Presiding Officer, as the end of the voting period approaches, that a quorum has not voted, then the Presiding Officer has the option to extend the vote for a brief period, with the goal of achieving a quorum.

Accidental short delays in closing the vote shall not be grounds for canceling or voiding the vote. Isolated reports of failure to receive a ballot that was provably emailed shall not be grounds for canceling or voiding the vote.

After the vote closes, the counters will advise the Presiding Officer that they are ready to report the results, meaning the number of votes cast for each option. [OpaVote should provide this information almost immediately.]

The Presiding Officer shall announce the results as soon as practical but has discretion to observe a short delay for the purpose of minimizing disruption to any ongoing proceedings. The result must, however, be announced before the end of the meeting, with enough time remaining for any eligible voter to raise an objection to the validity of the vote.

Special rules concerning recusals

By voting for a secret ballot, the Senate implicitly acknowledges that it will be impossible to verify any announced recusals from the vote.

An exception is that voting members who are not elected by the General Faculty, or as representatives of their colleges or academic units, have the right to request removal from the voting list, meaning that they are recusing themselves from all secret ballots. The Presiding Officer will advise the Senate of any such standing recusals, which shall be counted as abstentions and do not reduce the number required for a quorum.

Permanent recording of who voted and the results

The counters shall make available, electronically, either during or after the meeting, a list of everyone who voted [necessarily including abstentions], a list of anyone on the voting list who did not vote, a list of the standing recusals in effect at the time of the vote, and Opa's automatically generated report of the results, or screen shots of that report. These lists shall be part of the permanent record of the meeting and accessible to any eligible voter, but whether to include them as part of the adopted minutes is ultimately at the Senate's discretion.