SENATE ADVISORY COMMITTEE
Proposed Changes to Santa Cruz Bylaws

To: The Academic Senate, Santa Cruz Division
The Senate Advisory Committee has begun the process of reviewing Santa Cruz Divisional Bylaws. As one outcome of this review, the Senate Advisory Committee would like to propose several amendments to the Divisional Senate Bylaws. All of these changes are intended to enhance the efficiency and clarity of Divisional meetings. We discuss below, the background and rationale for these changes. For these reasons, the Senate Advisory Committee urges the enactment of the following bylaw amendments to the Divisional bylaws.

A. Bylaw 6.2 Quorum
According to the Bylaws of the Santa Cruz Division of the Academic Senate, a quorum for the conduct of business at a Senate meeting is 10% of the membership of the division, which is currently 62 members. Unfortunately, the attendance of this many Senators is by no means assured at meetings whose agendas lack controversial issues.

Most other UC divisions avoid this problem by conducting business through a representative assembly. Among those campuses who conduct business at a town hall type meeting where all Senators have the right to vote, UCSC has the highest quorum requirements (both in terms of percent and in terms of absolute numbers) within the UC system. By comparison, UC Berkeley's quorum requirement is the presence of 50 Senators, on a campus whose academic senate membership is approximately 2,200.

Two of the reasons why attendance at senate meetings may be declining are related to faculty turnover: (1) An ever increasing fraction of the Senate membership consists of emeriti, who are less likely to attend meetings, and (2) our substantial number of relatively new faculty are less steeped in the tradition of Senate meeting attendance. Both reasons might become more important with time.

Consequently, as a part of its review of the Senate bylaws, the Senate Advisory Committee is proposing to lower the quorum requirement to 50 members of the division. Such a quorum would represent a percentage that would still be considerably higher than that of UC Berkeley. At UCSC, the right to a referendum by mail ballot will continue to ensure that the will of the majority of Senators (or 2/3 supermajority for bylaw revisions) must always prevail.

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<td>6.2 Quorum.</td>
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<td>Ten percent of the voting members of the Santa Cruz Division constitute a quorum for the transaction of business at a meeting of the Division. (Am 28 May 69; 19 Apr 72, effective 1 May 72; 29 May 91)</td>
<td>Fifty percent of the voting members of the Santa Cruz Division constitute a quorum for the transaction of business at a meeting of the Division. (Am 28 May 69; 19 Apr 72, effective 1 May 72; 29 May 91)</td>
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B. Bylaw 6.6 - Minutes

As currently written, our Divisional Senate Bylaws refer in several places to "the minutes," without distinguishing carefully between draft minutes and approved minutes, two very different types of record. Draft minutes are not an official document and have no official status as a record of meetings. However, approved minutes are the official record of what took place at a meeting and are often distributed widely. This distinction is clearly set forth in the bylaws of many organizations and in Robert's Rules of Order.

In proposing modifications to Divisional Bylaws 6.6, 7.1, and 7.2, the Senate Advisory Committee has replaced every occurrence of the word "minutes" with either "draft minutes" or "approved minutes." We have also changed the times by which both draft and approved minutes must be distributed. Because we are currently scheduling two Divisional meetings per quarter (instead of the traditional one), it may not be practical to send out draft meetings before the "next regular meeting" of the Division. Finally, we have included a statement explicitly permitting the approved minutes to be posted on the Senate's web page instead of being printed and distributed. This latter possibility may prove to be an important cost savings. We expect that an email notice of such posting will be sent to all Division members.

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<td>6.6 Minutes</td>
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<td>The minutes of every meeting of the Santa Cruz Division are to be sent by the Secretary with or before the Call to the next regular meeting to every member of the Santa Cruz Division, the executive offices of the other Divisions, the President and the Secretary of the Academic Senate, and each member of the University Committee on Rules and Jurisdiction. [DLR 1996.10C and 1996.10E] (Am 9 Nov 94; CC 1 Sept 79, 31 Aug 98; EC 31 Aug 99)</td>
<td>The <strong>draft</strong> minutes of every meeting of the Santa Cruz Division are to be sent by the Secretary <strong>to every member of the Santa Cruz Division</strong> <strong>within 45 instructional days of the meeting described by the minutes.</strong> The <strong>approved minutes shall be sent by the Secretary within 30 days of approval</strong> with or before the Call to the next regular meeting to every member of the Santa Cruz Division, the executive offices of the other Divisions, the President and the Secretary of the Academic Senate, and each member of the University Committee on Rules and Jurisdiction. <strong>The Secretary is authorized to post the approved minutes on the Senate's web page in lieu of sending the approved minutes to every member of the Division.</strong> [DLR 1996.10C and 1996.10E] (Am 9 Nov 94; CC 1 Sept 79, 31 Aug 98; EC 31 Aug 99)</td>
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C. Bylaw 7.1 Rules of Order

7.1 The order of business at Regular Meetings is as follows [SB 315C(1)]:

1. Minutes Approval of draft minutes
2. Announcements by the President, the Chancellor, the Chair, and others
3. Reports of Representatives to the Assembly
4. Special Orders
5. Reports of Special Committees
6. Reports of Standing Committees
7. Report of the Chair of the Student Union Assembly, or designee, on current student concerns
8. Report of the President of the Graduate Student Association, or designee, on current student concerns
9. Petitions of Students
10. Unfinished Business
11. University and Faculty Welfare
12. New Business

The regular order of business may be suspended at any meeting by a two-thirds vote of the voting members present. (Am 30 Apr 69 EI, 22 Oct 75, 9 June 93, 28 Oct 98 EI; CC 4 Aug 87, 31 Aug 98)

D. Bylaw 7.2 Rules of Order

The order of business at Special and Emergency Meetings is as follows [SB315C(2)]:

1. Minutes Approval of draft minutes (may be omitted by approval of two-thirds of the voting members present)
2. The special business for which the meeting was called
3. Any other non-legislative business authorized by unanimous consent of the voting members present

(CC 4 Aug 87, 31 Aug 98; EC 2 Sept 69)
E. Bylaw 7.3 Rules of Order

Annual Reports Consent Calendar
The modification proposed for bylaw 7.3 is simply intended to allow the first divisional meeting in fall, when annual reports of committees appear, to proceed more efficiently. It permits the Division Chair to place some or all of the Annual Reports in a Consent Calendar, which can be received by the Division in one single action. At the meeting, any Senator may remove any of the reports from the Consent Calendar for individual discussion. The advantage of this Consent Calendar is that reports that generate no discussion do not have to be considered one by one. Presumably, in preparing the Call, the Chair will not include in the Consent Calendar any reports likely to generate discussion or which the committee chair wishes to introduce.

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<td>7.3 Discussion of <em>Annual Reports</em> of Standing Committees constitute a special order for the first regular meeting of the Santa Cruz Division in the fall term. [SCB 13.7] (Am 21 Apr 76; CC 31 Aug 98)</td>
<td>7.3 Discussion <em>Discussions</em> of <em>Annual Reports</em> of Standing Committees constitute a special order <em>special orders</em> for the first regular meeting of the Santa Cruz Division in the fall term. In the meeting Call, at the discretion of the Division Chair, any or all special orders may be placed on a Consent Calendar under Special Orders. During consideration of Special Orders, at the request of any Senate member, any such Consent Calendar item will be removed from the Consent Calendar and considered separately by the Division. All remaining special orders on the Consent Calendar may be received by the Division with a single unanimous vote. [SCB 13.7] (Am 21 Apr 76; CC 31 Aug 98)</td>
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F. Bylaw 6.7 Written Divisional Action

In proposing new Divisional bylaws 6.7.1 and 6.7.2, the Senate Advisory Committee is attempting to mandate two key practices regarding Divisional meetings.

At recent meetings, it has become our practice to require that all significant motions (bylaw amendments, regulation amendments, and resolutions) be available in written form before members are asked to vote. In many cases, the proposal is already printed in the meeting Call. Even when a member introduces new or amended language for a motion at a meeting, we have recorded it on a transparency and projected it for the members present to read. Not only does this give voters an opportunity to read the legislation or resolution they are voting on, it also produces an immediate written record of this motion. There have been times in the past when such a record would have proven extremely helpful. The proposed bylaw 6.7.1 requires that such a written record be prepared prior to a vote.

The proposed bylaw 6.7.2 simply requires that the Secretary distribute a statement of all such Divisional actions to the entire Division membership within two weeks of any Divisional meeting. Such a notice would simply contain the text of any legislation or resolution which is voted on at a Divisional meeting (as well as the result of the vote). This will serve to keep the entire membership informed of what transpired at the meeting in a timely fashion.

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<td>6.7.1 Written Divisional Actions</td>
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<td>Before voting on any legislation or resolution at a Divisional meeting, the voters at the meeting must have an opportunity to read a written form of the motion being considered. Written motions projected onto a screen will be deemed to have met this requirement.</td>
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<td>6.7.2 Notice of Divisional Actions</td>
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<td>Within two weeks after any Divisional meeting, the Secretary shall send to all members of the Division a statement, either in electronic or hard copy form, of all actions taken taken by the Division on legislation or resolutions.</td>
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G. Bylaw 8.4.1 Referendum

There is one substantive amendment being proposed to Divisional bylaw 8.4.1 dealing with referenda.

Currently, the deadline for the submission of a petition asking for a mail ballot on any action of the Division is tied to the distribution of the "minutes," without specifying whether these are draft minutes or approved minutes. Either choice is potentially problematic. The draft minutes have no official status, and might be changed at the next Divisional meeting. The approved minutes might not be distributed before two or more Divisional meetings have occurred. However, there is some benefit to finality with regard to Divisional actions.

Therefore, we have proposed tying the deadline for the submission of petitions for a mail ballot to the distribution of the Notice of Divisional Actions (proposed Divisional bylaw 6.7.2). This would be considerably more prompt. In addition, since there will be a written record of all actions voted on at a meeting, there will be an explicit written check on all actions reported to the Division in the Notice of Divisional Action.

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<td>8.4.1 Referendum.</td>
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<td>Upon petition by at least 25 members of the Santa Cruz Division, the Committee on Rules, Jurisdiction, and Elections shall conduct a referendum by mail ballot on any specific action of the Santa Cruz Division or of the Advisory Committee. Such a petition must be submitted not later than 21 days after the Minutes of the Santa Cruz Division or of the Senate Advisory Committee reporting such legislation or decision have been placed in the mail. The results of such a mail ballot referendum are deemed conclusive. The Santa Cruz Division may not reconsider such action for a period of one year unless authorized to do so. [DLR 1996.10C and 1996.10E] (Am 21 Oct 81 EI, 9 Oct 85; CC 31 Aug 98; EC 18 Oct 91)</td>
<td>Upon petition by at least 25 members of the Santa Cruz Division, the Committee on Rules, Jurisdiction, and Elections shall conduct a referendum by mail ballot on any specific action of the Santa Cruz Division or of the Advisory Committee. Such a petition must be submitted not later than 21 calendar days after the Notice of Divisional Actions Minutes of the Santa Cruz Division or of the Senate Advisory Committee reporting such legislation or decision have has been placed in the mail, circulated to the Division either by mail or through electronic communications. The results of such a mail ballot referendum are deemed conclusive. The Santa Cruz Division may not reconsider such action for a period of one year unless authorized to do so. [DLR 1996.10C and 1996.10E] (Am 21 Oct 81 EI, 9 Oct 85; CC 31 Aug 98; EC 18 Oct 91)</td>
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Respectfully submitted,

SENATE ADVISORY COMMITTEE
Dave Belanger, Secretary
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Carol Freeman, CEP
Carolyn Martin-Shaw, P&T
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