

COMMITTEE ON RULES, JURISDICTION, AND ELECTIONS
Annual Report, 2006-07

To the Academic Senate, Santa Cruz Division:

During 2006-07, the Committee on Rules, Jurisdiction, and Elections (CRJE) evaluated legislation and resolutions submitted for inclusion in the agenda of regular meetings of the Santa Cruz Division, providing editorial advice to the proposers of these items as well as advice about legislative implications of the items to be considered by the Division. Formal and informal advice was given on other matters to various Senators and Division committees and officers who requested it. This report lists a summary of advice and comments given on the various items discussed by the CRJE.

At the request of various Senate committees and Senators, CRJE provided opinions on the following items:

Bylaw 55 – Voting Practices: A Senator submitted an inquiry regarding voting practices under Bylaw 55. Although interpretation of Bylaw 55 is not in the purview of CRJE, but rather UC Committee on Rules and Jurisdiction (UCCRJ), the question raised was a more general one. The voting practices are most comprehensively described in the Academic Personnel Manual (APM) and the Campus Academic Personnel Manual (CAPM) and some of these procedures could be interpreted as being different from the procedures outlined in “The Standard Code of Parliamentary Procedure” by Alice Sturgis. Santa Cruz Bylaw (SCB) 7.4 states that questions of order not covered by legislation are governed by Sturgis. Because the voting procedures are not specified completely in the UC or UCSC Bylaws, the question was whether or not they should strictly follow the procedures in Sturgis. CRJE noted that Sturgis states that “Custom and tradition can establish unwritten rules which are valid, provided that they do not conflict with bylaws.” CRJE therefore considers that the long-standing procedures in the APM and CAPM, while not explicitly covered by the Bylaws, do hold authority when not in conflict the Bylaws. Hence, the APM and CAPM voting procedures that do not conflict with the Bylaws should be followed before resorting to strict adherence of the procedures in Sturgis. It was suggested to the Senator that questions about fairness of the procedures would be more appropriately addressed by the Committee on Academic Personnel (CAP).

Another issue was brought forward as a formal inquiry from a department chair. CRJE was asked to interpret whether a request by a Senator to rescind a “waive of the right to vote” was appropriate and should be honored. CRJE felt that this was an issue more appropriately handled by CAP and it was forwarded to that committee.

CRJE received a request from the Assistant Vice Chancellor for Academic Human Resources for a definition of a “waiver”. CRJE considered this the purview of CAP and referred it to that committee. CAP proposed legislation to do this (see below).

In response to a Committee on Educational Policy (CEP) inquiry, CRJE concluded rounding down to 25 percent when adhering to Santa Cruz Regulation (SCR) 10.1.1 would not be

consistent with the wording of that Regulation.

CRJE received an informal inquiry from CEP regarding SCR 10.2.2.5. CRJE responded that blanket waivers for writing-intensive courses were not appropriate and that the students' colleges must be involved in any waivers that are granted until the Senate modifies the Regulation.

CRJE received an informal inquiry from CEP regarding whether SCB 13.17.1 could be modified as a conforming change by adding the word "undergraduate" in front of "student representatives". CRJE stated that it should go to a Senate vote (see below).

CRJE responded to an informal inquiry regarding a vote at the March Senate Meeting in which the Bylaw change SBC 13.17.1 was stated to have passed by a majority vote rather than the required two-thirds vote. CRJE confirmed that the Bylaw change did not pass and a subsequent announcement by the Senate Chair clarified that point.

A formal request was made by the Committee on Privilege and Tenure (CPT) in July, 2006, that CRJE establish a standard time limit for replying to inquiries from Senators. CRJE explained that it cannot impose a time limit on future CRJE actions. However, CRJE attempts to answer inquiries as quickly as possible and in most cases does so within at most two quarters. CRJE meeting schedules do constrain how quickly a response can be given, though if it is made clear that an answer is urgently needed, a faster reaction is possible with additional Committee meetings. Some actions require extensive research or require responses from other UCSC or UC committees. In such cases, delays may be beyond the control of CRJE. Often, Senators may obtain informal or formal advice more quickly by addressing the CRJE chair directly. Inquiries made late in the academic year may be carried over to a new committee, resulting in some delay.

CRJE reviewed the following proposed legislation:

SCB 3.4.2: The proposed Committee on Committee's (COC) legislation regarding privilege of the floor for non-Senate teaching faculty was found, with minor changes in wording, to be clear and not in conflict with other Bylaws or Regulations. CRJE noted that SCB 3.5 allows the Division Chair to call for a Divisional Meeting which would be open to only Senate members.

SCB 13: The proposed Committee on the Library (COL) legislation to create a new standing committee on scholarly communications was found by CRJE to be ambiguous because it is possibly in conflict with the purview of CAP under SCB 13.10.2. CRJE recommended further work on the legislation to address this point.

SCB 13.4.5: The proposed legislation from CAP defining "waiver", after minor changes, was found to be clear and not in conflict with other Bylaws or Regulations.

SCB 13.17.1: The proposed legislation from CEP to change the wording regarding CEP's student representatives was found to be clear and not in conflict with other Bylaws or Regulations.

SCB 13.17.6: The proposed CEP legislation to modify their charge regarding University

Extension, Santa Cruz Division, was found to be clear and not in conflict with other Bylaws or Regulations and made their charge more consistent with the charges of other Division committees.

SCB 13.26.3: The proposed legislation from CPT regarding the separation of the role of CPT from that of P&T advisors was, after a minor change, found to be clear and not in conflict with other Bylaws or Regulations.

SCR 10.2.2.3: The proposed legislation from CEP regarding transfer credit for the Topical GE requirement was found to be clear and not in conflict with other Bylaws or Regulations.

UCRJ Proposal to revise UC Bylaw 205, Part I A: The UC Committee on Rules and Jurisdiction proposed to increase its membership from 5 to 7, to provide for a Vice Chair of the Committee. CRJE considered the change desirable, but noted that it would increase the number of “at large” members relative to members chosen from the Divisions. CRJE suggested that a more balanced mix might be desirable.

In accordance with past practice, there was no election held for COC membership because there were only two nominations for two open positions.

Santa Cruz Division Manual Updates:

A major undertaking by CRJE during the 2006-07 academic year was the review of existing College Bylaws with the goal of including them in the Senate Manual, section IV, as required by SBC 13.28.3. Each set of Bylaws was reviewed. CRJE found some to be acceptable after minor changes are completed. Two sets were deemed inadequate and major revisions were requested from the Colleges. The revised Bylaws will be further reviewed by CRJE for inclusion in the Manual. The issues that must be properly addressed in College Bylaws include proper voting procedures for new members and officers, proper procedures for voting on Senate issues when the Colleges act as Senate committees, and quorum definitions, particularly when acting on Senate matters.

The revised policy of the Graduate Council regarding the Graduate Record Examination General Text was approved for inclusion in Appendix D of the Division Manual.

Several conforming changes were made to the Division Manual. The words “in conformity with the University schedule of exercises” were dropped from SCB 6.1 because they no longer carry meaning. It was decided by CRJE to continue listing committees alphabetically, automatically changing the order to conform with committee name changes. It was decided to retain all variances in Appendix B of the Division Manual. The word “in” was deleted before the word “History” in SCR 6.7.9. The references at the end of SCR 10.2.2.3 were updated.

One carry forward issue has to do with the proper labeling of Regulations in our Division Manual. According to UC SB 80.4, Regulations in the Division Manual that are at variance with the UC Regulations and have been approved by the Academic Senate are to carry the prefix “A”. This has not been done consistently. Bringing the manual into conformance with UC SB 80.4

will require considerable research of past actions by the Division. This task could not be resolved this academic year because the UC manual is currently being revised and updated, making it difficult to reconcile the UC and UCSC manuals.

Two issues should be carried forward to 2007-08 because the items have not been received by CRJE. The review of College Bylaws should be continued as revisions are submitted by the Colleges. The Graduate Council has been reminded that it needs to submit all of their regulations for review by CRJE for inclusion in Appendix D of the Senate Manual. CRJE will then need to review the regulations for consistency with existing Bylaws and Regulations.

CRJE would like to express appreciation to Roxanne Monnet for her excellent assistance and useful advice throughout the year.

Respectfully Submitted,

COMMITTEE ON RULES, JURISDICTION, AND ELECTIONS

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