SENATE ADVISORY COMMITTEE  
Proposed Amendment to Bylaw 8.4.1, Referendum

To: The Academic Senate, Santa Cruz Division

Continuing its review of Santa Cruz Divisional Bylaws begun last year, the Senate Advisory Committee would like to propose an amendment to bylaw 8.4.1, which is intended to enhance the efficiency and clarity of Divisional operations. We discuss below, the background and rationale for the change. For these reasons, the Senate Advisory Committee urges the enactment of the following bylaw amendment to the Divisional bylaws.

The following bylaw amendment will fix difficulties with our current rules regarding referenda. Currently, the deadline for submitting petitions requesting a mail ballot referendum on an issue decided at a Divisional Senate meeting is tied to the distribution of the “minutes”, without specifying whether they are draft minutes or approved minutes. Draft minutes really have no official status, and minutes of a meeting have taken as long as a year to be approved. Instead, we are proposing that the deadline for such petitions be tied to the Notice of Divisional Actions, which our Secretary must distribute to all Senate members within two weeks after each meeting. It is only divisional actions which are subject to referenda, and this change would require that referenda be initiated in a timely fashion after the Division has acted.

This change clarifies the prohibition regarding whether a matter can be reconsidered by the Division within one year of a referendum. It precludes such reconsideration only for substantially the same question, allowing for conforming amendments, and it eliminates the phrase “unless authorized to do so,” since it is unclear who has the power to provide such authorization.

<table>
<thead>
<tr>
<th>Current</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.4.1 Referendum</td>
<td>8.4.1 Referendum</td>
</tr>
<tr>
<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]</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 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 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.</td>
</tr>
</tbody>
</table>
Respectfully submitted,

SENATE ADVISORY COMMITTEE
Dave Belanger, Secretary
Sandy Faber, COC
Carol Freeman, CEP
Carolyn Martin-Shaw, P&T
Bob Meister, CPB
Alan Richards, CAP
Tony Fink, CAFA
Steve Thorsett, COR
Faye Crosby, CFW
Quentin Williams, GC
John Lynch, Assembly Rep
Alison Galloway, Vice Chair
George Blumenthal, Chair

January 10, 2003